

SENATE BILL No. 290

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-13-3-27; IC 11-8-8; IC 11-10-11.5-11; IC 11-13-3-4; IC 16-21-8-1; IC 16-34-2-4.2; IC 31-11-1-7; IC 31-19; IC 31-27-4-35; IC 31-34; IC 31-35-3-4; IC 35-31.5-2-216; IC 35-38-2; IC 35-41-4-2; IC 35-42-4; IC 35-44.1-3-9; IC 35-50-2-14.

Synopsis: Sex with a minor. Adds the criminal offense of sex with a minor, which is committed when a person who is at least: (1) 24 years of age and who engages in sexual intercourse or other sexual conduct, fondling, or touching with a child who is 16 years of age; or (2) 25 years of age and who engages in sexual intercourse or other sexual conduct, fondling, or touching with a child who is 16 or 17 years of age. Makes conforming amendments.

Effective: July 1, 2026.

Bohacek

January 12, 2026, read first time and referred to Committee on Corrections and Criminal Law.



Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE BILL No. 290

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 10-13-3-27, AS AMENDED BY P.L.218-2025,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 27. (a) Except as provided in subsection (b), on
4 request, a law enforcement agency shall release a limited criminal
5 history to or allow inspection of a limited criminal history by
6 noncriminal justice organizations or individuals only if the subject of
7 the request:
8 (1) has applied for employment with a noncriminal justice
9 organization or individual;
10 (2) has:
11 (A) applied for a license or is maintaining a license; and
12 (B) provided criminal history data as required by law to be
13 provided in connection with the license;
14 (3) is a candidate for public office or a public official;
15 (4) is in the process of being apprehended by a law enforcement
16 agency;
17 (5) is placed under arrest for the alleged commission of a crime;



(6) has charged that the subject's rights have been abused repeatedly by criminal justice agencies;

(7) is the subject of a judicial decision or determination with respect to the setting of bond, plea bargaining, sentencing, or probation;

(8) has volunteered services that involve contact with, care of, or supervision over a child who is being placed, matched, or monitored by a social services agency or a nonprofit corporation;

(9) is currently residing in a location designated by the department of child services (established by IC 31-25-1-1) or by a juvenile court as the out-of-home placement for a child at the time the child will reside in the location;

(10) has volunteered services at a public school (as defined in IC 20-18-2-15) or nonpublic school (as defined in IC 20-18-2-12) that involve contact with, care of, or supervision over a student enrolled in the school;

(11) is being investigated for welfare fraud by an investigator of the division of family resources or a county office of the division of family resources;

(12) is being sought by the parent locator service of the child support bureau of the department of child services;

(13) is or was required to register as a sex or violent offender under IC 11-8-8;

(14) has been convicted of any of the following:

- (A) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.
- (B) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the victim is less than eighteen (18) years of age.
- (C) Child molesting (IC 35-42-4-3).
- (D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
- (E) Possession of child sex abuse material (IC 35-42-4-4(d) or IC 35-42-4-4(e)).
- (F) Vicarious sexual gratification (IC 35-42-4-5).
- (G) Child solicitation (IC 35-42-4-6).
- (H) Child seduction (IC 35-42-4-7).
- (I) Sexual misconduct with a minor as a felony (IC 35-42-4-9).
- (J) Sex with a minor (IC 35-42-4-9.5).**
- (J) (K) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age;**
- (15) is identified as a possible perpetrator of child abuse or neglect in an assessment conducted by the department of child services under IC 31-33-8; or



1 (16) is:

2 (A) a parent, guardian, or custodian of a child; or
3 (B) an individual who is at least eighteen (18) years of age and
4 resides in the home of the parent, guardian, or custodian;
5 with whom the department of child services or a county probation
6 department has a case plan, dispositional decree, or permanency
7 plan approved under IC 31-34 or IC 31-37 that provides for
8 reunification following an out-of-home placement.

9 However, limited criminal history information obtained from the
10 National Crime Information Center may not be released under this
11 section except to the extent permitted by the Attorney General of the
12 United States.

13 (b) A law enforcement agency shall allow inspection of a limited
14 criminal history by and release a limited criminal history to the
15 following noncriminal justice organizations:

16 (1) Federally chartered or insured banking institutions.

17 (2) Officials of state and local government for any of the
18 following purposes:

19 (A) Employment with a state or local governmental entity.

20 (B) Licensing.

21 (3) Segments of the securities industry identified under 15 U.S.C.
22 78q(f)(2).

23 (c) Any person who knowingly or intentionally uses limited criminal
24 history for any purpose not specified under this section commits a
25 Class C infraction. However, the violation is a Class A misdemeanor
26 if the person has a prior unrelated adjudication or conviction for a
27 violation of this section within the previous five (5) years.

28 SECTION 2. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,
29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this
31 chapter, as used in this chapter, "sex offender" means a person
32 convicted of any of the following offenses:

33 (1) Rape (IC 35-42-4-1).

34 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

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

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

37 (5) Vicarious sexual gratification (including performing sexual
38 conduct in the presence of a minor) (IC 35-42-4-5).

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

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

41 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
42 Class B, or Class C felony (for a crime committed before July 1,



2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:

(A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);

(B) the person is not more than:

(i) four (4) years older than the victim if the offense was committed after June 30, 2007; or

(ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and

(C) the sentencing court finds that the person should not be required to register as a sex offender.

(9) Incest (IC 35-46-1-3).

(10) Sexual battery (IC 35-42-4-8).

(11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.

(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.

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

(14) Promoting prostitution (IC 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).

(15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.

(16) Promotion of child sexual trafficking under IC 35-42-3.5-1.2(a).

(17) Promotion of sexual trafficking of a young person

35-42-3.5-1.2(c)).
(18) Child sexual trafficking (IC 35-42-3.5-1.3).

- (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is less than eighteen (18) years of age.
- (20) Sexual misconduct by a service provider with a detained or

supervised child (IC 35-44.1-3-10(c)).

(21) Sex with a min

- b) The term includes:
 - (1) a person who is required to register as a sex offender in any

jurisdiction; and



(A) is at least fourteen (14) years of age;

(B) is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and
(C) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

19 (d) A person ordered to register under subsection (b)(2) may
20 petition the court to reconsider the order at any time after completing
21 court ordered sex offender treatment. The court shall consider expert
22 testimony concerning whether a child or person is likely to repeat an
23 offense described in subsection (a) or an act that would be an offense
24 described in subsection (a) if committed by an adult.

SECTION 3. IC 11-8-8-5, AS AMENDED BY P.L.218-2025, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex or violent offender" means a person convicted of any of the following offenses:

30 (1) Rape (IC 35-42-4-1).
31 (2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
32 (3) Child molesting (IC 35-42-4-3).
33 (4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
34 (5) Vicarious sexual gratification (including performing sexual
35 conduct in the presence of a minor) (IC 35-42-4-5).
36 (6) Child solicitation (IC 35-42-4-6).
37 (7) Child seduction (IC 35-42-4-7).

38 (8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A,
39 Class B, or Class C felony (for a crime committed before July 1,
40 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
41 crime committed after June 30, 2014), unless:

(A) the person is convicted of sexual misconduct with a minor



1 as a Class C felony (for a crime committed before July 1,
2 2014) or a Level 5 felony (for a crime committed after June
3 30, 2014);

4 (B) the person is not more than:

5 (i) four (4) years older than the victim if the offense was
6 committed after June 30, 2007; or

7 (ii) five (5) years older than the victim if the offense was
8 committed before July 1, 2007; and

9 (C) the sentencing court finds that the person should not be
10 required to register as a sex offender.

11 (9) Incest (IC 35-46-1-3).

12 (10) Sexual battery (IC 35-42-4-8).

13 (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen
14 (18) years of age, and the person who kidnapped the victim is not
15 the victim's parent or guardian.

16 (12) Criminal confinement (IC 35-42-3-3), if the victim is less
17 than eighteen (18) years of age, and the person who confined or
18 removed the victim is not the victim's parent or guardian.

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

21 (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony
22 (for a crime committed before July 1, 2014) or a Level 4 felony
23 (for a crime committed after June 30, 2014).

24 (15) Promotion of human sexual trafficking under
25 IC 35-42-3.5-1.1.

26 (16) Promotion of child sexual trafficking under
27 IC 35-42-3.5-1.2(a).

28 (17) Promotion of sexual trafficking of a younger child (IC
29 35-42-3.5-1.2(c)).

30 (18) Child sexual trafficking (IC 35-42-3.5-1.3).

31 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is
32 less than eighteen (18) years of age.

33 (20) Murder (IC 35-42-1-1).

34 (21) Voluntary manslaughter (IC 35-42-1-3).

35 (22) Sexual misconduct by a service provider with a detained or
36 supervised child (IC 35-44.1-3-10(c)).

37 (23) **Sex with a minor (IC 35-42-4-9.5).**

38 (b) The term includes:

39 (1) a person who is required to register as a sex or violent
40 offender in any jurisdiction; and

41 (2) a child who has committed a delinquent act, or a person
42 prosecuted under IC 31-30-1-4(d) for an offense described in



1 subsection (a) committed when the person was less than eighteen
2 (18) years of age, but who was at least twenty-one (21) years of
3 age when the charge was filed, and who:

4 (A) is at least fourteen (14) years of age;
5 (B) is on probation, is on parole, is discharged from a facility
6 by the department of correction, is discharged from a secure
7 private facility (as defined in IC 31-9-2-115), or is discharged
8 from a juvenile detention facility as a result of an adjudication
9 as a delinquent child for an act that would be an offense
10 described in subsection (a) if committed by an adult; and
11 (C) is found by a court by clear and convincing evidence to be
12 likely to repeat an act that would be an offense described in
13 subsection (a) if committed by an adult.

14 (c) In making a determination under subsection (b)(2)(C), the court
15 shall consider expert testimony concerning whether a child is likely to
16 repeat an act that would be an offense described in subsection (a) if
17 committed by an adult.

18 (d) A person ordered to register under subsection (b)(2) may
19 petition the court to reconsider the order at any time after completing
20 court ordered sex offender treatment. The court shall consider expert
21 testimony concerning whether a child or person is likely to repeat an
22 offense described in subsection (a) or an act that would be an offense
23 described in subsection (a) if committed by an adult.

24 SECTION 4. IC 11-10-11.5-11, AS AMENDED BY P.L.1-2025,
25 SECTION 161, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) While assigned to a
27 community transition program, a person must comply with:

28 (1) the rules concerning the conduct of persons in the community
29 transition program, including rules related to payments described
30 in section 12 of this chapter, that are adopted by the community
31 corrections advisory board establishing the program or, in
32 counties that are not served by a community corrections program,
33 that are jointly adopted by the courts in the county with felony
34 jurisdiction; and
35 (2) any conditions established by the sentencing court for the
36 person.

37 (b) As a rule of the community transition program, a person
38 convicted of a sex offense (as defined in IC 11-8-8-5.2) may not use a
39 social networking website (as defined in IC 35-31.5-2-307) or an
40 instant messaging or chat room program (as defined in
41 IC 35-31.5-2-173) to communicate, directly or through an intermediary,
42 with a child less than ~~sixteen~~ (16) **eighteen** (18) years of age. However,



1 the rules of the community transition program may permit the offender
2 to communicate using a social networking website or an instant
3 messaging or chat room program with:

- 4 (1) the offender's own child, stepchild, or sibling; or
- 5 (2) another relative of the offender specifically named in the rules
6 applicable to that person.

7 (c) As a rule of the community transition program, an individual
8 may be required to receive:

- 9 (1) addiction counseling;
- 10 (2) inpatient detoxification;
- 11 (3) case management;
- 12 (4) daily living skills; and
- 13 (5) medication assisted treatment, including a federal Food and
14 Drug Administration approved long acting, nonaddictive
15 medication for the treatment of opioid or alcohol dependence.

16 SECTION 5. IC 11-13-3-4, AS AMENDED BY P.L.186-2025,
17 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 4. (a) A condition to remaining on parole is that
19 the parolee not commit a crime during the period of parole.

20 (b) The parole board may also adopt, under IC 4-22-2, additional
21 conditions to remaining on parole and require a parolee to satisfy one
22 (1) or more of these conditions. These conditions must be reasonably
23 related to the parolee's successful reintegration into the community and
24 not unduly restrictive of a fundamental right.

25 (c) If a person is released on parole, the parolee shall be given a
26 written statement of the conditions of parole. Signed copies of this
27 statement shall be:

- 28 (1) retained by the parolee;
- 29 (2) forwarded to any person charged with the parolee's
30 supervision; and
- 31 (3) placed in the parolee's master file.

32 (d) The parole board may modify parole conditions if the parolee
33 receives notice of that action and had ten (10) days after receipt of the
34 notice to express the parolee's views on the proposed modification.
35 This subsection does not apply to modification of parole conditions
36 after a revocation proceeding under section 10 of this chapter.

37 (e) As a condition of parole, the parole board may require the
38 parolee to reside in a particular parole area. In determining a parolee's
39 residence requirement, the parole board shall:

- 40 (1) consider:
 - 41 (A) the residence of the parolee prior to the parolee's
42 incarceration; and



(B) the parolee's place of employment; and

(2) assign the parolee to reside in the county where the parolee resided prior to the parolee's incarceration unless assignment on this basis would be detrimental to the parolee's successful reintegration into the community.

(f) As a condition of parole, the parole board may require the parolee to:

(1) periodically undergo a laboratory chemical test (as defined in IC 9-13-2-22) or series of tests to detect and confirm the presence of a controlled substance (as defined in IC 35-48-1.1-7); and
(2) have the results of any test under this subsection reported to the parole board by the laboratory.

The parolee is responsible for any charges resulting from a test required under this subsection. However, a person's parole may not be revoked on the basis of the person's inability to pay for a test under this subsection.

(g) As a condition of parole, the parole board:

(1) may require a parolee who is a sex offender (as defined in IC 11-8-8-4.5) to:

(A) participate in a treatment program for sex offenders approved by the parole board; and

(B) avoid contact with any person who is less than **sixteen (16)** **eighteen (18)** years of age unless the parolee:

(i) receives the parole board's approval; or

(ii) successfully completes the treatment program referred to in clause (A); and

(2) shall:

(A) require a parolee who is a sex or violent offender (as defined in IC 11-8-8-5) to register with a local law enforcement authority under IC 11-8-8;

(B) prohibit a parolee who is a sex offender from residing within one thousand (1,000) feet of school property (as defined in IC 35-31.5-2-285) for the period of parole, unless the sex offender obtains written approval from the parole board;

offender obtains written approval from the parole board;

(C) prohibit a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) from residing within one (1) mile of the victim of the sex offender's sex offense

unless the sex offender obtains a waiver under IC 35-38-2-2.5; (D) prohibit a parolee who is a sex offender from owning, operating, managing, being employed by, or volunteering at any attraction designed to be primarily enjoyed by children less than **sixteen (16)** **eighteen (18)** years of age;



- (E) require a parolee who is a sex offender to consent:
 - (i) to the search of the sex offender's personal computer at any time; and
 - (ii) to the installation on the sex offender's personal computer or device with Internet capability, at the sex offender's expense, of one (1) or more hardware or software systems to monitor Internet usage; and
- (F) prohibit the sex offender from:
 - (i) accessing or using certain websites, chat rooms, or instant messaging programs frequented by children; and
 - (ii) deleting, erasing, or tampering with information on the sex offender's personal computer with intent to conceal an activity prohibited by item (i).

14 The parole board may not grant a sexually violent predator (as defined
15 in IC 35-38-1-7.5) or a sex offender who is an offender against children
16 under IC 35-42-4-11 a waiver under subdivision (2)(B) or (2)(C). If the
17 parole board allows the sex offender to reside within one thousand
18 (1,000) feet of school property under subdivision (2)(B), the parole
19 board shall notify each school within one thousand (1,000) feet of the
20 sex offender's residence of the order.

27 (j) This subsection does not apply to a person on lifetime parole. As
28 a condition of parole, the parole board shall require a parolee who is a
29 sexually violent predator under IC 35-38-1-7.5 or who is a sex or
30 violent offender (as defined in IC 11-8-8-5) to wear a monitoring
31 device (as described in IC 35-38-2.5-3) that can transmit information
32 twenty-four (24) hours each day regarding a person's precise location,
33 subject to a validated sex offender risk assessment, and subject to the
34 amount appropriated to the department for a monitoring program as a
35 condition of parole.

41 (l) As a condition of parole, the parole board may prohibit a parolee
42 convicted of an offense under IC 35-46-3 from owning, harboring, or



1 training an animal, and, if the parole board prohibits a parolee
2 convicted of an offense under IC 35-46-3 from having direct or indirect
3 contact with an individual, the parole board may also prohibit the
4 parolee from having direct or indirect contact with any animal
5 belonging to the individual.

6 (m) As a condition of parole, the parole board may require a parolee
7 to receive:

- 8 (1) addiction counseling;
- 9 (2) inpatient detoxification;
- 10 (3) case management;
- 11 (4) daily living skills; and
- 12 (5) medication assisted treatment, including a federal Food and
- 13 Drug Administration approved long acting, nonaddictive
- 14 medication for the treatment of opioid or alcohol dependence.

15 (n) A parolee may be responsible for the reasonable expenses, as
16 determined by the department, of the parolee's participation in a
17 treatment or other program required as a condition of parole under this
18 section. However, a person's parole may not be revoked solely on the
19 basis of the person's inability to pay for a program required as a
20 condition of parole under this section.

21 (o) As a condition of parole, the parole board shall prohibit a person
22 convicted of an animal abuse offense (as defined in IC 35-38-2-2.8)
23 from owning, harboring, or training a companion animal (as defined in
24 IC 35-38-2-2.8).

25 SECTION 6. IC 16-21-8-1, AS AMENDED BY P.L.144-2024,
26 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]: Sec. 1. (a) A hospital licensed under IC 16-21-2 that
28 provides general medical and surgical hospital services shall provide
29 forensic medical exams and additional forensic services to all alleged
30 sex crime victims who apply for forensic medical exams and additional
31 forensic services in relation to injuries or trauma resulting from the
32 alleged sex crime. To the extent practicable, the hospital shall use a
33 sexual assault examination kit to conduct forensic exams and provide
34 forensic services. The provision of services may not be dependent on
35 a victim's reporting to, or cooperating with, law enforcement.

36 (b) For the purposes of this chapter, the following crimes are
37 considered sex crimes:

- 38 (1) Rape (IC 35-42-4-1).
- 39 (2) Criminal deviate conduct (IC 35-42-4-2) (repealed).
- 40 (3) Child molesting (IC 35-42-4-3).
- 41 (4) Vicarious sexual gratification (IC 35-42-4-5).
- 42 (5) Sexual battery (IC 35-42-4-8).



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

(7) Sex with a minor (IC 35-42-4-9.5).

(7) (8) Child solicitation (IC 35-42-4-6).

(8) (9) Child seduction (IC 35-42-4-7).

(9) (10) Incest (IC 35-46-1-3).

(c) Payment for services under this section shall be processed in accordance with rules adopted by the division.

SECTION 7. IC 16-34-2-4.2, AS ADDED BY P.L.173-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.2. (a) This section applies only if consent is required under section 4 of this chapter and has not been given.

(b) This section does not apply to a person who aids or assists an unemancipated pregnant minor who has obtained or is seeking to obtain:

(1) parental consent; or

(2) a waiver of parental consent;

under section 4 of this chapter.

(c) A person may not knowingly or intentionally aid or assist an unemancipated pregnant minor in obtaining an abortion without the consent required by section 4 of this chapter.

(d) Except as provided in subsection (g), a person who violates subsection (c) is civilly liable to the unemancipated pregnant minor and the parent or legal guardian or custodian of the unemancipated pregnant minor. A court may award damages to the unemancipated pregnant minor or the parent or legal guardian or custodian of the unemancipated pregnant minor who is adversely affected by a violation of this section, including the following damages:

(1) Compensation for physical or emotional injury, without the need of being physically present at the act or event.

(2) Attorney's fees.

(3) Court costs.

(4) Punitive damages.

However, an adult who engaged in or consented to another person engaging in a sex act with a minor in violation of IC 35-42-4-3(a), or IC 35-42-4-9, or **IC 35-42-4-9.5** that resulted in the pregnancy may not be awarded damages under this subsection.

(e) An unemancipated pregnant minor does not have the capacity to consent to any action in violation of this section or section 4 of this chapter. A person may not use as a defense to a violation of subsection (c) that the abortion was performed or induced with consent of the unemancipated pregnant minor and otherwise met the requirements of this chapter.



- (1) parent or stepparent;
- (2) grandparent or stepgrandparent; or
- (3) sibling or stepsibling.

11 SECTION 8. IC 31-11-1-7, AS ADDED BY P.L.94-2020,
12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 7. (a) A minor who is sixteen (16) or seventeen
14 (17) years of age may petition the juvenile court in the county in which
15 the minor resides for an order granting the minor approval to marry and
16 completely emancipating the minor. The petition must contain the
17 following information:

- (1) The minor's name, gender, and age.
- (2) Documentary proof of the minor's date of birth.
- (3) The minor's address, and how long the minor has resided at that address.
- (4) The following information with regard to the intended spouse:
 - (A) The intended spouse's name, gender, and age.
 - (B) Documentary proof of the intended spouse's date of birth.
 - (C) The intended spouse's address, and how long the intended spouse has resided at that address.
- (5) A statement of:
 - (A) the reasons the minor desires to marry;
 - (B) how the minor and the intended spouse came to know each other; and
 - (C) how long the minor and the intended spouse have known each other.
- (6) Copies of:
 - (A) any criminal records of the minor and of the intended spouse; and
 - (B) any protective order:
 - (i) issued to protect or restrain either the minor or the intended spouse; and
 - (ii) relating to domestic or family violence, a sexual offense, or stalking.
- (7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the



1 minor's parents or legal guardians or the intended spouse,
2 including proof that the minor:

3 (A) has graduated from high school;
4 (B) has obtained a high school equivalency diploma;
5 (C) has a plan for continued education;
6 (D) has completed a vocational training or certificate program;
7 (E) has attained a professional licensure or certification; or
8 (F) has maintained stable housing or employment for at least
9 three (3) consecutive months prior to filing the petition.

10 (b) A court with which a petition under subsection (a) is filed shall:
11 (1) set a date for an evidentiary hearing on the petition;
12 (2) provide reasonable notice of the hearing to the minor and the
13 minor's parents or legal guardians; and
14 (3) appoint an attorney to serve as guardian ad litem for the
15 minor.

16 (c) At the evidentiary hearing, the court shall conduct an in camera
17 interview with the minor separate from the minor's parents or legal
18 guardians and intended spouse.

19 (d) Following the evidentiary hearing, and subject to subsection (e),
20 the court may grant the petition if the court finds all of the following:

21 (1) The minor is a county resident who is at least sixteen (16)
22 years of age.
23 (2) The intended spouse is not more than four (4) years older than
24 the minor.
25 (3) The minor's decision to marry is voluntary, and free from
26 force, fraud, or coercion.
27 (4) The minor is mature enough to make a decision to marry.
28 (5) The minor has established the minor's capacity to be
29 self-sufficient and self-supporting independent of the minor's
30 parents, legal guardians, and intended spouse.
31 (6) The minor understands the rights and responsibilities of
32 parties to marriage and of completely emancipated minors.
33 (7) It is in the best interests of the minor for the court to grant the
34 petition to marry and to completely emancipate the minor. In
35 making the determination under this subdivision, the court shall
36 consider how marriage and emancipation may affect the minor's
37 health, safety, education, and welfare.

38 A court that grants a petition under this section shall issue written
39 findings regarding the court's conclusions under subdivisions (1)
40 through (7).

41 (e) The following, considered independently or together, are not
42 sufficient to determine the best interests of a minor for purposes of this



1 section:

2 (1) The fact that the minor or the intended spouse is pregnant or
3 has had a child.

4 (2) The wishes of the parents or legal guardians of the minor.

5 However, there is a rebuttable presumption that marriage and
6 emancipation are not in the best interests of the minor if both parents
7 of the minor oppose the minor's marriage and emancipation.

8 (f) The juvenile court shall deny a petition under this section if the
9 court finds any of the following:

10 (1) The intended spouse:

11 (A) is or was in a position of authority or special trust in
12 relation to the minor; or

13 (B) has or had a professional relationship with the minor, as
14 defined in IC 35-42-4-7.

15 (2) The intended spouse has been convicted of, or entered into a
16 diversion program for, an offense under IC 35-42:

17 (A) that involves an act of violence;

18 (B) of which a child was the victim; or

19 (C) that is an offense under:

20 (i) IC 35-42-3.5; or

21 (ii) IC 35-42-4.

22 (3) Either the minor or the intended spouse is pregnant or is the
23 mother of a child, and the court finds by a preponderance of
24 evidence that:

25 (A) the other party to the marriage is the father of the child or
26 unborn child; and

27 (B) the conception of the child or unborn child resulted from
28 the commission of an offense under:

29 (i) IC 35-42-4-3 (child molesting);

30 (ii) IC 35-42-4-6 (child solicitation);

31 (iii) IC 35-42-4-7 (child seduction); **or**

32 (iv) IC 35-42-4-9 (sexual misconduct with a minor); **or**

33 (v) **IC 35-42-4-9.5 (sex with a minor).**

34 (4) The intended spouse has previously been enjoined by a
35 protective order relating to domestic or family violence, a sexual
36 offense, or stalking, regardless of whether the person protected by
37 the order was the minor.

38 (g) If a court grants a petition under this section, the court shall also
39 issue an order of complete emancipation of the minor and provide a
40 certified copy of the order to the minor.

41 (h) A minor emancipated under this section is considered to have all
42 the rights and responsibilities of an adult, except as provided under



1 specific constitutional or statutory age requirements that apply to the
 2 minor because of the minor's age, including requirements related to
 3 voting, use of alcoholic beverages or tobacco products, and other health
 4 and safety regulations.

5 (i) A court hearing a petition under this section may issue any other
 6 order the court considers appropriate for the minor's protection.

7 (j) A court that grants a petition under this section may require that
 8 both parties to the marriage complete premarital counseling with a
 9 marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8,
 10 or IC 25-33.

11 (k) A court that grants a petition under this section may impose any
 12 other condition on the grant of the petition that the court determines is
 13 reasonable under the circumstances.

14 SECTION 9. IC 31-19-2.5-2 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as
 16 provided in subsection (b), IC 31-19-4 applies to notice given to a
 17 putative father and IC 31-19-4.5 applies to notice given to other
 18 persons.

19 (b) If a petition for adoption alleges the consent of a putative father
 20 or a parent to the adoption has not been obtained and is unnecessary
 21 under:

- 22 (1) IC 31-19-9-8(a)(1);
- 23 (2) IC 31-19-9-8(a)(2);
- 24 (3) IC 31-19-9-8(a)(4)(B);
- 25 (4) IC 31-19-9-8(a)(4)(C);
- 26 **(5) IC 31-19-9-8(a)(4)(D);**
- 27 ~~(5)~~ **(6) IC 31-19-9-8(a)(9); or**
- 28 ~~(6)~~ **(7) IC 31-19-9-8(a)(11);**

29 notice must be given under IC 31-19-4.5.

30 SECTION 10. IC 31-19-2.5-4, AS AMENDED BY P.L.203-2021,
 31 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 4. Notice of the pendency of the adoption
 33 proceedings does not have to be given to:

- 34 (1) a person whose consent to adoption has been filed with the
 35 court;
- 36 (2) a person whose consent to adoption is not required by:
 - 37 (A) IC 31-19-9-8(a)(4)(A);
 - 38 (B) IC 31-19-9-8(a)(4)(D);
 - 39 **(C) IC 31-19-9-8(a)(4)(E);**
 - 40 ~~(C)~~ **(D) IC 31-19-9-8(a)(5);**
 - 41 ~~(D)~~ **(E) IC 31-19-9-8(a)(6);**
 - 42 ~~(E)~~ **(F) IC 31-19-9-8(a)(7);**



(F) (G) IC 31-19-9-8(a)(8);
(G) (H) IC 31-19-9-9;
(H) (I) IC 31-19-9-10;
(I) (J) IC 31-19-9-12;
(J) (K) IC 31-19-9-15; or
(K) (L) IC 31-19-9-18;

(3) the hospital of an infant's birth or a hospital to which an infant is transferred for medical reasons after birth if the infant is being adopted at or shortly after birth;

(4) a person whose parental rights have been terminated before the entry of a final decree of adoption; or

(5) a person who has waived notice under:

- (A) IC 31-19-4-8; or
- (B) IC 31-19-4.5-4.

SECTION 11. IC 31-19-9-8, AS AMENDED BY P.L.89-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Consent to adoption, which may be required under section 1 of this chapter, is not required from any of the following:

(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree.

(3) The biological father of a child born out of wedlock whose paternity has not been established;

(A) by a court proceeding other than the adoption proceeding;
or

(B) by executing a paternity affidavit under IC 16-37-2-2.1.

(4) The biological father of a child born out of wedlock who was conceived as a result of:

- (A) a rape for which the father was convicted under IC 35-42-4-1;
- (B) child molesting (IC 35-42-4-3);

(B) child molesting (IC 35-42-4-3),
(C) sexual misconduct with a minor (IC 35-42-4-9); or

(D) sex with a minor (IC 35-42-4-9.5); or

(D) (E) incest (IC 35-46-1-3).

(5) The putative father of a child born out of wedlock if the



1 putative father's consent to adoption is irrevocably implied under
 2 section 15 of this chapter.

3 (6) The biological father of a child born out of wedlock if the:
 4 (A) father's paternity is established after the filing of a petition
 5 for adoption in a court proceeding or by executing a paternity
 6 affidavit under IC 16-37-2-2.1; and
 7 (B) father is required to but does not register with the putative
 8 father registry established by IC 31-19-5 within the period
 9 required by IC 31-19-5-12.

10 (7) A parent who has relinquished the parent's right to consent to
 11 adoption as provided in this chapter.

12 (8) A parent after the parent-child relationship has been
 13 terminated under IC 31-35 (or IC 31-6-5 before its repeal).

14 (9) A parent judicially declared incompetent or mentally defective
 15 if the court dispenses with the parent's consent to adoption.

16 (10) A legal guardian or lawful custodian of the person to be
 17 adopted who has failed to consent to the adoption for reasons
 18 found by the court not to be in the best interests of the child.

19 (11) A parent if:

20 (A) a petitioner for adoption proves by clear and convincing
 21 evidence that the parent is unfit to be a parent; and
 22 (B) the best interests of the child sought to be adopted would
 23 be served if the court dispensed with the parent's consent.

24 (12) A child's biological father who denies paternity of the child
 25 before or after the birth of the child if the denial of paternity:

26 (A) is in writing;
 27 (B) is signed by the child's father in the presence of a notary
 28 public; and
 29 (C) contains an acknowledgment that:
 30 (i) the denial of paternity is irrevocable; and
 31 (ii) the child's father will not receive notice of adoption
 32 proceedings.

33 A child's father who denies paternity of the child under this
 34 subdivision may not challenge or contest the child's adoption.

35 (13) A deceased person.

36 (b) If a parent has made only token efforts to support or to
 37 communicate with the child the court may declare the child abandoned
 38 by the parent.

39 SECTION 12. IC 31-19-10-1.2, AS AMENDED BY P.L.203-2021,
 40 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 1.2. (a) If a petition for adoption alleges that a
 42 parent's consent to adoption is unnecessary under:



1 (1) IC 31-19-9-8(a)(1); or
2 (2) IC 31-19-9-8(a)(2);

3 and the parent files a motion to contest the adoption under section 1 of
4 this chapter, a petitioner for adoption has the burden of proving that the
5 parent's consent to the adoption is unnecessary under IC 31-19-9-8.

8 (1) IC 31-19-9-8(a)(4)(B); or
9 (2) IC 31-19-9-8(a)(4)(C); or
10 **(3) IC 31-19-9-8(a)(4)(D);**

11 and the parent files a motion to contest the adoption under section 1 of
12 this chapter, the parent has the burden of proving that the child was not
13 conceived under circumstances that would cause the parent's consent
14 to be unnecessary under IC 31-19-9-8(a)(4). The absence of a criminal
15 prosecution and conviction is insufficient to satisfy the burden of proof.

16 (c) If a petition for adoption alleges that a parent's consent to
17 adoption is unnecessary under IC 31-19-9-8(a)(9) and the parent files
18 a motion to contest the adoption under section 1 of this chapter, a
19 petitioner for adoption has the burden of proving that the parent's
20 consent to the adoption is unnecessary under IC 31-19-9-8(a)(9).

35 (f) If a petition for adoption alleges that a parent's consent to
36 adoption is unnecessary under:

37 (1) IC 31-19-9-9; or
38 (2) IC 31-19-9-10;

39 and the parent files a motion to contest the adoption under section 1 of
40 this chapter, a petitioner has the burden of proving that the
41 requirements of IC 31-19-9-9 or IC 31-19-9-10, respectively, are
42 satisfied and that the best interests of the child are served if the court



1 dispenses with the parent's consent to adoption.

2 (g) If a court finds that the person who filed the motion to contest
3 the adoption fails to:

- 4 (1) diligently prosecute the motion;
- 5 (2) comply with procedural rules and statutes governing contested
6 adoptions;
- 7 (3) obey an order of the court; or
- 8 (4) appear, after proper notice, at a hearing relating to the motion
9 to contest the adoption;

10 the court may dismiss the motion to contest with prejudice, and the
11 person's consent to the adoption shall be irrevocably implied.

12 (h) A court that dismisses a person's motion to contest under
13 subsection (g)(4) shall notify the person of the dismissal and may set
14 aside the dismissal if, not later than fourteen (14) days after the person
15 receives notice of the dismissal, the person files a motion with the court
16 setting forth facts that:

- 17 (1) establish good cause for the person's failure to appear; and
- 18 (2) if proven, demonstrate that the person's failure to appear was
19 reasonable.

20 SECTION 13. IC 31-27-4-35, AS ADDED BY P.L.145-2006,
21 SECTION 273, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: Sec. 35. (a) A licensee must immediately
23 contact the department if:

24 (1) a foster child less than ~~sixteen (16)~~ **eighteen (18)** years of age,
25 while living in a foster home, engages in or is the victim of sexual
26 contact (as defined in IC 25-1-9-3.5);

27 (2) a foster child, while living in a foster home, is:

28 (A) charged with or adjudicated as having committed an act
29 that would be a crime under IC 35-42-4 if committed by an
30 adult;

31 (B) charged with or convicted of an offense under IC 35-42-4;
32 or

33 (C) the victim of an offense under IC 35-42-4; or

34 (3) the licensee learns that a foster child has, before placement
35 with the licensee, engaged in or been the victim of an act
36 described in subdivision (1) or (2).

37 (b) The information provided to the department under subsection (a)
38 must include:

39 (1) the name of the child;

40 (2) the date of the occurrence of the act if it can be determined;

41 (3) a description of the act;

42 (4) the name of the responding law enforcement agency if a law



1 enforcement agency is contacted; and
2 (5) any other information the licensee determines is relevant.
3 (c) Notwithstanding any other law, the department shall provide
4 information described in subsection (b)(1) through (b)(4), whether
5 received from a licensee or another reliable source, to:
6 (1) a prospective licensee before the placement of the foster child
7 with that licensee; and
8 (2) each licensee with whom the foster child has previously been
9 placed.
10 (d) The notification requirements of subsection (c) apply to a foster
11 child who has:
12 (1) engaged in sexual contact (as defined in IC 25-1-9-3.5) if the
13 foster child is less than ~~sixteen (16)~~ **eighteen (18)** years of age;
14 (2) been charged with or adjudicated as having committed an act
15 that would be a crime under IC 35-42-4 if committed by an adult;
16 or
17 (3) been charged with or convicted of an offense under
18 IC 35-42-4.
19 SECTION 14. IC 31-34-1-3, AS AMENDED BY P.L.142-2020,
20 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2026]: Sec. 3. (a) A child is a child in need of services if,
22 before the child becomes eighteen (18) years of age:
23 (1) the child is the victim of an offense under:
24 (A) IC 35-42-4-1;
25 (B) IC 35-42-4-2 (before its repeal);
26 (C) IC 35-42-4-3;
27 (D) IC 35-42-4-4;
28 (E) IC 35-42-4-5;
29 (F) IC 35-42-4-6;
30 (G) IC 35-42-4-7;
31 (H) IC 35-42-4-8;
32 (I) IC 35-42-4-9;
33 (J) **IC 35-42-4-9.5**;
34 (J) (K) IC 35-45-4-1;
35 (K) (L) IC 35-45-4-2;
36 (L) (M) IC 35-45-4-3;
37 (M) (N) IC 35-45-4-4; or
38 (N) (O) IC 35-46-1-3; and
39 (2) the child needs care, treatment, or rehabilitation that:
40 (A) the child is not receiving; and
41 (B) is unlikely to be provided or accepted without the coercive
42 intervention of the court.



3 (1) lives in the same household as an adult who:

7 (B) has been charged with an offense described in subsection
8 (a)(1) against a child and is awaiting trial; and

9 (2) needs care, treatment, or rehabilitation that:

10 (A) the child is not receiving; and

11 (B) is unlikely to be provided or accepted without the coercive
12 intervention of the court.

15 (1) the child lives in the same household as another child who is
16 the victim of an offense described in subsection (a)(1);

17 (2) the child needs care, treatment, or rehabilitation that:

18 (A) the child is not receiving; and

19 (B) is unlikely to be provided or accepted without the coercive
20 intervention of the court; and

21 (3) a caseworker assigned to provide services to the child:

(A) places the child in a program of informal adjustment or other family or rehabilitative services based on the existence of the circumstances described in subdivisions (1) and (2), and the caseworker subsequently determines further intervention is necessary; or

(B) determines that a program of informal adjustment or other family or rehabilitative services is inappropriate.

29 (d) A child is a child in need of services if, before the child bec

36 (B) has been charged with a human or sexual trafficking
37 offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the
38 law of another jurisdiction, including federal law, and is
39 awaiting trial; and

40 (2) the child needs care, treatment, or rehabilitation that:

41 (A) the child is not receiving; and

42 (B) is unlikely to be provided or accepted without the coercive



1 intervention of the court.

2 SECTION 15. IC 31-34-21-5.6, AS AMENDED BY P.L.19-2024,
 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 5.6. (a) Except as provided in subsection (c), a
 5 court may make a finding described in this section at any phase of a
 6 child in need of services proceeding.

7 (b) Reasonable efforts to reunify a child with the child's parent,
 8 guardian, or custodian or preserve a child's family as described in
 9 section 5.5 of this chapter are not required if the court finds any of the
 10 following:

11 (1) A parent, guardian, or custodian of the child has been
 12 convicted of:

13 (A) an offense described in IC 31-35-3-4(1)(B) or
 14 IC 31-35-3-4(1)(D) through ~~IC 31-35-3-4(1)(J)~~
 15 **IC 31-35-3-4(1)(K)** against a victim who is:

16 (i) a child described in IC 31-35-3-4(2)(B); or
 17 (ii) a parent of the child; or

18 (B) a comparable offense as described in clause (A) in any
 19 other state, territory, or country by a court of competent
 20 jurisdiction.

21 (2) A parent, guardian, or custodian of the child:

22 (A) has been convicted of:

23 (i) the murder (IC 35-42-1-1) or voluntary manslaughter (IC
 24 35-42-1-3) of a victim who is a child described in
 25 IC 31-35-3-4(2)(B) or a parent of the child; or

26 (ii) a comparable offense described in item (i) in any other
 27 state, territory, or country;

28 (B) has been convicted of:

29 (i) aiding, inducing, or causing another person;
 30 (ii) attempting; or

31 (iii) conspiring with another person;
 32 to commit an offense described in clause (A);

33 (C) is required to register:

34 (i) as a sex offender under 34 U.S.C. 20913; or

35 (ii) as a sex or violent offender under IC 36-2-13-5.5; or

36 (D) committed an offense described in IC 31-34-1-3 or
 37 IC 31-34-1-3.5 against a child and the offense resulted in a
 38 conviction or a judgment under IC 31-34-11-2.

39 (3) A parent, guardian, or custodian of the child has been
 40 convicted of:

41 (A) battery as a Class A felony (for a crime committed before
 42 July 1, 2014) or Level 2 felony (for a crime committed after



23 (4) The parental rights of a parent with respect to a biological or
24 adoptive sibling of the child have been involuntarily terminated
25 by a court under:

26 (A) IC 31-35-2 (involuntary termination involving a
27 delinquent child or a child in need of services);
28 (B) IC 31-35-3 (involuntary termination involving an
29 individual convicted of a criminal offense); or
30 (C) any comparable law described in clause (A) or (B) in any
31 other state, territory, or country.

32 (5) The child is an abandoned infant, provided that the court:
33 (A) has appointed a guardian ad litem or court appointed
34 special advocate for the child; and
35 (B) after receiving a written report and recommendation from
36 the guardian ad litem or court appointed special advocate, and
37 after a hearing, finds that reasonable efforts to locate the
38 child's parents or reunify the child's family would not be in the
39 best interests of the child.

40 (6) The child is a safe haven infant.

41 (7) The child:

42 (A) was the subject of two (2) or more previous:



22 SECTION 16. IC 31-35-3-4, AS AMENDED BY P.L.214-2013,
23 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2026]: Sec. 4. If:

25 (1) an individual is convicted of the offense o

26 (A) murder (IC 35-42-1-1);

27 (B) causing suicide (IC 35-42-1-2);

28 (C) voluntary manslaughter (JC 35-42-1-3):

28 (S) voluntary manslaughter
29 (P) involuntary manslaughter

30 (E) rape (JC 35-42-4-1):

(E) rape (IC 35-42-1),

(G) child molesting (JC 35-42-4-3):

32 (G) child molesting (IC 35-42-5);
33 (H) child exploitation (IC 35-42-44);

33 (II) child exploitation (JC 35-42-44),
34 (I) sexual misconduct with a minor (JC 35

(D) sex with a minor (IC 35)

(J) sex with a minor (IC 35-42-4); and

37 (2) the victim of the offense:
38 (A) — 1 — 1

38 (A) was less than:
39 (B) is (C) is not

(i) sixteen (16) years of age at the time of the offense for an offense described in subdivision (1)(A) through (1)(I) or subdivision (1)(K); and or

42 (ii) eighteen (18) years of age at the time of the offense



for an offense described in subdivision (1)(J); and

(B) is:

- (i) the individual's biological or adoptive child; or
- (ii) the child of a spouse of the individual who has committed the offense;

6 the attorney for the department, the child's guardian ad litem, or the
7 court appointed special advocate may file a petition with the juvenile
8 or probate court to terminate the parent-child relationship of the
9 individual who has committed the offense with the victim of the
10 offense, the victim's siblings, or any biological or adoptive child of that
11 individual.

12 SECTION 17. IC 35-31.5-2-216, AS AMENDED BY P.L.48-2017,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]: Sec. 216. "Offense relating to a criminal sexual act"
15 means the following:

- (1) Rape (IC 35-42-4-1).
- (2) Criminal deviate conduct (IC 35-42-4-2) (repealed).
- (3) Child molesting (IC 35-42-4-3).
- (4) Child seduction (IC 35-42-4-7).
- (5) Prostitution (IC 35-45-4-2).
- (6) Making an unlawful proposition (IC 35-45-4-3).
- (7) Incest (IC 35-46-1-3).
- (8) Sexual misconduct with a minor under IC 35-42-4-9(a).

(9) Sex with a minor under IC 35-42-4-9.5(a).

25 SECTION 18. IC 35-38-2-2.4, AS AMENDED BY P.L.1-2010,
26 SECTION 142, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. As a condition of probation, the
28 court may require a sex offender (as defined in IC 11-8-8-4.5) to:

- (1) participate in a treatment program for sex offenders approved by the court; and
- (2) avoid contact with any person who is less than ~~sixteen~~ (16) **eighteen (18)** years of age unless the probationer:
 - (A) receives the court's approval; or
 - (B) successfully completes the treatment program referred to in subdivision (1).

36 SECTION 19. IC 35-38-2-2.5, AS AMENDED BY P.L.13-2016,
37 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 2.5. (a) As used in this section, "offender" means
39 an individual convicted of a sex offense.

(b) As used in this section, "sex offense" means any of the following:

- (1) Rape (IC 35-42-4-1).



(2) Criminal deviate conduct (IC 35-42-4-2) (repealed).
(3) Child molesting (IC 35-42-4-3).
(4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
(5) Vicarious sexual gratification (IC 35-42-4-5).
(6) Child solicitation (IC 35-42-4-6).
(7) Child seduction (IC 35-42-4-7).
(8) Sexual battery (IC 35-42-4-8).
(9) Sexual misconduct with a minor as a felony (IC 35-42-4-9).
(10) Sex with a minor (IC 35-42-4-9.5).
~~(10)~~ (11) Incest (IC 35-46-1-3).
(c) A condition of remaining on probation or parole after conviction for a sex offense is that the offender not reside within one (1) mile of the residence of the victim of the offender's sex offense.
(d) An offender:
(1) who will be placed on probation shall provide the sentencing court and the probation department with the address where the offender intends to reside during the period of probation:
 (A) at the time of sentencing if the offender will be placed on probation without first being incarcerated; or
 (B) before the offender's release from incarceration if the offender will be placed on probation after completing a term of incarceration; or
(2) who will be placed on parole shall provide the parole board with the address where the offender intends to reside during the period of parole.
(e) An offender, while on probation or parole, may not establish a new residence within one (1) mile of the residence of the victim of the offender's sex offense unless the offender first obtains a waiver from the:
 (1) court, if the offender is placed on probation; or
 (2) parole board, if the offender is placed on parole;
for the change of address under subsection (f).
(f) The court or parole board may waive the requirement set forth in subsection (c) only if the court or parole board, at a hearing at which the offender is present and of which the prosecuting attorney has been notified, determines that:
 (1) the offender has successfully completed a sex offender treatment program during the period of probation or parole;
 (2) the offender is in compliance with all terms of the offender's probation or parole; and
 (3) good cause exists to allow the offender to reside within one (1) mile of the residence of the victim of the offender's sex offense.



1 However, the court or parole board may not grant a waiver under this
2 subsection if the offender is a sexually violent predator under
3 IC 35-38-1-7.5 or if the offender is an offender against children under
4 IC 35-42-4-11.

5 (g) If the court or parole board grants a waiver under subsection (f),
6 the court or parole board shall state in writing the reasons for granting
7 the waiver. The court's written statement of its reasons shall be
8 incorporated into the record.

9 (h) The address of the victim of the offender's sex offense is
10 confidential even if the court or parole board grants a waiver under
11 subsection (f).

12 SECTION 20. IC 35-38-2-2.7, AS AMENDED BY P.L.5-2022,
13 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]: Sec. 2.7. As a condition of probation or parole after
15 conviction for a sex offense (as defined in IC 11-8-8-5.2), the court
16 shall prohibit the convicted person from using a social networking ~~web~~
17 site ~~website~~ or an instant messaging or chat room program to
18 communicate with a child less than ~~sixteen (16)~~ **eighteen (18)** years of
19 age. However, the court may permit the offender to communicate using
20 a social networking ~~web~~ site ~~website~~ or an instant messaging or chat
21 room program with:

22 (1) the offender's own child, stepchild, or sibling; or
23 (2) another relative of the offender specifically named in the
24 court's order.

25 SECTION 21. IC 35-41-4-2, AS AMENDED BY P.L.112-2025,
26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]: Sec. 2. (a) Except as otherwise provided in this section,
28 a prosecution for an offense is barred unless it is commenced:

29 (1) within five (5) years after the commission of the offense, in
30 the case of a Class B, Class C, or Class D felony (for a crime
31 committed before July 1, 2014) or a Level 3, Level 4, Level 5, or
32 Level 6 felony (for a crime committed after June 30, 2014); or
33 (2) within two (2) years after the commission of the offense, in the
34 case of a misdemeanor.

35 (b) A prosecution for a Class B or Class C felony (for a crime
36 committed before July 1, 2014) or a Level 3, Level 4, or Level 5 felony
37 (for a crime committed after June 30, 2014) that would otherwise be
38 barred under this section may be commenced within one (1) year after
39 the earlier of the date on which the state:

40 (1) first discovers evidence sufficient to charge the offender with
41 the offense through DNA (deoxyribonucleic acid) analysis; or
42 (2) could have discovered evidence sufficient to charge the



1 offender with the offense through DNA (deoxyribonucleic acid)
2 analysis by the exercise of due diligence.

3 However, if the offense is a sex offense against a child described in
4 subsection (m), a prosecution otherwise barred under this section may
5 be prosecuted in accordance with subsection (p).

6 (c) Except as provided in subsection (e), a prosecution for a Class
7 A felony (for a crime committed before July 1, 2014) or a Level 1
8 felony or Level 2 felony (for a crime committed after June 30, 2014)
9 may be commenced at any time.

10 (d) A prosecution for murder may be commenced:

11 (1) at any time; and

12 (2) regardless of the amount of time that passes between:

13 (A) the date a person allegedly commits the elements of
14 murder; and

15 (B) the date the alleged victim of the murder dies.

16 (e) Except as provided in subsection (p), a prosecution for the
17 following offenses is barred unless commenced before the date that the
18 alleged victim of the offense reaches thirty-one (31) years of age:

19 (1) IC 35-42-4-3 (Child molesting).

20 (2) IC 35-42-4-5 (Vicarious sexual gratification).

21 (3) IC 35-42-4-6 (Child solicitation).

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

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

24 (6) **IC 35-42-4-9.5 (Sex with a minor).**

25 (6) (7) IC 35-46-1-3 (Incest).

26 (f) A prosecution for forgery of an instrument for payment of
27 money, or for the uttering of a forged instrument, under IC 35-43-5-2,
28 is barred unless it is commenced within five (5) years after the maturity
29 of the instrument.

30 (g) If a complaint, indictment, or information is dismissed because
31 of an error, defect, insufficiency, or irregularity, a new prosecution may
32 be commenced within ninety (90) days after the dismissal even if the
33 period of limitation has expired at the time of dismissal, or will expire
34 within ninety (90) days after the dismissal.

35 (h) The period within which a prosecution must be commenced does
36 not include any period in which:

37 (1) the accused person is not usually and publicly resident in
38 Indiana or so conceals himself or herself that process cannot be
39 served;

40 (2) the accused person conceals evidence of the offense, and
41 evidence sufficient to charge the person with that offense is
42 unknown to the prosecuting authority and could not have been



discovered by that authority by exercise of due diligence; or
(3) the accused person is a person elected or appointed to office under statute or constitution, if the offense charged is theft or conversion of public funds or bribery while in public office.

(i) For purposes of tolling the period of limitation only, a prosecution is considered commenced on the earliest of these dates:

(1) The date of filing of an indictment, information, or complaint before a court having jurisdiction.

(2) The date of issuance of a valid arrest warrant.

(3) The date of arrest of the accused person by a law enforcement officer without a warrant, if the officer has authority to make the arrest.

(j) A prosecution is considered timely commenced for any offense to which the defendant enters a plea of guilty, notwithstanding that the period of limitation has expired.

(k) The following apply to the specified offenses:

(1) A prosecution for an offense under IC 30-2-9-7(b) (misuse of funeral trust funds) is barred unless commenced within five (5) years after the date of death of the settlor (as described in IC 30-2-9).

(2) A prosecution for an offense under IC 30-2-10-9(b) (misuse of funeral trust funds) is barred unless commenced within five (5) years after the date of death of the settlor (as described in IC 30-2-10).

(3) A prosecution for an offense under IC 30-2-13-38(f) (misuse of funeral trust or escrow account funds) is barred unless commenced within five (5) years after the date of death of the purchaser (as defined in IC 30-2-13-9).

(l) A prosecution for an offense under IC 23-2-6, IC 23-2.5, IC 23-14-48-9, or IC 23-19 is barred unless commenced within five (5) years after the earlier of the date on which the state:

(1) first discovers evidence sufficient to charge the offender with the offense; or

(2) could have discovered evidence sufficient to charge the offender with the offense by the exercise of due diligence.

(m) Except as provided in subsection (p), a prosecution for a sex offense listed in IC 11-8-8-4.5 that is committed against a child and that is not:

(1) a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 2 felony (for a crime committed after June 30, 2014); or

(2) listed in subsection (e):



1 is barred unless commenced within ten (10) years after the commission
2 of the offense, or within four (4) years after the person ceases to be a
3 dependent of the person alleged to have committed the offense,
4 whichever occurs later.

5 (n) A prosecution for rape (IC 35-42-4-1) as a Class B felony (for a
6 crime committed before July 1, 2014) or as a Level 3 felony (for a
7 crime committed after June 30, 2014) that would otherwise be barred
8 under this section may be commenced not later than ten (10) years after
9 the earlier of the date on which:

10 (1) the state first discovers evidence sufficient to charge the
11 offender with the offense through DNA (deoxyribonucleic acid)
12 analysis;

13 (2) the state first becomes aware of the existence of a recording
14 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
15 to charge the offender with the offense; or

16 (3) a person confesses to the offense.

17 (o) A prosecution for criminal deviate conduct (IC 35-42-4-2)
18 (repealed) as a Class B felony for a crime committed before July 1,
19 2014, that would otherwise be barred under this section may be
20 commenced not later than five (5) years after the earliest of the date on
21 which:

22 (1) the state first discovers evidence sufficient to charge the
23 offender with the offense through DNA (deoxyribonucleic acid)
24 analysis;

25 (2) the state first becomes aware of the existence of a recording
26 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
27 to charge the offender with the offense; or

28 (3) a person confesses to the offense.

29 (p) A prosecution for an offense described in subsection (e) or
30 subsection (m) that would otherwise be barred under this section may
31 be commenced not later than five (5) years after the earliest of the date
32 on which:

33 (1) the state first discovers evidence sufficient to charge the
34 offender with the offense through DNA (deoxyribonucleic acid)
35 analysis;

36 (2) the state first becomes aware of the existence of a recording
37 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
38 to charge the offender with the offense; or

39 (3) a person confesses to the offense.

40 SECTION 22. IC 35-42-4-9.5 IS ADDED TO THE INDIANA
41 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2026]: **Sec. 9.5. (a) A person at least:**



- (1) twenty-four (24) years of age who, with a child who is sixteen (16) years of age; or
- (2) twenty-five (25) years of age who, with a child who is at least sixteen (16) years of age but less than eighteen (18) years of age;

performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) commits sex with a minor, a Level 5 felony.

(b) A person at least:

(1) twenty-four (24) years of age who, with a child who is sixteen (16) years of age; or

(2) twenty-five (25) years of age who, with a child who is at least sixteen (16) years of age but less than eighteen (18) years of age;

performs or submits to any fondling or touching of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits sex with a minor, a Level 6 felony.

(c) It is a defense that the accused person reasonably believed that the child was at least eighteen (18) years of age at the time of the conduct.

(d) It is a defense that the child is or has ever been married.

SECTION 23. IC 35-42-4-12, AS AMENDED BY P.L.5-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) This section applies only to a sex offender (as defined in IC 11-8-8-4.5).

(b) A sex offender who knowingly or intentionally violates a:

(1) condition of probation;

(2) condition of parole; or

(3) rule of a community transition program;

that prohibits the offender from using a social networking **web site website** or an instant messaging or chat room program to communicate with a child less than **sixteen (16) eighteen (18)** years of age commits a sex offender Internet offense, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section.

(c) It is a defense to a prosecution under subsection (b) that the person reasonably believed that the child was at least ~~sixteen (16)~~ **eighteen (18)** years of age.

SECTION 24. 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



1 offender" means a person required to register as a sex offender under
2 IC 11-8-8 who is:

3 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
4 or
5 (2) convicted of one (1) or more of the following offenses:
6 (A) Child molesting (IC 35-42-4-3).
7 (B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
8 (C) Possession of child sex abuse material (IC 35-42-4-4(d) or
9 IC 35-42-4-4(e)).
10 (D) Vicarious sexual gratification (IC 35-42-4-5(a) and
11 IC 35-42-4-5(b)).
12 (E) Performing sexual conduct in the presence of a minor (IC
13 35-42-4-5(c)).
14 (F) Child solicitation (IC 35-42-4-6).
15 (G) Child seduction (IC 35-42-4-7).
16 (H) Sexual misconduct with a minor (IC 35-42-4-9).
17 **(I) Sex with a minor (IC 35-42-4-9.5).**

18 (b) A serious sex offender who knowingly or intentionally enters
19 school property commits unlawful entry by a serious sex offender, a
20 Level 6 felony.

21 (c) It is a defense to a prosecution under subsection (b) that:
22 (1) a religious institution or house of worship is located on the
23 school property; and
24 (2) the person:
25 (A) enters the school property or other entity described in
26 IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) when
27 classes, extracurricular activities, or any other school activities
28 are not being held:
29 (i) for the sole purpose of attending worship services or
30 receiving religious instruction; and
31 (ii) not earlier than thirty (30) minutes before the beginning
32 of the worship services or religious instruction; and
33 (B) leaves the school property not later than thirty (30)
34 minutes after the conclusion of the worship services or
35 religious instruction.

36 SECTION 25. IC 35-44.1-3-9, AS AMENDED BY P.L.45-2022,
37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 9. A person who is being supervised on lifetime
39 parole (as described in IC 35-50-6-1) and who knowingly or
40 intentionally:

41 (1) violates a condition (including a special condition imposed by
42 the parole board) of lifetime parole; or



(2) without the authorization of the parole board, has direct or indirect contact with;

(A) a child less than ~~sixteen~~ (16) **eighteen** (18) years of age;
or

(B) the victim of a sex offense committed by the person;

commits criminal violation of a lifetime parole condition, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 26. IC 35-50-2-14, AS AMENDED BY P.L.142-2020, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) As used in this section, "sex offense" means a felony conviction under IC 35-42-4-1 through ~~IC 35-42-4-9~~ **IC 35-42-4-9.5** or under IC 35-46-1-3.

(b) The state may seek to have a person sentenced as a repeat sexual offender for a sex offense described in subsection (a) by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated one (1) prior unrelated felony conviction for a sex offense described in subsection (a).

(c) After a person has been convicted and sentenced for a felony described in subsection (a) after having been sentenced for a prior unrelated sex offense described in subsection (a), the person has accumulated one (1) prior unrelated felony sex offense conviction. However, a conviction does not count for purposes of this subsection, if:

(1) it has been set aside; or

(2) it is a conviction for which the person has been pardoned.

(d) If the person was convicted of the sex offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing.

(e) A person is a repeat sexual offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had accumulated one (1) prior unrelated felony sex offense conviction.

(f) The court may sentence a person found to be a repeat sexual offender to an additional fixed term that is the advisory sentence for the underlying offense. However, the additional sentence may not exceed ten (10) years.

