

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1076 be amended to read as follows:

- 1 Page 7, line 36, delete "sexual orientation, gender".
- 2 Page 7, line 37, delete "identity,".
- 3 Page 7, line 39, after "35-41-1-13.5)." insert "**However, the**
- 4 **requirements may not include training in identifying, responding**
- 5 **to, and reporting crimes in which the person who committed the**
- 6 **offense selected the victim who was injured or whose property was**
- 7 **damaged or otherwise affected because of the behavior or beliefs**
- 8 **of the victim, including the victim's sexual orientation, gender**
- 9 **identity, smoking, excessive overeating, use of illegal drugs,**
- 10 **excessive use of alcohol, promiscuous sexual behavior, or any other**
- 11 **poor choice made by the victim."**
- 12 Page 8, line 2, after "1." insert "**(a)**".
- 13 Page 8, line 10, delete "sexual orientation, gender".
- 14 Page 8, line 11, delete "identity,".
- 15 Page 8, line 13, delete "sexual orientation, gender".
- 16 Page 8, line 14, delete "identity,".
- 17 Page 8, line 23, delete "sexual orientation, gender".
- 18 Page 8, line 24, delete "identity,".
- 19 Page 8, line 27, delete "sexual orientation, gender".
- 20 Page 8, line 28, delete "identity,".
- 21 Page 8, between lines 32 and 33, begin a new paragraph and insert:
- 22 "**(b) The term does not include a person:**
- 23 **(1) who knowingly or intentionally selected an individual as**
- 24 **the victim of a crime because:**

1 (A) of the actual or perceived behavior or beliefs of the
 2 victim, including the victim's sexual orientation, gender
 3 identity, smoking, excessive overeating, use of illegal drugs,
 4 excessive use of alcohol, promiscuous sexual behavior, or
 5 any other poor choice made by the victim; or
 6 (B) of the actual or perceived behavior or beliefs of an
 7 individual affiliated or associated with the victim,
 8 including the individual's sexual orientation, gender
 9 identity, smoking, excessive overeating, use of illegal drugs,
 10 excessive use of alcohol, promiscuous sexual behavior, or
 11 any other poor choice made by the individual; or

12 (2) who knowingly or intentionally damaged or otherwise
 13 affected property because:

14 (A) of the actual or perceived behavior or beliefs of the
 15 individual who owned or occupied the property, including
 16 the individual's sexual orientation, gender identity,
 17 smoking, excessive overeating, use of illegal drugs,
 18 excessive use of alcohol, promiscuous sexual behavior, or
 19 any other poor choice made by the victim; or

20 (B) of the actual or perceived behavior or beliefs of an
 21 individual affiliated or associated with the owner of the
 22 property, including the individual's sexual orientation,
 23 gender identity, smoking, excessive overeating, use of
 24 illegal drugs, excessive use of alcohol, promiscuous sexual
 25 behavior, or any other poor choice made by the
 26 individual."

27 Page 10, line 24, delete "sexual orientation, gender".
 28 Page 10, line 25, delete "identity," and insert "or".
 29 Page 10, line 25, delete ", or any other characteristic or belief".
 30 Page 10, line 29, delete "sexual orientation, gender".
 31 Page 10, line 30, delete "identity," and insert "or".
 32 Page 10, line 30, delete ", or any other characteristic or belief".
 33 Page 10, between lines 34 and 35, begin a new line block indented

34 and insert:

35 **"However, this subdivision does not apply if the person who**
 36 **committed the offense knowingly or intentionally selected the**
 37 **victim because of the actual or perceived behavior or beliefs**
 38 **of the injured individual or owner or occupant of property**
 39 **described in clause (A) or of an individual affiliated or**
 40 **associated with the injured individual or owner or occupant**
 41 **of property described in clause (B), including the individual's,**
 42 **owner's, or occupant's sexual orientation, gender identity,**
 43 **smoking, excessive overeating, use of illegal drugs, excessive**
 44 **use of alcohol, promiscuous sexual behavior, or any other**
 45 **poor choice made by the individual, owner, or occupant."**

(Reference is to HB 1076 as printed January 22, 2008.)

Representative Thompson