



January 16, 2019

SENATE BILL No. 36

DIGEST OF SB 36 (Updated January 14, 2019 11:30 am - DI 104)

Citations Affected: IC 5-2.

Synopsis: Elder abuse registry. Defines "crime of elder or adult abuse" and requires the office of judicial administration to establish an electronic elder and adult abuse registry (registry) containing information relating to persons convicted of a crime of elder or adult abuse. Specifies that a person does not have a duty or other obligation in providing banking or other financial services to review the registry or deny services to a person on the registry.

Effective: July 1, 2019.

Head, Houchin

January 3, 2019, read first time and referred to Committee on Family and Children Services.
January 15, 2019, amended, reported favorably — Do Pass.

SB 36—LS 6168/DI 106



January 16, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 36

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-22.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]:

4 **Chapter 22.5. Elder and Adult Abuse Registry**

5 **Sec. 1. The following definitions apply throughout this chapter:**

6 (1) "Crime of elder or adult abuse" means any of the
7 following:

8 (A) Neglect of a dependent (IC 35-46-1-4) if the dependent
9 is an endangered adult and the offense is committed under:

- 10 (i) IC 35-46-1-4(a)(1);
11 (ii) IC 35-46-1-4(a)(2);
12 (iii) IC 35-46-1-4(a)(3);
13 (iv) IC 35-46-1-4(b)(1)(A);
14 (v) IC 35-46-1-4(b)(2);
15 (vi) IC 35-46-1-4(b)(3); or
16 (vii) IC 35-46-1-4(b)(4).

17 (B) A sex offense (as defined in IC 11-8-8-5.2) committed

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- 1 **against an endangered adult.**
 2 **(C) Battery against an endangered adult under:**
 3 **(i) IC 35-42-2-1(e)(5);**
 4 **(ii) IC 35-42-2-1(g)(5)(D);**
 5 **(iii) IC 35-42-2-1(i); or**
 6 **(iv) IC 35-42-2-1(k)(2).**
 7 **(D) Domestic battery against an endangered adult under:**
 8 **(i) IC 35-42-2-1.3(b)(6);**
 9 **(ii) IC 35-42-2-1.3(c)(5)(C);**
 10 **(iii) IC 35-42-2-1.3(d); or**
 11 **(iv) IC 35-42-2-1.3(f)(2).**
 12 **(E) Exploitation of an endangered adult under:**
 13 **(i) IC 35-46-1-12(a)(1); or**
 14 **(ii) IC 35-46-1-12(b).**
 15 **(F) Financial exploitation of an endangered adult under:**
 16 **(i) IC 35-46-1-12(c); or**
 17 **(ii) IC 35-46-1-12(d).**
 18 **(2) "Endangered adult" has the meaning set forth in**
 19 **IC 12-10-3-2(a).**
 20 **(3) "Office" refers to the office of judicial administration**
 21 **created under IC 33-24-6-1.**
 22 **(4) "Registry" means the elder and adult abuse registry**
 23 **established under section 2 of this chapter.**
 24 **Sec. 2. The office shall establish and maintain an elder and adult**
 25 **abuse registry.**
 26 **Sec. 3. The registry must contain:**
 27 **(1) the name;**
 28 **(2) the age;**
 29 **(3) the last known city of residence;**
 30 **(4) a photograph, if available;**
 31 **(5) a description of the crime of elder or adult abuse of which**
 32 **the person was convicted; and**
 33 **(6) any other identifying information, as determined by the**
 34 **office;**
 35 **of every person convicted of a crime of elder or adult abuse.**
 36 **Sec. 4. (a) The office shall publish the registry on the office's**
 37 **Internet web site. The registry must be searchable and available to**
 38 **the public.**
 39 **(b) The office shall ensure that the registry is updated at least**
 40 **one (1) time every thirty (30) days.**
 41 **(c) The office shall ensure that the registry displays the**
 42 **following or similar words:**



1 **"Based on information submitted to law enforcement, a**
2 **person whose name appears in this registry has been**
3 **convicted of a crime of elder or adult abuse. However,**
4 **information on the registry may not be complete. No person**
5 **shall have a duty or other obligation, concerning the provision**
6 **of banking or other financial services to an endangered adult**
7 **or other person, to review this registry or to deny banking or**
8 **other financial services to any person appearing on the**
9 **registry.".**



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 36, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 4, delete "complete." and insert "**complete. No person shall have a duty or other obligation, concerning the provision of banking or other financial services to an endangered adult or other person, to review this registry or to deny banking or other financial services to any person appearing on the registry.**".

and when so amended that said bill do pass.

(Reference is to SB 36 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 9, Nays 0.

