



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 258 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 35-38-2-2.2, AS AMENDED BY P.L.114-2012,
- 4 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2019]: Sec. 2.2. (a) As a condition of probation for a sex
- 6 offender (as defined in IC 11-8-8-4.5), the court shall:
- 7 (1) require the sex offender to register with the local law
- 8 enforcement authority under IC 11-8-8;
- 9 (2) prohibit the sex offender from residing within one thousand
- 10 (1,000) feet of school property (as defined in IC 35-31.5-2-285),
- 11 as measured from the property line of the sex offender's residence
- 12 to the property line of the school property, for the period of
- 13 probation, unless the sex offender obtains written approval from
- 14 the court;
- 15 (3) require the sex offender to consent:
- 16 (A) to the search of the sex offender's personal computer at
- 17 any time; and
- 18 (B) to the installation on the sex offender's personal computer
- 19 or device with Internet capability, at the sex offender's
- 20 expense, of one (1) or more hardware or software systems to
- 21 monitor Internet usage; and

(4) prohibit the sex offender from:

(A) accessing or using certain web sites, chat rooms, or instant messaging programs frequented by children; and

(B) deleting, erasing, or tampering with information on the sex offender's personal computer with intent to conceal an activity prohibited by clause (A).

If the court allows the sex offender to reside within one thousand (1,000) feet of school property under subdivision (2), the court shall notify each school within one thousand (1,000) feet of the sex offender's residence of the order. However, a court may not allow a sex offender who is a sexually violent predator (as defined in IC 35-38-1-7.5) or an offender against children under IC 35-42-4-11 to reside within one thousand (1,000) feet of school property.

(b) As a condition of probation for a sex offender who is a sexually violent predator under IC 35-38-1-7.5 or an offender against children under IC 35-42-4-11, the court may:

(1) subject to subdivision (2), prohibit the sex offender from having any:

(A) unsupervised contact; or

(B) contact;

with a person less than sixteen (16) years of age; and

(2) if the court finds it is in the best interests of the child, prohibit the sex offender from having any:

(A) unsupervised contact; or

(B) contact;

with a child or stepchild of the sex offender, if the child or stepchild is less than sixteen (16) years of age."

Renumber all SECTIONS consecutively.

(Reference is to ESB 258 as printed March 19, 2019.)

Representative Hatfield