



March 11, 2011

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**ENGROSSED**  
**HOUSE BILL No. 1324**

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DIGEST OF HB 1324 (Updated March 8, 2011 12:25 pm - DI 106)

**Citations Affected:** Noncode.

**Synopsis:** Child molesting and child solicitation study. Urges the legislative council to assign the topics of child molesting and child solicitation to an existing study committee to study the topic, including whether to elevate the sentences for the offenses under certain circumstances.

**Effective:** July 1, 2011.

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**Steuerwald, Welch, McNamara,  
Heaton**

(HOUSE SPONSOR — BRAY)

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January 13, 2011, read first time and referred to Committee on Courts and Criminal Code.  
February 10, 2011, amended, reported — Do Pass.  
February 14, 2011, read second time, ordered engrossed.  
February 15, 2011, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 17, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.  
March 10, 2011, amended, reported favorably — Do Pass.

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**C**  
**O**  
**P**  
**Y**

EH 1324—LS 6370/DI 107+



March 11, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

**C**  
**O**  
**P**  
**Y**

## ENGROSSED HOUSE BILL No. 1324

A BILL FOR AN ACT concerning child molesting.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 2011] (a) The general  
2 assembly urges the legislative council to assign the topics of child  
3 molesting and child solicitation to an existing study committee for  
4 study, including whether to elevate the offense of:  
5 (1) child molesting from a Class C felony to a Class B felony  
6 if the child is compelled to submit to the fondling or touching  
7 by force or the threat of force; and  
8 (2) child solicitation:  
9 (A) from a Class D felony to a Class C felony if a person  
10 solicits a child and performs an overt act demonstrating an  
11 intent to physically meet the child;  
12 (B) from a Class C felony to a Class B felony if a person  
13 solicits a child by means of a computer and performs an  
14 overt act demonstrating an intent to physically meet the  
15 child; and  
16 (C) to a Class A felony if a person solicits a child by means  
17 of a computer and has a previous conviction for soliciting

EH 1324—LS 6370/DI 107+



1                    **a child by means of a computer.**  
2                    **(b) If the topics of child molesting and child solicitation are**  
3                    **assigned to an existing study committee under subsection (a), the**  
4                    **study committee shall issue a final report to the legislative council**  
5                    **containing the study committee's findings and recommendations,**  
6                    **including any recommended legislation concerning the topics, not**  
7                    **later than November 1, 2011.**  
8                    **(c) This SECTION expires December 31, 2011.**

**C**  
**O**  
**P**  
**Y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1324, 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:

Delete the title and insert the following:

A BILL FOR AN ACT concerning child molesting.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1324 as introduced.)

STEUERWALD, Chair

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1324, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 2, delete "topic" and insert "**topics**".

Page 1, line 3, after "molesting" insert "**and child solicitation**".

Page 1, line 3, delete "to study the topic," and insert "**for study**".

Page 1, line 3, delete "the topic".

Page 1, line 4, after "of" insert ":

**(1)**".

Page 1, line 6, delete "." and insert "; **and**

**(2) child solicitation:**

**(A) from a Class D felony to a Class C felony if a person solicits a child and performs an overt act demonstrating an intent to physically meet the child;**

**(B) from a Class C felony to a Class B felony if a person solicits a child by means of a computer and performs an overt act demonstrating an intent to physically meet the child; and**

**(C) to a Class A felony if a person solicits a child by means of a computer and has a previous conviction for soliciting**



**a child by means of a computer."**

Page 1, line 7, delete "topic" and insert **"topics"**.

Page 1, line 7, after "molesting" insert **"and child solicitation"**.

Page 1, line 7, delete "is" and insert **"are"**.

Page 1, line 11, delete "topic" and insert **"topics"**.

and when so amended that said bill do pass.

(Reference is to HB 1324 as printed February 11, 2011.)

STEELE, Chairperson

Committee Vote: Yeas 9, Nays 0.

**C  
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y**

