

HOUSE BILL No. 1307

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-8-8-19; IC 35-31.5-2-292.8; IC 35-42-4-15.

Synopsis: Sex offenders. Specifies that a person required to register as a sex offender in another jurisdiction who moves to Indiana is required to register for life in Indiana. Prohibits a serious sex offender from entering a public park while a child is present, makes a violation a Class A misdemeanor, and increases the penalty to a Level 6 felony for a subsequent offense.

Effective: July 1, 2024.

Smaltz

January 10, 2024, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1307

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 11-8-8-19, AS AMENDED BY P.L.40-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 19. (a) Except as provided in subsections (b)
4 through (f), a sex or violent offender is required to register under this
5 chapter until the expiration of ten (10) years after the date the sex or
6 violent offender:
7 (1) is released from a penal facility (as defined in
8 IC 35-31.5-2-232) or a secure juvenile detention facility of a state
9 or another jurisdiction;
10 (2) is placed in a community transition program;
11 (3) is placed in a community corrections program;
12 (4) is placed on parole; or
13 (5) is placed on probation;
14 for the sex or violent offense requiring registration, whichever occurs
15 last. The registration period is tolled during any period that the sex or
16 violent offender is incarcerated. The registration period does not restart
17 if the offender is convicted of a subsequent offense. However, if the



1 subsequent offense is a sex or violent offense, or an offense under
 2 IC 11-8-8-17, a new registration period may be imposed in accordance
 3 with this chapter. The department shall ensure that an offender who is
 4 no longer required to register as a sex or violent offender is notified
 5 that the obligation to register has expired, and shall ensure that the
 6 offender's information is no longer published to the public portal of the
 7 sex and violent offender registry ~~internet web site~~ **website** established
 8 under IC 36-2-13-5.5.

9 (b) A sex or violent offender who is a sexually violent predator is
 10 required to register for life.

11 (c) A sex or violent offender who is convicted of at least one (1)
 12 offense under section 5(a) of this chapter that the sex or violent
 13 offender committed:

- 14 (1) when the person was at least eighteen (18) years of age; and
- 15 (2) against a victim who was less than twelve (12) years of age at
 16 the time of the crime;

17 is required to register for life.

18 (d) A sex or violent offender who is convicted of at least one (1)
 19 offense under section 5(a) of this chapter in which the sex offender:

- 20 (1) proximately caused serious bodily injury or death to the
 21 victim;
- 22 (2) used force or the threat of force against the victim or a
 23 member of the victim's family, unless the offense is sexual battery
 24 as a Class D felony (for an offense committed before July 1,
 25 2014) or a Level 6 felony (for a crime committed after June 30,
 26 2014); or
- 27 (3) rendered the victim unconscious or otherwise incapable of
 28 giving voluntary consent;

29 is required to register for life.

30 (e) A sex or violent offender who is convicted of at least two (2)
 31 unrelated offenses under section 5(a) of this chapter is required to
 32 register for life.

33 (f) A person who is required to register as a sex or violent offender
 34 in any **other** jurisdiction shall register for ~~the period required by the~~
 35 ~~other jurisdiction or the period described in this section, whichever is~~
 36 ~~longer:~~ **life.**

37 SECTION 2. IC 35-31.5-2-292.8, AS ADDED BY P.L.235-2015,
 38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2024]: Sec. 292.8. "Serious sex offender", for purposes of
 40 ~~IC 35-42-4-14,~~ **IC 35-42-4,** has the meaning set forth in
 41 ~~IC 35-42-4-14(a).~~ **IC 35-42-4-14.**

42 SECTION 3. IC 35-42-4-15 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2024]: **Sec. 15. (a) As used in this section, "serious sex offender"**
3 **has the meaning set forth in section 14 of this chapter.**

4 **(b) A serious sex offender who knowingly or intentionally enters**
5 **a public park while a child less than eighteen (18) years of age is**
6 **present commits unlawful entry into a public park by a sex**
7 **offender, a Class A misdemeanor. However, the offense is a Level**
8 **6 felony if the person has a prior unrelated conviction for a**
9 **violation of this section.**

