



**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 293**

Citations Affected: IC 34-30-2.1-552.6; IC 35-31.5-2-12.

Synopsis: Trespass. Provides that "agent", for purposes of certain provisions of the trespass statute, includes a law enforcement officer if the owner of the property requested the presence of a law enforcement officer at the property. Provides that a person having a contractual interest in the property is not civilly liable for an act or omission by a law enforcement officer. **(This conference committee report returns the bill to the senate version, adds a provision concerning civil liability, and limits the definition only to the presence of a law enforcement officer at the property.)**

Effective: July 1, 2024.



CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 293 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
 - 2 SECTION 1. IC 34-30-2.1-552.6 IS ADDED TO THE INDIANA
 - 3 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 - 4 [EFFECTIVE JULY 1, 2024]: **Sec. 552.6. IC 35-31.5-2-12**
 - 5 **(Concerning a person having a contractual interest in the**
 - 6 **property).**
 - 7 SECTION 2. IC 35-31.5-2-12, AS ADDED BY P.L.114-2012,
 - 8 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 - 9 JULY 1, 2024]: Sec. 12. (a) Except as provided in subsection ~~(b)~~, (c),
 - 10 "agent" means an operator, a manager, an adult employee, or a security
 - 11 agent employed by a store.
 - 12 **(b) For purposes of IC 35-43-2-2(b)(1) and IC 35-43-2-2(b)(2),**
 - 13 **the term includes a law enforcement officer if a person having a**
 - 14 **contractual interest in the property requested the presence of a law**
 - 15 **enforcement officer at the property. However, a person having a**
 - 16 **contractual interest in the property is not civilly liable for an act or**
 - 17 **omission by a law enforcement officer.**
 - 18 ~~(b)~~ (c) "Agent", for purposes of IC 35-48, has the meaning set forth
 - 19 in IC 35-48-1-5.
- (Reference is to ESB 293 as printed February 22, 2024.)

Conference Committee Report
on
Engrossed Senate Bill 293

Signed by:

Senator Freeman
Chairperson

Representative Jeter

Senator Taylor G

Representative Davis

Senate Conferees

House Conferees