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| Adopted | Rejected |
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COMMITTEE REPORT

YES: 13
NO: 0

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred Senate Bill 475, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 7, before "However," begin a new paragraph and insert
- 2 "(b)".
- 3 Page 3, line 7, after "However," delete "(b)".
- 4 Page 3, line 10, after "program" insert ".".
- 5 Page 6, between lines 13 and 14, begin a new paragraph and insert:
- 6 "SECTION 9. IC 11-11-3-9 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 9. (a) A person may be
- 8 prohibited from visiting a confined person, or the visit may be restricted
- 9 to an extent greater than allowed under section 8 of this chapter, if the
- 10 department has reasonable grounds to believe that the visit would
- 11 threaten the security of the facility or program or the safety of
- 12 individuals.
- 13 (b) The department may restrict any person less than eighteen

- 1 **(18) years of age from visiting an offender, if:**
2 **(1) the offender has been:**
3 **(A) convicted of a sex offense under IC 35-42-4; or**
4 **(B) adjudicated delinquent as a result of an act that would**
5 **be considered a sex offense under IC 35-42-4 if committed**
6 **by an adult; and**
7 **(2) the victim of the sex offense was less than eighteen (18)**
8 **years of age at the time of the offense.**
9 **(c) If the department prohibits or restricts visitation between a**
10 **confined person and another person under this section, it shall notify the**
11 **confined person of that prohibition or restriction. The notice must be**
12 **in writing and include the reason for the action, the name of the person**
13 **who made the decision, and the fact that the action may be challenged**
14 **through the grievance procedure.**
15 **(d) The department shall establish written guidelines for**
16 **implementing this section."**
17 Renumber all SECTIONS consecutively.
 (Reference is to SB 475 as printed January 30, 2004.)

and when so amended that said bill do pass.

