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

(B) has supervisory or disciplinary power over a child; or

(C) is expected to touch a child on a more than incidental and occasional basis; or

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

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

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

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

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

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

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

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

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

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

or

**(2) engages in a pattern of repeated or continuous contact with an individual whom the person believes to be a child less than fourteen (14) years of age with the intent to make the individual less resistant to future ~~unlawful~~ sexual conduct;**

commits inappropriate communication with a child sexual grooming, a Class B misdemeanor. However, the offense is:

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

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



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

SECTION 3. IC 35-42-4-14, AS AMENDED BY P.L.218-2025,  
SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2026]: Sec. 14. (a) As used in this section, "serious sex  
offender" means a person required to register as a sex offender under  
IC 11-8-8 who is:

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

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

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or  
IC 35-42-4-4(c)).

(C) Possession of child sex abuse material  
(IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and  
IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor  
(IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

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

(1) school property; or

(2) a:

(A) facility; or

(B) location holding an event;

**that provides entertainment or programming primarily  
directed toward a child less than eighteen (18) years of age;**

commits unlawful entry by a serious sex offender, a Level 6 felony.

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

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

(2) the person:

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

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

(ii) not earlier than thirty (30) minutes before the  
beginning of the worship services or religious  
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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