



January 16, 2008

SENATE BILL No. 124

DIGEST OF SB 124 (Updated January 15, 2008 8:32 am - DI 106)

Citations Affected: IC 35-42; noncode.

Synopsis: Child seduction. Makes it child seduction, a Class D felony, for a person: (1) who is at least 18 years of age; (2) who is a member of the armed forces of the United States or the Indiana National Guard; and (3) who is attempting to enlist a child at least 16 years of age but less than 18 years of age in the armed forces or Indiana National Guard; to engage with the child in sexual intercourse, deviate sexual conduct, or any fondling or touching with the intent to arouse or satisfy the sexual desires of either the child or the adult.

Effective: July 1, 2008.

Delph

January 8, 2008, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
January 15, 2008, reported favorably — Do Pass.

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January 16, 2008

Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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SENATE BILL No. 124

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 35-42-4-7, AS AMENDED BY P.L.1-2005,
2 SECTION 228, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) As used in this section,
4 "adoptive parent" has the meaning set forth in IC 31-9-2-6.
5 (b) As used in this section, "adoptive grandparent" means the parent
6 of an adoptive parent.
7 (c) As used in this section, "child care worker" means a person who:
8 (1) provides care, supervision, or instruction to a child within the
9 scope of the person's employment in a shelter care facility; or
10 (2) is employed by a:
11 (A) school corporation; or
12 (B) nonpublic school;
13 attended by a child who is the victim of a crime under this
14 chapter.
15 (d) As used in this section, "custodian" means any person who
16 resides with a child and is responsible for the child's welfare.
17 (e) As used in this section, "nonpublic school" has the meaning set

SB 124—LS 6364/DI 69+



1 forth in IC 20-18-2-12.
2 (f) As used in this section, "school corporation" has the meaning set
3 forth in IC 20-18-2-16.
4 (g) As used in this section, "stepparent" means an individual who is
5 married to a child's custodial or noncustodial parent and is not the
6 child's adoptive parent.
7 (h) If a person who: ~~is:~~
8 (1) **is** at least eighteen (18) years of age; and
9 (2) **is:**
10 (A) the:
11 ~~(A)~~ (i) guardian, adoptive parent, adoptive grandparent,
12 custodian, or stepparent of; or
13 ~~(B)~~ (ii) child care worker for; **or**
14 **(B) a member of the armed forces of the United States (as**
15 **defined in IC 20-33-10-2) or the Indiana National Guard**
16 **who is attempting to enlist;**
17 a child at least sixteen (16) years of age but less than eighteen
18 (18) years of age;
19 engages with the child in sexual intercourse, deviate sexual conduct (as
20 defined in IC 35-41-1-9), or any fondling or touching with the intent to
21 arouse or satisfy the sexual desires of either the child or the adult, the
22 person commits child seduction, a Class D felony.
23 SECTION 2. [EFFECTIVE JULY 1, 2008] **IC 35-42-4-7, as**
24 **amended by this act, applies only to offenses committed after June**
25 **30, 2008.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 124, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 124 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 6, Nays 0.

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