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SENATE BILL No. 119

Proposed Changes to introduced printing by AM011901

DIGEST OF PROPOSED AMENDMENT

Grooming. Removes and replaces "knowingly and intentionally", and removes a reference to "unlawful" sexual conduct.

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-10, AS AMENDED BY P.L.98-2025,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 10. (a) As used in this section, "offender against
4 children" means a person who is an offender against children under
5 section 11 of this chapter.
6 (b) As used in this section, "sexually violent predator" means a
7 person who is a sexually violent predator under IC 35-38-1-7.5.
8 (c) A sexually violent predator or an offender against children who
9 knowingly or intentionally works for compensation or as a volunteer:
10 (1) on school property;
11 (2) at a youth program center;
12 (3) at a public park;
13 (4) as a child care provider (as defined by IC 31-33-26-1);
14 (5) for a child care provider (as defined by IC 31-33-26-1);
15 (6) as a provider of:
16 (A) respite care services and other support services for
17 primary or family caregivers; or
18 (B) adult day care services; **or**
19 (7) in any setting where the sexually violent predator or offender
20 against children:
21 (A) has more than incidental and occasional contact with a

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1 child who is not accompanied by the child's parent,
 2 guardian, or custodian;

3 (B) has supervisory or disciplinary power over a child; or
 4 (C) is expected to touch a child on a more than incidental
 5 and occasional basis; **or**

6 **(8) at a facility or event that provides entertainment or**
 7 **programming primarily directed toward a child less than**
 8 **eighteen (18) years of age;**

9 commits unlawful employment by a sexual predator, a Level 6 felony.
 10 However, the offense is a Level 5 felony if the person has a prior
 11 unrelated conviction under this section or based on the person's failure
 12 to comply with any requirement imposed on an offender under
 13 IC 11-8-8.

14 SECTION 2. IC 35-42-4-13, AS AMENDED BY P.L.168-2014,
 15 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 13. (a) This section does not apply to the
 17 following:

18 (1) A parent, guardian, or custodian of a child.

19 (2) A person who acts with the permission of a child's parent,
 20 guardian, or custodian.

21 (3) A person to whom a child makes a report of abuse or neglect.

22 (4) A person to whom a child reports medical symptoms that
 23 relate to or may relate to sexual activity.

24 (b) As used in this section, "sexual activity" means sexual
 25 intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5),
 26 or the fondling or touching of the buttocks, genitals, or female breasts.

27 (c) A person at least eighteen (18) years of age who or knowingly
 28 or intentionally:

29 (1) ~~or knowingly~~ ~~or intentionally~~ communicates with an
 30 individual whom the person believes to be a child less than
 31 fourteen (14) years of age concerning sexual activity with the
 32 intent to gratify the sexual desires of the person or the individual;
 33 or

34 (2) **engages in a pattern of repeated or continuous contact**
 35 **with an individual whom the person believes to be a child less**
 36 **than fourteen (14) years of age with the intent to make the**
 37 **individual less resistant to future ~~unlawful~~ sexual conduct;**
 38 commits inappropriate communication with a child sexual grooming,
 39 a Class B misdemeanor. However, the offense is:

40 (1) a Class A misdemeanor if the person commits the offense by
 41 using a computer network (as defined in IC 35-43-2-3(a); and

42 (2) a Level 6 felony if the person has a prior unrelated conviction



1 for a sex offense (as defined in IC 11-8-8-5.2).

2 SECTION 3. IC 35-42-4-14, AS AMENDED BY P.L.218-2025,

3 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

4 JULY 1, 2026]: Sec. 14. (a) As used in this section, "serious sex

5 offender" means a person required to register as a sex offender under

6 IC 11-8-8 who is:

7 (1) found to be a sexually violent predator under IC 35-38-1-7.5;

8 or

9 (2) convicted of one (1) or more of the following offenses:

- 10 (A) Child molesting (IC [] 35-42-4-3).
- 11 (B) Child exploitation (IC [] 35-42-4-4(b) or
- 12 IC 35-42-4-4(c)).
- 13 (C) Possession of child sex abuse material
- 14 (IC [] 35-42-4-4(d) or IC 35-42-4-4(e)).
- 15 (D) Vicarious sexual gratification (IC [] 35-42-4-5(a) and
- 16 IC 35-42-4-5(b)).
- 17 (E) Performing sexual conduct in the presence of a minor
- 18 (IC [] 35-42-4-5(c)).
- 19 (F) Child solicitation (IC [] 35-42-4-6).
- 20 (G) Child seduction (IC [] 35-42-4-7).
- 21 (H) Sexual misconduct with a minor (IC [] 35-42-4-9).

22 (b) A serious sex offender who knowingly or intentionally enters:

23 (1) school property; **or**

24 (2) **a:**

25 (A) **facility;** or

26 (B) **location holding an event;**

27 **that provides entertainment or programming primarily**
 28 **directed toward a child less than eighteen (18) years of age;**
 29 commits unlawful entry by a serious sex offender, a Level 6 felony.

30 (c) It is a defense to a prosecution under subsection (b) that:

31 (1) a religious institution or house of worship is located on the
 32 school property; and

33 (2) the person:

34 (A) enters the school property or other entity described in
 35 IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D)
 36 when classes, extracurricular activities, or any other school
 37 activities are not being held:

38 (i) for the sole purpose of attending worship services or
 39 receiving religious instruction; and

40 (ii) not earlier than thirty (30) minutes before the
 41 beginning of the worship services or religious
 42 instruction; and



1 (B) leaves the school property not later than thirty (30)
2 minutes after the conclusion of the worship services or
3 religious instruction.
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