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SENATE BILL No. 119

Proposed Changes to January 27, 2026 printing by AM011904

DIGEST OF PROPOSED AMENDMENT

Age. Provides that a person at least 18 years of age who communicates concerning sexual activity or engages in certain patterns of behavior with a child less than 18 years of age commits grooming.

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 35-31.5-2-127.7 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 127.7. "Facility or event that
4 provides entertainment or programming primarily directed
5 toward a child less than eighteen (18) years of age", or "facility or
6 location holding an event that provides entertainment or
7 programming primarily directed toward a child less than eighteen
8 (18) years of age", means a facility, location, or event for which
9 admission, participation, or attendance is restricted by policy or
10 practice to children less than eighteen (18) years of age, or to
11 children less than eighteen (18) years of age accompanied by a
12 parent, guardian, or custodian.

13 SECTION 2. IC 35-42-4-10, AS AMENDED BY P.L.98-2025,
14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 10. (a) As used in this section, "offender against
16 children" means a person who is an offender against children under
17 section 11 of this chapter.

18 (b) As used in this section, "sexually violent predator" means a
19 person who is a sexually violent predator under IC 35-38-1-7.5.

20 (c) A sexually violent predator or an offender against children who

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- 1 knowingly or intentionally works for compensation or as a volunteer:
- 2 (1) on school property;
- 3 (2) at a youth program center;
- 4 (3) at a public park;
- 5 (4) as a child care provider (as defined by IC 31-33-26-1);
- 6 (5) for a child care provider (as defined by IC 31-33-26-1);
- 7 (6) as a provider of:
- 8 (A) respite care services and other support services for
- 9 primary or family caregivers; or
- 10 (B) adult day care services; ~~or~~
- 11 (7) in any setting where the sexually violent predator or offender
- 12 against children:
- 13 (A) has more than incidental and occasional contact with a
- 14 child who is not accompanied by the child's parent,
- 15 guardian, or custodian;
- 16 (B) has supervisory or disciplinary power over a child; or
- 17 (C) is expected to touch a child on a more than incidental
- 18 and occasional basis; **or**
- 19 **(8) at a facility or event that provides entertainment or**
- 20 **programming primarily directed toward a child less than**
- 21 **eighteen (18) years of age;**
- 22 commits unlawful employment by a sexual predator, a Level 6 felony.
- 23 However, the offense is a Level 5 felony if the person has a prior
- 24 unrelated conviction under this section or based on the person's failure
- 25 to comply with any requirement imposed on an offender under
- 26 IC 11-8-8.
- 27 SECTION 3. IC 35-42-4-13, AS AMENDED BY P.L.168-2014,
- 28 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2026]: Sec. 13. (a) This section does not apply to the
- 30 following:
- 31 (1) A parent, guardian, or custodian of a child.
- 32 (2) A person who acts with the permission of a child's parent,
- 33 guardian, or custodian.
- 34 (3) A person to whom a child makes a report of abuse or neglect.
- 35 (4) A person to whom a child reports medical symptoms that
- 36 relate to or may relate to sexual activity.
- 37 (b) As used in this section, "sexual activity" means sexual
- 38 intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5),
- 39 or the fondling or touching of the buttocks, genitals, or female breasts.
- 40 (c) A person at least eighteen (18) years of age who **knowingly or**
- 41 **intentionally:**
- 42 (1) ~~knowingly or intentionally~~ communicates with an individual

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1 whom the person believes to be a child less than ~~[fourteen]~~
 2 ~~[(14)]~~ **eighteen (18)** years of age concerning sexual activity
 3 with the intent to gratify the sexual desires of the person or the
 4 individual; **or**
 5 **(2) engages in a pattern of repeated or continuous contact**
 6 **with an individual whom the person believes to be a child less**
 7 **than ~~<fourteen>~~**eighteen** (1~~<4>~~**[8]**) years of age with the**
 8 **intent to make the individual less resistant to future sexual**
 9 **conduct;**
 10 commits ~~inappropriate communication with a child sexual grooming,~~
 11 a Class B misdemeanor. However, the offense is:
 12 (1) a Class A misdemeanor if the person commits the offense by
 13 using a computer network (as defined in IC 35-43-2-3(a); and
 14 (2) a Level 6 felony if the person has a prior unrelated conviction
 15 for a sex offense (as defined in IC 11-8-8-5.2).
 16 SECTION 4. IC 35-42-4-14, AS AMENDED BY P.L.218-2025,
 17 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2026]: Sec. 14. (a) As used in this section, "serious sex
 19 offender" means a person required to register as a sex offender under
 20 IC 11-8-8 who is:
 21 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
 22 or
 23 (2) convicted of one (1) or more of the following offenses:
 24 (A) Child molesting (IC 35-42-4-3).
 25 (B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
 26 (C) Possession of child sex abuse material (IC 35-42-4-4(d)
 27 or IC 35-42-4-4(e)).
 28 (D) Vicarious sexual gratification (IC 35-42-4-5(a) and
 29 IC 35-42-4-5(b)).
 30 (E) Performing sexual conduct in the presence of a minor
 31 (IC 35-42-4-5(c)).
 32 (F) Child solicitation (IC 35-42-4-6).
 33 (G) Child seduction (IC 35-42-4-7).
 34 (H) Sexual misconduct with a minor (IC 35-42-4-9).
 35 (b) A serious sex offender who knowingly or intentionally enters:
 36 **(1) school property; or**
 37 **(2) a:**
 38 **(A) facility; or**
 39 **(B) location holding an event;**
 40 **that provides entertainment or programming primarily**
 41 **directed toward a child less than eighteen (18) years of age;**
 42 commits unlawful entry by a serious sex offender, a Level 6 felony.

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

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