

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 114 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 12-7-2-53.2 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2013]: **Sec. 53.2. "Dangerous felony", for**
6 **purposes of IC 12-17.2, means one (1) or more of the following**
7 **felonies:**
8 (1) **Murder (IC 35-42-1-1).**
9 (2) **Attempted murder (IC 35-41-5-1).**
10 (3) **Voluntary manslaughter (IC 35-42-1-3).**
11 (4) **Involuntary manslaughter (IC 35-42-1-4).**
12 (5) **Reckless homicide (IC 35-42-1-5).**
13 (6) **Aggravated battery (IC 35-42-2-1.5).**
14 (7) **Kidnapping (IC 35-42-3-2).**
15 (8) **Rape (IC 35-42-4-1).**
16 (9) **Criminal deviate conduct (IC 35-42-4-2).**
17 (10) **Child molesting (IC 35-42-4-3).**
18 (11) **Sexual misconduct with a minor as a Class A felony**
19 **under IC 35-42-4-9(a)(2) or a Class B felony under**
20 **IC 35-42-4-9(b)(2).**
21 (12) **Robbery as a Class A or Class B felony (IC 35-42-5-1).**
22 (13) **Burglary as a Class A or Class B felony (IC 35-43-2-1).**
23 (14) **A felony committed in another jurisdiction that is**
24 **substantially similar to a felony in this section."**
25 Page 3, line 40, delete "felony;" and insert "felony:
26 (i) **related to the health or safety of a child;**
27 (ii) **that is a sex offense (as defined in IC 11-8-8-5.2);**
28 (iii) **that is a dangerous felony; or**
29 (iv) **that is not a felony otherwise described in item (i)**
30 **through (iii), and less than five (5) years have elapsed**

1 **from the date the person was discharged from probation,**
 2 **imprisonment, or parole, whichever is latest;"**.

3 Page 4, line 2, delete "jurisdiction;" and insert "**jurisdiction, if the**
 4 **offense is directly or indirectly related to jeopardizing the health**
 5 **or safety of a child;"**.

6 Page 4, line 5, delete "jurisdiction." and insert "**jurisdiction, if the**
 7 **offense is directly or indirectly related to jeopardizing the health**
 8 **or safety of a child."**

9 Page 4, line 9, delete "felony;" and insert "felony:

- 10 **(A) related to the health or safety of a child;**
 11 **(B) that is a sex offense (as defined in IC 11-8-8-5.2);**
 12 **(C) that is a dangerous felony; or**
 13 **(D) that is not a felony otherwise described in clause (A)**
 14 **through (C), and less than five (5) years have elapsed from**
 15 **the date the person was discharged from probation,**
 16 **imprisonment, or parole, whichever is latest;"**.

17 Page 4, line 13, delete "jurisdiction;" and insert "**jurisdiction, if the**
 18 **offense is directly or indirectly related to jeopardizing the health**
 19 **or safety of a child;"**.

20 Page 4, line 16, delete "jurisdiction;" and insert "**jurisdiction, if the**
 21 **offense is directly or indirectly related to jeopardizing the health**
 22 **or safety of a child."**

23 Page 4, line 41, delete "felony;" and insert "felony:

- 24 **(i) related to the health or safety of a child;**
 25 **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**
 26 **(iii) that is a dangerous felony; or**
 27 **(iv) that is not a felony otherwise described in item (i)**
 28 **through (iii), and less than five (5) years have elapsed**
 29 **from the date the person was discharged from probation,**
 30 **imprisonment, or parole, whichever is latest;"**.

31 Page 5, line 3, delete "jurisdiction;" and insert "**jurisdiction, if the**
 32 **offense is directly or indirectly related to jeopardizing the health**
 33 **or safety of a child;"**.

34 Page 5, line 6, delete "jurisdiction;" and insert "**jurisdiction, if the**
 35 **offense is directly or indirectly related to jeopardizing the health**
 36 **or safety of a child;"**.

37 Page 5, line 12, delete "jurisdiction;" and insert "**jurisdiction, if the**
 38 **offense is directly or indirectly related to jeopardizing the health**
 39 **or safety of a child;"**.

40 Page 5, line 15, delete "jurisdiction;" and insert "**jurisdiction, if the**
 41 **offense is directly or indirectly related to jeopardizing the health**
 42 **or safety of a child;"**.

43 Page 5, line 35, delete "felony;" and insert "felony:

- 44 **(i) related to the health or safety of a child;**
 45 **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**
 46 **(iii) that is a dangerous felony; or**

1 **(iv) that is not a felony otherwise described in item (i)**
 2 **through (iii), and less than five (5) years have elapsed**
 3 **from the date the person was discharged from probation,**
 4 **imprisonment, or parole, whichever is latest;"**.

5 Page 5, line 39, delete "jurisdiction;" and insert "**jurisdiction, if the**
 6 **offense is directly or indirectly related to jeopardizing the health**
 7 **or safety of a child;"**.

8 Page 5, line 42, delete "jurisdiction;" and insert "**jurisdiction, if the**
 9 **offense is directly or indirectly related to jeopardizing the health**
 10 **or safety of a child;"**.

11 Page 6, line 6, delete "jurisdiction;" and insert "**jurisdiction, if the**
 12 **offense is directly or indirectly related to jeopardizing the health**
 13 **or safety of a child;"**.

14 Page 6, line 9, delete "jurisdiction;" and insert "**jurisdiction, if the**
 15 **offense is directly or indirectly related to jeopardizing the health**
 16 **or safety of a child;"**.

17 Page 7, line 19, delete "felony;" and insert "**felony:**
 18 **(i) related to the health or safety of a child;**
 19 **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**
 20 **(iii) that is a dangerous felony; or**
 21 **(iv) that is not a felony otherwise described in item (i)**
 22 **through (iii), and less than five (5) years have elapsed**
 23 **from the date the person was discharged from probation,**
 24 **imprisonment, or parole, whichever is latest;"**.

25 Page 7, line 25, delete "jurisdiction;" and insert "**jurisdiction, if the**
 26 **offense is directly or indirectly related to jeopardizing the health**
 27 **or safety of a child;"**.

28 Page 7, line 29, delete "jurisdiction;" and insert "**jurisdiction, if the**
 29 **offense is directly or indirectly related to jeopardizing the health**
 30 **or safety of a child;"**.

31 Renumber all SECTIONS consecutively.
 (Reference is to SB 114 as printed February 15, 2013.)

Senator HEAD