



Reprinted
February 2, 2018

SENATE BILL No. 295

DIGEST OF SB 295 (Updated February 1, 2018 3:15 pm - DI 106)

Citations Affected: IC 35-42.

Synopsis: School property and religious institutions. Prohibits a sex offender from attending a house of worship located on school property while classes, extracurricular activities, or other school activities are being held.

Effective: July 1, 2018.

Mrvan, Young M

January 4, 2018, read first time and referred to Committee on Corrections and Criminal Law.
January 30, 2018, amended, reported favorably — Do Pass.
February 1, 2018, read second time, amended, ordered engrossed.

SB 295—LS 6923/DI 106



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Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 295

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 35-42-4-14, AS AMENDED BY P.L.13-2016,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]: Sec. 14. (a) As used in this section, "serious sex
4 offender" means a person required to register as a sex offender under
5 IC 11-8-8 who is:
6 (1) found to be a sexually violent predator under IC 35-38-1-7.5;
7 or
8 (2) convicted of one (1) or more of the following offenses:
9 (A) Child molesting (IC 35-42-4-3).
10 (B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
11 (C) Possession of child pornography (IC 35-42-4-4(d) or
12 IC 35-42-4-4(e)).
13 (D) Vicarious sexual gratification (IC 35-42-4-5(a) and
14 IC 35-42-4-5(b)).
15 (E) Performing sexual conduct in the presence of a minor
16 (IC 35-42-4-5(c)).
17 (F) Child solicitation (IC 35-42-4-6).

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- 1 (G) Child seduction (IC 35-42-4-7).
- 2 (H) Sexual misconduct with a minor (IC 35-42-4-9).
- 3 (I) A conspiracy or an attempt to commit an offense described
- 4 in clauses (A) through (H).
- 5 (J) An offense in another jurisdiction that is substantially
- 6 similar to an offense described in clauses (A) through (I).
- 7 (b) A serious sex offender who knowingly or intentionally enters
- 8 school property commits unlawful entry by a serious sex offender, a
- 9 Level 6 felony.
- 10 **(c) It is a defense to a prosecution under subsection (b) that:**
- 11 **(1) a religious institution or house of worship is located on the**
- 12 **school property; and**
- 13 **(2) the person:**
- 14 **(A) enters the school property or other entity described in**
- 15 **IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D)**
- 16 **when classes, extracurricular activities, or any other school**
- 17 **activities are not being held:**
- 18 **(i) for the sole purpose of attending worship services or**
- 19 **receiving religious instruction; and**
- 20 **(ii) not earlier than thirty (30) minutes before the**
- 21 **beginning of the worship services or religious**
- 22 **instruction; and**
- 23 **(B) leaves the school property not later than thirty (30)**
- 24 **minutes after the conclusion of the worship services or**
- 25 **religious instruction.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 295, 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 2, line 14, delete "property:" and insert "**property when classes at the school or other entity described in IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) are not in session:**".

and when so amended that said bill do pass.

(Reference is to SB 295 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 7, Nays 2.

 SENATE MOTION

Madam President: I move that Senate Bill 295 be amended to read as follows:

Page 2, line 14, delete "when classes at the school".

Page 2, line 16, after "IC 35-31.5-2-285(1)(D)" insert "**when classes, extracurricular activities, or any other school activities**".

Page 2, line 16, delete "in session:" and insert "**being held:**".

Renumber all SECTIONS consecutively.

(Reference is to SB 295 as printed January 31, 2018.)

MRVAN

