
HOUSE BILL No. 1097

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-14.

Synopsis: Halloween enticement. Makes it a Class D felony for an offender against children to knowingly or intentionally participate in Halloween by offering or appearing to offer candy or another item to trick or treaters.

Effective: July 1, 2010.

Walorski, Clere

January 5, 2010, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1097



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 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2010]: **Sec. 14. (a) As used in this section, "Halloween" means:**
4 (1) **the period between 4 p.m. and 10 p.m. on October 31; and**
5 (2) **the designated date and time for trick or treating**
6 **established by a local community.**
7 (b) **As used in this section, "offender against children" has the**
8 **meaning set forth in section 11 of this chapter.**
9 (c) **As used in this section, "participates in Halloween" means**
10 **to do one (1) or more of the following on Halloween:**
11 (1) **Hand out candy or another item to persons who are trick**
12 **or treating.**
13 (2) **Give the appearance that the person intends to hand out**
14 **candy or another item to a person who is trick or treating.**
15 **The term includes leaving a porch light on during Halloween or**
16 **displaying a pumpkin or jack-o'-lantern during Halloween.**
17 (d) **An offender against children who knowingly or intentionally**



1 **participates in Halloween commits Halloween enticement, a Class**
2 **D felony.**

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