

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 119

AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

SECTION 1. IC 35-31.5-2-127.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 127.7. "Facility or event that provides entertainment or programming primarily directed toward a child less than eighteen (18) years of age", or "facility or location holding an event that provides entertainment or programming primarily directed toward a child less than eighteen (18) years of age", means a facility, location, or event for which admission, participation, or attendance is restricted by policy or practice to children less than eighteen (18) years of age, or to children less than eighteen (18) years of age accompanied by a parent, guardian, or custodian.**

SECTION 2. IC 35-31.5-2-300, AS AMENDED BY P.L.144-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 300. (a) "Sexual conduct", for purposes of IC 35-42-3.5-0.5, and IC 35-42-4-4, and IC 35-42-4-13, has the meaning set forth in IC 35-42-4-4(a).**

(b) "Sexual conduct", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-9.

SECTION 3. IC 35-42-4-10, AS AMENDED BY P.L.98-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2026]: Sec. 10. (a) As used in this section, "offender against children" means a person who is an offender against children under section 11 of this chapter.

(b) As used in this section, "sexually violent predator" means a person who is a sexually violent predator under IC 35-38-1-7.5.

(c) A sexually violent predator or an offender against children who knowingly or intentionally works for compensation or as a volunteer:

- (1) on school property;
- (2) at a youth program center;
- (3) at a public park;
- (4) as a child care provider (as defined by IC 31-33-26-1);
- (5) for a child care provider (as defined by IC 31-33-26-1);
- (6) as a provider of:
 - (A) respite care services and other support services for primary or family caregivers; or
 - (B) adult day care services; ~~or~~
- (7) in any setting where the sexually violent predator or offender against children:
 - (A) has more than incidental and occasional contact with a child who is not accompanied by the child's parent, guardian, or custodian;
 - (B) has supervisory or disciplinary power over a child; or
 - (C) is expected to touch a child on a more than incidental and occasional basis; **or**

(8) at a facility or event that provides entertainment or programming primarily directed toward a child less than eighteen (18) years of age;

commits unlawful employment by a sexual predator, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section or based on the person's failure to comply with any requirement imposed on an offender under IC 11-8-8.

SECTION 4. IC 35-42-4-13, AS AMENDED BY P.L.168-2014, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) This section does not apply to the following:

- (1) A parent, guardian, or custodian of a child.
- (2) A person who acts with the permission of a child's parent, guardian, or custodian.
- (3) A person to whom a child makes a report of abuse or neglect.
- (4) A person to whom a child reports medical symptoms that relate to or may relate to sexual activity.



(b) As used in this section, "sexual activity" means sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or the fondling or touching of the buttocks, genitals, or female breasts.

(c) A person at least eighteen (18) years of age who **knowingly or intentionally**:

(1) ~~knowingly or intentionally~~ communicates with an individual whom the person believes to be a child less than fourteen (14) years of age concerning sexual activity with the intent to gratify the sexual desires of the person or the individual; **or**

(2) **engages in a pattern of repeated or continuous contact with an individual the person believes to be less than fourteen (14) years of age, with the intent to condition the individual to be less resistant to future sexual conduct or sexual activity;**

~~commits inappropriate communication with a child sexual grooming,~~ a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if the person commits the offense by using a computer network (as defined in IC 35-43-2-3(a); and

(2) a Level 6 felony if the person has a prior unrelated conviction **under this section or** for a sex offense (as defined in IC 11-8-8-5.2).

SECTION 5. IC 35-42-4-14, AS AMENDED BY P.L.218-2025, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; **or**

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Possession of child sex abuse material (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

(b) A serious sex offender who knowingly or intentionally enters:

(1) school property; **or**

(2) **a:**



(A) facility; or
 (B) location holding an event;
that provides entertainment or programming primarily directed toward a child less than eighteen (18) years of age;
 commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

(1) a religious institution or house of worship is located on the school property; and

(2) the person:

(A) enters the school property or other entity described in IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) when classes, extracurricular activities, or any other school activities are not being held:

(i) for the sole purpose of attending worship services or receiving religious instruction; and

(ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and

(B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction.

SECTION 6. IC 35-43-2-3, AS AMENDED BY P.L.32-2019, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this section:

"Access" means to:

- (1) approach;
- (2) instruct;
- (3) communicate with;
- (4) store data in;
- (5) retrieve data from; or
- (6) make use of resources of;

a computer, computer system, or computer network.

"Computer network" means the interconnection of communication lines or wireless telecommunications with a computer or wireless telecommunication device through:

- (1) remote terminals;
- (2) a complex consisting of two (2) or more interconnected computers; or
- (3) a worldwide collection of interconnected networks operating as the Internet.

The term includes a cellular telephone or other wireless or cellular communications device.

"Computer system" means a set of related computer equipment,



software, or hardware.

"Hoarding program" means a computer program designed to bypass or neutralize a security measure, access control system, or similar system used by the owner of a computer network or computer system to limit the amount of merchandise that one (1) person may purchase by means of a computer network.

(b) A person who knowingly or intentionally accesses:

- (1) a computer system;
- (2) a computer network; or
- (3) any part of a computer system or computer network;

without the consent of the owner of the computer system or computer network, or the consent of the owner's licensee, commits computer trespass, a Class A misdemeanor.

(c) A person who knowingly or intentionally uses a hoarding program to purchase merchandise by means of a computer network commits computer merchandise hoarding, a Class C infraction. A person commits a separate infraction for each item of merchandise purchased. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. It is a defense to a prosecution under this subsection that the person used the hoarding program with the permission of the person selling the merchandise.

(d) A person who knowingly or intentionally sells, purchases, or distributes a hoarding program commits unlawful distribution of a hoarding program, a Class C infraction. A person commits a separate infraction for each sale, purchase, or distribution of a hoarding program. However, the violation is a Class C misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years. It is a defense to a prosecution under this subsection that the hoarding program was sold, purchased, or distributed for legitimate scientific or educational purposes.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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