

PROPOSED AMENDMENT

HB 1369 # 2

DIGEST

Termination of parent-child relationship. Amends the definition for "act of rape" to include all forms of child molestation and sexual misconduct with a minor. Adds sexual misconduct with a minor as an offense that may be alleged in a petition to terminate the parent-child relationship when a child is conceived as a result of the offense.

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 31-9-2-0.9, AS ADDED BY P.L.64-2016,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 0.9. "Act of rape", for purposes of
6 IC 31-35-3.5, means an act described in:
7 (1) IC 35-42-4-1; or
8 (2) ~~IC 35-42-4-3(a)~~ that:
9 (A) is committed by using or threatening the use of deadly
10 force or while armed with a deadly weapon;
11 (B) results in serious bodily injury; or
12 (C) is facilitated by furnishing the victim, without the victim's
13 knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a
14 controlled substance (as defined in IC 35-48-1-9) or knowing
15 that the victim was furnished with the drug or controlled
16 substance without the victim's knowledge.
17 (2) **IC 35-42-4-3; or**
18 (3) **IC 35-42-4-9.**
19 Page 5, line 3, delete "or".
20 Page 5, between lines 3 and 4, begin a new line double block
21 indented and insert:
22 "**(D) sexual misconduct with a minor (IC 35-42-4-9); or**".
23 Page 5, line 4, delete "(D)" and insert "**(E)**".
24 Page 5, line 6, delete "or (C);" and insert "**(C), or (D);**".
25 Page 5, after line 23, begin a new paragraph and insert:
26 "**SECTION 5. An emergency is declared for this act.**".

- 1 Renumber all SECTIONS consecutively.
(Reference is to HB 1369 as introduced.)