

PROPOSED AMENDMENT

HB 1307 # 2

DIGEST

Sexual predator employment. Amends the unlawful employment by a sexual predator statute to prohibit a sexual predator or an offender against children from working in any setting where the offender: (1) has more than incidental and occasional contact with a child who is not accompanied by the child's parent, guardian, or custodian; (2) has supervisory or disciplinary power over a child; or (3) is expected to touch a child on a more than incidental and occasional basis.

- 1 Page 2, between lines 41 and 42, begin a new paragraph and insert:
2 "SECTION 3. IC 35-42-4-10, AS AMENDED BY P.L.156-2020,
3 SECTION 130, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) As used in this section,
5 "offender against children" means a person who is an offender against
6 children under section 11 of this chapter.
7 (b) As used in this section, "sexually violent predator" means a
8 person who is a sexually violent predator under IC 35-38-1-7.5.
9 (c) A sexually violent predator or an offender against children who
10 knowingly or intentionally works for compensation or as a volunteer:
11 (1) on school property;
12 (2) at a youth program center;
13 (3) at a public park;
14 (4) as a child care provider (as defined by IC 31-33-26-1);
15 (5) for a child care provider (as defined by IC 31-33-26-1); **or**
16 (6) as a provider of:
17 (A) respite care services and other support services for primary
18 or family caregivers; or
19 (B) adult day care services; **or**
20 **(7) in any setting where the offender:**
21 **(A) has more than incidental and occasional contact with**
22 **a child who is not accompanied by the child's parent,**
23 **guardian, or custodian;**
24 **(B) has supervisory or disciplinary power over a child; or**

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

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

8 Renumber all SECTIONS consecutively.
 (Reference is to HB 1307 as introduced.)