

# SENATE BILL No. 290

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## 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.

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## Bohacek

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

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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).**

~~(K)~~ **(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



(16) is:

(A) a parent, guardian, or custodian of a child; or

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

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

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

(1) Federally chartered or insured banking institutions.

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

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

(B) Licensing.

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

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

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

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

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

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

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

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

(8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A, 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 younger child (IC 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 minor (IC 35-42-4-9.5).**

(b) The term includes:

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

(2) a child who has committed a delinquent act, or a person



1 prosecuted under IC 31-30-1-4(d) for an offense described in  
 2 subsection (a) committed when the person was less than eighteen  
 3 (18) years of age, but who was at least twenty-one (21) years of  
 4 age when the charge was filed, and who:

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

6 (B) is on probation, is on parole, is discharged from a facility  
 7 by the department of correction, is discharged from a secure  
 8 private facility (as defined in IC 31-9-2-115), or is discharged  
 9 from a juvenile detention facility as a result of an adjudication  
 10 as a delinquent child for an act that would be an offense

11 described in subsection (a) if committed by an adult; and

12 (C) is found by a court by clear and convincing evidence to be  
 13 likely to repeat an act that would be an offense described in  
 14 subsection (a) if committed by an adult.

15 (c) In making a determination under subsection (b)(2)(C), the court  
 16 shall consider expert testimony concerning whether a child is likely to  
 17 repeat an act that would be an offense described in subsection (a) if  
 18 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.

25 SECTION 3. IC 11-8-8-5, AS AMENDED BY P.L.218-2025,  
 26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this  
 28 chapter, as used in this chapter, "sex or violent offender" means a  
 29 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:

42 (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



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

(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.

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

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

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

(1) the rules concerning the conduct of persons in the community transition program, including rules related to payments described in section 12 of this chapter, that are adopted by the community corrections advisory board establishing the program or, in counties that are not served by a community corrections program, that are jointly adopted by the courts in the county with felony jurisdiction; and

(2) any conditions established by the sentencing court for the person.

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





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

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

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

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

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

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

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

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

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

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

- (1) consider:
  - (A) the residence of the parolee prior to the parolee's 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;
- (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).

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

(h) The address of the victim of a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) is confidential, even if the sex offender obtains a waiver under IC 35-38-2-2.5.

(i) As a condition of parole, the parole board may require a parolee to participate in a reentry court program.

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

(k) As a condition of parole, the parole board may prohibit, in accordance with IC 35-38-2-2.6, a parolee who has been convicted of stalking from residing within one thousand (1,000) feet of the residence of the victim of the stalking for a period that does not exceed five (5) years.

(l) As a condition of parole, the parole board may prohibit a parolee 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.



(f) The parent or legal guardian or custodian of the unemancipated pregnant minor may petition a court to enjoin conduct that would violate this section if the parent or legal guardian or custodian can show that the conduct is reasonably anticipated to occur in the future. A court may enjoin conduct that would violate this section.

(g) A person may not bring a cause of action under this section against a person who is related to the minor as a:

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

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



section:

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

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

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

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

(1) The intended spouse:

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

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

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

(A) that involves an act of violence;

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

(C) that is an offense under:

(i) IC 35-42-3.5; or

(ii) IC 35-42-4.

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

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

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

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

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

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

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

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

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

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

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





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

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

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

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

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

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

- (1) IC 31-19-9-8(a)(1);
- (2) IC 31-19-9-8(a)(2);
- (3) IC 31-19-9-8(a)(4)(B);
- (4) IC 31-19-9-8(a)(4)(C);
- (5) IC 31-19-9-8(a)(4)(D);**
- ~~(5)~~ **(6)** IC 31-19-9-8(a)(9); or
- ~~(6)~~ **(7)** IC 31-19-9-8(a)(11);

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

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

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



- 1 ~~(F)~~ **(G)** IC 31-19-9-8(a)(8);
- 2 ~~(G)~~ **(H)** IC 31-19-9-9;
- 3 ~~(H)~~ **(I)** IC 31-19-9-10;
- 4 ~~(I)~~ **(J)** IC 31-19-9-12;
- 5 ~~(J)~~ **(K)** IC 31-19-9-15; or
- 6 ~~(K)~~ **(L)** IC 31-19-9-18;
- 7 (3) the hospital of an infant's birth or a hospital to which an infant
- 8 is transferred for medical reasons after birth if the infant is being
- 9 adopted at or shortly after birth;
- 10 (4) a person whose parental rights have been terminated before
- 11 the entry of a final decree of adoption; or
- 12 (5) a person who has waived notice under:
- 13 (A) IC 31-19-4-8; or
- 14 (B) IC 31-19-4.5-4.
- 15 SECTION 11. IC 31-19-9-8, AS AMENDED BY P.L.89-2023,
- 16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2026]: Sec. 8. (a) Consent to adoption, which may be required
- 18 under section 1 of this chapter, is not required from any of the
- 19 following:
- 20 (1) A parent or parents if the child is adjudged to have been
- 21 abandoned or deserted for at least six (6) months immediately
- 22 preceding the date of the filing of the petition for adoption.
- 23 (2) A parent of a child in the custody of another person if for a
- 24 period of at least one (1) year the parent:
- 25 (A) fails without justifiable cause to communicate
- 26 significantly with the child when able to do so; or
- 27 (B) knowingly fails to provide for the care and support of the
- 28 child when able to do so as required by law or judicial decree.
- 29 (3) The biological father of a child born out of wedlock whose
- 30 paternity has not been established:
- 31 (A) by a court proceeding other than the adoption proceeding;
- 32 or
- 33 (B) by executing a paternity affidavit under IC 16-37-2-2.1.
- 34 (4) The biological father of a child born out of wedlock who was
- 35 conceived as a result of:
- 36 (A) a rape for which the father was convicted under
- 37 IC 35-42-4-1;
- 38 (B) child molesting (IC 35-42-4-3);
- 39 (C) sexual misconduct with a minor (IC 35-42-4-9); or
- 40 **(D) sex with a minor (IC 35-42-4-9.5); or**
- 41 ~~(E)~~ **(E)** incest (IC 35-46-1-3).
- 42 (5) The putative father of a child born out of wedlock if the



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

(6) The biological father of a child born out of wedlock if the:

(A) father's paternity is established after the filing of a petition for adoption in a court proceeding or by executing a paternity affidavit under IC 16-37-2-2.1; and

(B) father is required to but does not register with the putative father registry established by IC 31-19-5 within the period required by IC 31-19-5-12.

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

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

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

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

(11) A parent if:

(A) a petitioner for adoption proves by clear and convincing evidence that the parent is unfit to be a parent; and

(B) the best interests of the child sought to be adopted would be served if the court dispensed with the parent's consent.

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

(A) is in writing;

(B) is signed by the child's father in the presence of a notary public; and

(C) contains an acknowledgment that:

(i) the denial of paternity is irrevocable; and

(ii) the child's father will not receive notice of adoption proceedings.

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

(13) A deceased person.

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

SECTION 12. IC 31-19-10-1.2, AS AMENDED BY P.L.203-2021, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.2. (a) If a petition for adoption alleges that a 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.

6 (b) If a petition for adoption alleges that a parent's consent to  
7 adoption is unnecessary under:

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).

21 (d) If a petition for adoption alleges that a legal guardian or lawful  
22 custodian's consent to adoption is unnecessary under  
23 IC 31-19-9-8(a)(10) and the legal guardian or lawful custodian files a  
24 motion to contest the adoption under section 1 of this chapter, the legal  
25 guardian or lawful custodian has the burden of proving that the  
26 withholding of the consent to adoption is in the best interests of the  
27 person sought to be adopted.

28 (e) If a petition for adoption alleges that a parent's consent to  
29 adoption is unnecessary under IC 31-19-9-8(a)(11) and the parent files  
30 a motion to contest the adoption under section 1 of this chapter, a  
31 petitioner for adoption has the burden of proving that the requirements  
32 of IC 31-19-9-8(a)(11) are satisfied and that the best interests of the  
33 child are served if the court dispenses with the parent's consent to  
34 adoption.

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



dispenses with the parent's consent to adoption.

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

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

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

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

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

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

- (1) a foster child less than ~~sixteen (16)~~ **eighteen (18)** years of age, while living in a foster home, engages in or is the victim of sexual contact (as defined in IC 25-1-9-3.5);
- (2) a foster child, while living in a foster home, is:
  - (A) charged with or adjudicated as having committed an act that would be a crime under IC 35-42-4 if committed by an adult;
  - (B) charged with or convicted of an offense under IC 35-42-4; or
  - (C) the victim of an offense under IC 35-42-4; or
- (3) the licensee learns that a foster child has, before placement with the licensee, engaged in or been the victim of an act described in subdivision (1) or (2).

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

- (1) the name of the child;
- (2) the date of the occurrence of the act if it can be determined;
- (3) a description of the act;
- (4) the name of the responding law enforcement agency if a law



enforcement agency is contacted; and

(5) any other information the licensee determines is relevant.

(c) Notwithstanding any other law, the department shall provide information described in subsection (b)(1) through (b)(4), whether received from a licensee or another reliable source, to:

(1) a prospective licensee before the placement of the foster child with that licensee; and

(2) each licensee with whom the foster child has previously been placed.

(d) The notification requirements of subsection (c) apply to a foster child who has:

(1) engaged in sexual contact (as defined in IC 25-1-9-3.5) if the foster child is less than ~~sixteen (16)~~ **eighteen (18)** years of age;

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

(3) been charged with or convicted of an offense under IC 35-42-4.

SECTION 14. IC 31-34-1-3, AS AMENDED BY P.L.142-2020, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child is the victim of an offense under:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3;

(D) IC 35-42-4-4;

(E) IC 35-42-4-5;

(F) IC 35-42-4-6;

(G) IC 35-42-4-7;

(H) IC 35-42-4-8;

(I) IC 35-42-4-9;

**(J) IC 35-42-4-9.5;**

~~(K)~~ **(K)** IC 35-45-4-1;

~~(L)~~ **(L)** IC 35-45-4-2;

~~(M)~~ **(M)** IC 35-45-4-3;

~~(N)~~ **(N)** IC 35-45-4-4; or

~~(O)~~ **(O)** IC 35-46-1-3; and

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

(A) the child is not receiving; and

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



1 (b) A child is a child in need of services if, before the child becomes  
 2 eighteen (18) years of age, the child:

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

4 (A) committed an offense described in subsection (a)(1)  
 5 against a child and the offense resulted in a conviction or a  
 6 judgment under IC 31-34-11-2; or

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.

13 (c) A child is a child in need of services if, before the child becomes  
 14 eighteen (18) years of age:

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:

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

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

29 (d) A child is a child in need of services if, before the child becomes  
 30 eighteen (18) years of age:

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

32 (A) committed a human or sexual trafficking offense under  
 33 IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another  
 34 jurisdiction, including federal law, that resulted in a conviction  
 35 or a judgment under IC 31-34-11-2; or

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





- 1 June 30, 2014);
- 2 (B) battery as a Class B felony (for a crime committed before
- 3 July 1, 2014) or Level 3 or Level 4 felony (for a crime
- 4 committed after June 30, 2014);
- 5 (C) battery as a Class C felony (for a crime committed before
- 6 July 1, 2014) or Level 5 felony (for a crime committed after
- 7 June 30, 2014);
- 8 (D) aggravated battery (IC 35-42-2-1.5);
- 9 (E) criminal recklessness (IC 35-42-2-2) as a Class C felony
- 10 (for a crime committed before July 1, 2014) or a Level 5
- 11 felony (for a crime committed after June 30, 2014);
- 12 (F) neglect of a dependent (IC 35-46-1-4) as a Class B felony
- 13 (for a crime committed before July 1, 2014) or a Level 1 or
- 14 Level 3 felony (for a crime committed after June 30, 2014);
- 15 (G) promotion of human labor trafficking, promotion of human
- 16 sexual trafficking, promotion of child sexual trafficking,
- 17 promotion of sexual trafficking of a younger child, child
- 18 sexual trafficking, or human trafficking (IC 35-42-3.5-1
- 19 through IC 35-42-3.5-1.4) as a felony; or
- 20 (H) a comparable offense described in clauses (A) through (G)
- 21 under federal law or in another state, territory, or country;
- 22 against a child described in IC 31-35-3-4(2)(B).
- 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:



1 (i) child in need of services proceedings under this chapter;  
 2 or  
 3 (ii) proceedings under comparable law in another state; and  
 4 (B) was removed from the home of the child's parent,  
 5 guardian, or custodian under:  
 6 (i) a dispositional decree entered under IC 31-34-20-1; or  
 7 (ii) a court order issued under comparable law in another  
 8 state;  
 9 in each of the proceedings described in clause (A);  
 10 and the court finds that each removal described in clause (B) was  
 11 the result of conditions caused by the parent, guardian, or  
 12 custodian.

13 (c) During or at any time after the first periodic case review under  
 14 IC 31-34-21-2 of a child in need of services proceeding, if the court  
 15 finds that a parent, guardian, or custodian of the child has been charged  
 16 with an offense described in subsection (b)(3) and is awaiting trial, the  
 17 court may make a finding that reasonable efforts to reunify the child  
 18 with the child's parent, guardian, or custodian or preserve the child's  
 19 family as described in section 5.5 of this chapter may be suspended  
 20 pending the disposition of the parent's, guardian's, or custodian's  
 21 criminal charge.

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 of:  
 26 (A) murder (IC 35-42-1-1);  
 27 (B) causing suicide (IC 35-42-1-2);  
 28 (C) voluntary manslaughter (IC 35-42-1-3);  
 29 (D) involuntary manslaughter (IC 35-42-1-4);  
 30 (E) rape (IC 35-42-4-1);  
 31 (F) criminal deviate conduct (IC 35-42-4-2) (repealed);  
 32 (G) child molesting (IC 35-42-4-3);  
 33 (H) child exploitation (IC 35-42-4-4);  
 34 (I) sexual misconduct with a minor (IC 35-42-4-9); ~~or~~  
 35 **(J) sex with a minor (IC 35-42-4-9.5); or**  
 36 ~~(K) incest (IC 35-46-1-3); and~~  
 37 (2) the victim of the offense:  
 38 (A) was less than:  
 39 (i) sixteen (16) years of age at the time of the offense **for an**  
 40 **offense described in subdivision (1)(A) through (1)(I) or**  
 41 **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;

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

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

SECTION 18. IC 35-38-2-2.4, AS AMENDED BY P.L.1-2010, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.4. As a condition of probation, the 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).

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



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



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

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

(c) Except as provided in subsection (e), a prosecution for 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) may be commenced at any time.

(d) A prosecution for murder may be commenced:

(1) at any time; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) the accused person conceals evidence of the offense, and evidence sufficient to charge the person with that offense is 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



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

(b) A serious sex offender who knowingly or intentionally enters school property 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
  - (B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction.

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

- (1) violates a condition (including a special condition imposed by 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.

