
HOUSE BILL No. 1361

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-8-8-19.

Synopsis: Sex offender registry. Specifies that the registration period of a sex or violent offender who is required to register in another jurisdiction is tolled during any period in which the sex or violent offender is incarcerated. (Under current law, the registration period of a sex or violent offender who is required to register under Indiana law is tolled during any period in which the sex or violent offender is incarcerated). Provides that the registration period of a sex offender or violent offender (whether required to register under Indiana law or the law of another jurisdiction) who is convicted of failure to register as a sex or violent offender is tolled for the period during which the person failed to register, beginning on the last date the person registered.

Effective: July 1, 2009.

Stemler

January 13, 2009, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1361



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 11-8-8-19, AS AMENDED BY P.L.119-2008,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 19. (a) Except as provided in subsections (b)
4 through (e), a sex or violent offender is required to register under this
5 chapter until the expiration of ten (10) years after the date the sex or
6 violent offender:

- 7 (1) is released from a penal facility (as defined in IC 35-41-1-21)
- 8 or a secure juvenile detention facility of a state or another
- 9 jurisdiction;
- 10 (2) is placed in a community transition program;
- 11 (3) is placed in a community corrections program;
- 12 (4) is placed on parole; or
- 13 (5) is placed on probation;

14 for the sex or violent offense requiring registration, whichever occurs
15 last. The registration period is tolled during any period that the sex or
16 violent offender is incarcerated. **In addition, if the person is**
17 **convicted of failure to register as a sex or violent offender under**



1 **section 17 of this chapter, the registration period is tolled for the**
 2 **period during which the person failed to register, beginning on the**
 3 **last date the person registered.** The registration period does not
 4 restart if the offender is convicted of a subsequent offense; however, if
 5 the subsequent offense is a sex or violent offense, a new registration
 6 period may be imposed in accordance with this chapter. The
 7 department shall ensure that an offender who is no longer required to
 8 register as a sex or violent offender is notified that the obligation to
 9 register has expired.

10 (b) A sex or violent offender who is a sexually violent predator is
 11 required to register for life.

12 (c) A sex or violent offender who is convicted of at least one (1)
 13 offense under section 5(a) of this chapter that the sex or violent
 14 offender committed:

- 15 (1) when the person was at least eighteen (18) years of age; and
- 16 (2) against a victim who was less than twelve (12) years of age at
 17 the time of the crime;

18 is required to register for life.

19 (d) A sex or violent offender who is convicted of at least one (1)
 20 offense under section 5(a) of this chapter in which the sex offender:

- 21 (1) proximately caused serious bodily injury or death to the
 22 victim;
- 23 (2) used force or the threat of force against the victim or a
 24 member of the victim's family, unless the offense is sexual battery
 25 as a Class D felony; or
- 26 (3) rendered the victim unconscious or otherwise incapable of
 27 giving voluntary consent;

28 is required to register for life.

29 (e) A sex or violent offender who is convicted of at least two (2)
 30 unrelated offenses under section 5(a) of this chapter is required to
 31 register for life.

32 (f) A person who is required to register as a sex or violent offender
 33 in any jurisdiction shall register for the period required by the other
 34 jurisdiction or the period described in this section, whichever is longer.
 35 **The registration period is tolled during any period in which the sex**
 36 **or violent offender is incarcerated. In addition, if the person is**
 37 **convicted of failure to register as a sex or violent offender under**
 38 **section 17 of this chapter, the registration period is tolled for the**
 39 **period during which the person failed to register, beginning on the**
 40 **last date the person registered.**

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