



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1134 be amended to read as follows:

- 1 Page 13, between lines 24 and 25, begin a new paragraph and insert:
2 "SECTION 12. IC 20-33-8-0.2, AS AMENDED BY P.L.285-2013,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 0.2. (a) As used in this chapter, "bullying" means
5 overt, unwanted, repeated acts or gestures, including verbal or written
6 communications or images transmitted in any manner (including
7 digitally or electronically), physical acts committed, aggression, or any
8 other behaviors, that are committed by a student or group of students
9 against another student with the intent to harass, ridicule, humiliate,
10 intimidate, or harm the targeted student and create for the targeted
11 student an objectively hostile school environment that:
12 (1) places the targeted student in reasonable fear of harm to the
13 targeted student's person or property;
14 (2) has a substantially detrimental effect on the targeted student's
15 physical or mental health;
16 (3) has the effect of substantially interfering with the targeted
17 student's academic performance; or
18 (4) has the effect of substantially interfering with the targeted
19 student's ability to participate in or benefit from the services,
20 activities, and privileges provided by the school.
21 **(b) The term includes behavior that targets the following:**
22 **(1) A student's actual or perceived race, color, national origin,**
23 **ethnicity, sex, disability status, sexual orientation, gender**
24 **identity, gender expression, or religion.**
25 **(2) A distinguishing characteristic defined by the department**
26 **or a governing body.**
27 **(3) A student's association with a person or group described**

- 1 **in subdivision (1) or (2).**
2 ~~(b)~~ (c) The term may not be interpreted to impose any burden or
3 sanction on, or include in the definition of the term, the following:
4 (1) Participating in a religious event.
5 (2) Acting in an emergency involving the protection of a person
6 or property from an imminent threat of serious bodily injury or
7 substantial danger.
8 (3) Participating in an activity consisting of the exercise of a
9 student's rights protected under the First Amendment to the
10 United States Constitution or Article I, Section 31 of the
11 Constitution of the State of Indiana, or both.
12 (4) Participating in an activity conducted by a nonprofit or
13 governmental entity that provides recreation, education, training,
14 or other care under the supervision of one (1) or more adults.
15 (5) Participating in an activity undertaken at the prior written
16 direction of the student's parent.
17 (6) Engaging in interstate or international travel from a location
18 outside Indiana to another location outside Indiana."
19 Renumber all SECTIONS consecutively.
(Reference is to EHB 1134 as printed February 25, 2022.)

Senator MELTON