
HOUSE BILL No. 1308

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-6-3; IC 5-2-12-4.

Synopsis: Federal court sex and violent offenders. Expands the definition of offender for purposes of names that are required to be part of the sex and violent offender registry to include offenders who are convicted of certain sex and violent offenses in federal court. Makes a conforming amendment.

Effective: July 1, 2000.

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January 11, 2000, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1308

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-2-6-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) The institute is established to
3 do the following:
4 (1) Evaluate state and local programs associated with:
5 (A) the prevention, detection, and solution of criminal
6 offenses;
7 (B) law enforcement; and
8 (C) the administration of criminal and juvenile justice.
9 (2) Improve and coordinate all aspects of law enforcement,
10 juvenile justice, and criminal justice in this state.
11 (3) Stimulate criminal and juvenile justice research.
12 (4) Develop new methods for the prevention and reduction of
13 crime.
14 (5) Prepare applications for funds under the Omnibus Act and the
15 Juvenile Justice Act.
16 (6) Administer victim and witness assistance funds.
17 (7) Administer the traffic safety functions assigned to the institute



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- 1 under IC 9-27-2.
- 2 (8) Compile and analyze information and disseminate the
- 3 information to persons who make criminal justice decisions in this
- 4 state.
- 5 (9) Serve as the criminal justice statistical analysis center for this
- 6 state.
- 7 (10) Establish and maintain, in cooperation with the office of the
- 8 secretary of family and social services, a sex and violent offender
- 9 registry.
- 10 (11) Administer the application and approval process for
- 11 designating an area of a consolidated or second class city as a
- 12 public safety improvement area under IC 36-8-19.5.
- 13 (b) The registry established under subsection (a)(10) must include
- 14 the names of all persons who:
- 15 (1) have been convicted in Indiana before or after June 30, 1998;
- 16 of:
- 17 (A) rape (IC 35-42-4-1);
- 18 (B) criminal deviate conduct (IC 35-42-4-2);
- 19 (C) child molesting (IC 35-42-4-3);
- 20 (D) child exploitation (IC 35-42-4-4(b));
- 21 (E) vicarious sexual gratification (IC 35-42-4-5);
- 22 (F) child solicitation (IC 35-42-4-6);
- 23 (G) child seduction (IC 35-42-4-7);
- 24 (H) sexual misconduct with a minor as a Class A or Class B
- 25 felony (IC 35-42-4-9);
- 26 (I) incest (IC 35-46-1-3); or
- 27 (J) sexual battery (IC 35-42-4-8);
- 28 (2) have been convicted in Indiana after June 30, 1998, of:
- 29 (A) kidnapping (IC 35-42-3-2); if the victim is less than
- 30 eighteen (18) years of age; or
- 31 (B) criminal confinement (IC 35-42-3-3); if the victim is less
- 32 than eighteen (18) years of age; or
- 33 (3) are residing in Indiana and have been convicted in another
- 34 state of an offense that is substantially equivalent to any of the sex
- 35 offenses specified in subdivision (1) or violent offenses specified
- 36 in subdivision (2): **each offender (as defined in IC 5-2-12-4)**
- 37 **who is required to register with a local law enforcement**
- 38 **authority under IC 5-2-12-5.**
- 39 SECTION 2. IC 5-2-12-4 IS AMENDED TO READ AS FOLLOWS
- 40 [EFFECTIVE JULY 1, 2000]: Sec. 4. As used in this chapter,
- 41 "offender" refers to:
- 42 (1) a person convicted in Indiana after June 30, 1994, of:

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- 1 (A) rape (IC 35-42-4-1);
 2 (B) criminal deviate conduct (IC 35-42-4-2);
 3 (C) child molesting (IC 35-42-4-3);
 4 (D) child exploitation (IC 35-42-4-4(b));
 5 (E) vicarious sexual gratification (IC 35-42-4-5);
 6 (F) child solicitation (IC 35-42-4-6);
 7 (G) child seduction (IC 35-42-4-7);
 8 (H) sexual misconduct with a minor as a Class A or Class B
 9 felony (IC 35-42-4-9);
 10 (I) incest (IC 35-46-1-3); **or**
 11 (J) sexual battery (IC 35-42-4-8);
 12 (2) a person convicted in Indiana after June 30, 1998, of:
 13 (A) kidnapping (IC 35-42-3-2), if the victim is less than
 14 eighteen (18) years of age; or
 15 (B) criminal confinement (IC 35-42-3-3), if the victim is less
 16 than eighteen (18) years of age;
 17 (3) a child who:
 18 (A) is at least fourteen (14) years of age;
 19 (B) is on probation, is on parole, or is discharged from a
 20 facility by the department of correction as a result of an
 21 adjudication as a delinquent child for an act that would be an
 22 offense described in subdivision (1) or (2) if committed by an
 23 adult; and
 24 (C) is found by a court by clear and convincing evidence to be
 25 likely to repeat an act that would be an offense described in
 26 subdivision (1) or (2) if committed by an adult; **or**
 27 (4) a person residing in Indiana who was convicted after:
 28 (A) June 30, 1994, in another state of an offense that is
 29 substantially equivalent to any of the sex offenses listed in
 30 subdivision (1); or
 31 (B) June 30, 1998, in another state of an offense that is
 32 substantially equivalent to any of the violent offenses listed in
 33 subdivision (2); **or**
 34 **(5) a person residing in Indiana for whom a judgment of**
 35 **conviction was entered in federal court after June 30, 2000,**
 36 **for an offense that is substantially equivalent to any of:**
 37 **(A) the sex offenses listed in subdivision (1); or**
 38 **(B) the violent offenses listed in subdivision (2).**

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