

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 114 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 12-7-2-53.2 IS ADDED TO THE INDIANA
- 4           CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5           [EFFECTIVE JULY 1, 2013]: **Sec. 53.2. "Dangerous felony", for**
- 6           **purposes of IC 12-17.2, means one (1) or more of the following**
- 7           **felonies:**
- 8           (1) **Murder (IC 35-42-1-1).**
- 9           (2) **Attempted murder (IC 35-41-5-1).**
- 10          (3) **Voluntary manslaughter (IC 35-42-1-3).**
- 11          (4) **Involuntary manslaughter (IC 35-42-1-4).**
- 12          (5) **Reckless homicide (IC 35-42-1-5).**
- 13          (6) **Aggravated battery (IC 35-42-2-1.5).**
- 14          (7) **Kidnapping (IC 35-42-3-2).**
- 15          (8) **Rape (IC 35-42-4-1).**
- 16          (9) **Criminal deviate conduct (IC 35-42-4-2).**
- 17          (10) **Child molesting (IC 35-42-4-3).**
- 18          (11) **Sexual misconduct with a minor as a Class A felony**
- 19          **under IC 35-42-4-9(a)(2) or a Class B felony under**
- 20          **IC 35-42-4-9(b)(2).**
- 21          (12) **Robbery as a Class A or Class B felony (IC 35-42-5-1).**
- 22          (13) **Burglary as a Class A or Class B felony (IC 35-43-2-1).**
- 23          (14) **A felony committed in another jurisdiction that is**
- 24          **substantially similar to a felony in this section."**
- 25          Page 3, line 40, delete "felony;" and insert "felony:
- 26                **(i) related to the health or safety of a child;**
- 27                **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**
- 28                **(iii) that is a dangerous felony; or**
- 29                **(iv) that is not a felony otherwise described in item (i)**
- 30                **through (iii), and less than five (5) years have elapsed**

1                   **from the date the person was discharged from probation,**  
 2                   **imprisonment, or parole, whichever is latest;".**

3           Page 4, line 2, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 4           **offense is directly or indirectly related to jeopardizing the health**  
 5           **or safety of a child;".**

6           Page 4, line 5, delete "jurisdiction." and insert "**jurisdiction, if the**  
 7           **offense is directly or indirectly related to jeopardizing the health**  
 8           **or safety of a child."**

9           Page 4, line 9, delete "felony;" and insert "felony:  
 10           **(A) related to the health or safety of a child;**  
 11           **(B) that is a sex offense (as defined in IC 11-8-8-5.2);**  
 12           **(C) that is a dangerous felony; or**  
 13           **(D) that is not a felony otherwise described in clause (A)**  
 14           **through (C), and less than five (5) years have elapsed from**  
 15           **the date the person was discharged from probation,**  
 16           **imprisonment, or parole, whichever is latest;".**

17           Page 4, line 13, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 18           **offense is directly or indirectly related to jeopardizing the health**  
 19           **or safety of a child;".**

20           Page 4, line 16, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 21           **offense is directly or indirectly related to jeopardizing the health**  
 22           **or safety of a child."**

23           Page 4, line 41, delete "felony;" and insert "felony:  
 24           **(i) related to the health or safety of a child;**  
 25           **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**  
 26           **(iii) that is a dangerous felony; or**  
 27           **(iv) that is not a felony otherwise described in item (i)**  
 28           **through (iii), and less than five (5) years have elapsed**  
 29           **from the date the person was discharged from probation,**  
 30           **imprisonment, or parole, whichever is latest;".**

31           Page 5, line 3, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 32           **offense is directly or indirectly related to jeopardizing the health**  
 33           **or safety of a child;".**

34           Page 5, line 6, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 35           **offense is directly or indirectly related to jeopardizing the health**  
 36           **or safety of a child;".**

37           Page 5, line 12, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 38           **offense is directly or indirectly related to jeopardizing the health**  
 39           **or safety of a child;".**

40           Page 5, line 15, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 41           **offense is directly or indirectly related to jeopardizing the health**  
 42           **or safety of a child;".**

43           Page 5, line 35, delete "felony;" and insert "felony:  
 44           **(i) related to the health or safety of a child;**  
 45           **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**  
 46           **(iii) that is a dangerous felony; or**

- 1                   **(iv) that is not a felony otherwise described in item (i)**  
 2                   **through (iii), and less than five (5) years have elapsed**  
 3                   **from the date the person was discharged from probation,**  
 4                   **imprisonment, or parole, whichever is latest;"**;  
 5           Page 5, line 39, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 6           **offense is directly or indirectly related to jeopardizing the health**  
 7           **or safety of a child;"**;  
 8           Page 5, line 42, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 9           **offense is directly or indirectly related to jeopardizing the health**  
 10           **or safety of a child;"**;  
 11           Page 6, line 6, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 12           **offense is directly or indirectly related to jeopardizing the health**  
 13           **or safety of a child;"**;  
 14           Page 6, line 9, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 15           **offense is directly or indirectly related to jeopardizing the health**  
 16           **or safety of a child;"**;  
 17           Page 7, line 19, delete "felony;" and insert "**felony:**  
 18                   **(i) related to the health or safety of a child;**  
 19                   **(ii) that is a sex offense (as defined in IC 11-8-8-5.2);**  
 20                   **(iii) that is a dangerous felony; or**  
 21                   **(iv) that is not a felony otherwise described in item (i)**  
 22                   **through (iii), and less than five (5) years have elapsed**  
 23                   **from the date the person was discharged from probation,**  
 24                   **imprisonment, or parole, whichever is latest;"**;  
 25           Page 7, line 25, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 26           **offense is directly or indirectly related to jeopardizing the health**  
 27           **or safety of a child;"**;  
 28           Page 7, line 29, delete "jurisdiction;" and insert "**jurisdiction, if the**  
 29           **offense is directly or indirectly related to jeopardizing the health**  
 30           **or safety of a child;"**;  
 31           Re-number all SECTIONS consecutively.  
           (Reference is to SB 114 as printed February 15, 2013.)

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Senator HEAD