



Reprinted
February 5, 2019

SENATE BILL No. 36

DIGEST OF SB 36 (Updated February 4, 2019 2:42 pm - DI 104)

Citations Affected: IC 5-2.

Synopsis: Felony registry. Defines "felony" and requires the office of judicial administration to establish an electronic felony registry (registry) through June 30, 2023, containing information relating to persons convicted of a felony. Specifies that a person does not have a duty or other obligation in providing banking or other financial services to review the registry or deny services to a person on the registry.

Effective: July 1, 2019.

**Head, Houchin, Charbonneau,
Mrvan, Randolph Lonnie M, Stoops,
Bohacek**

January 3, 2019, read first time and referred to Committee on Family and Children Services.
January 15, 2019, amended, reported favorably — Do Pass.
February 4, 2019, read second time, amended, ordered engrossed.

SB 36—LS 6168/DI 106



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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 36

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

- 1 SECTION 1. IC 5-2-22.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]:
4 **Chapter 22.5. Felony Registry**
5 **Sec. 1. The following definitions apply throughout this chapter:**
6 (1) "Felony" means a conviction for which the convicted
7 person might have been imprisoned for more than one (1)
8 year.
9 (2) "Office" refers to the office of judicial administration
10 created under IC 33-24-6-1.
11 (3) "Registry" means the felony registry established under
12 section 2 of this chapter.
13 **Sec. 2. The office shall establish and maintain a felony registry.**
14 **Sec. 3. The registry must contain:**
15 (1) the name;
16 (2) the age;
17 (3) the last known city of residence;

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1 **(4) a photograph, if available;**
 2 **(5) a description of the felony; and**
 3 **(6) any other identifying information, as determined by the**
 4 **office;**
 5 **of every person convicted of a felony. However, the office may not**
 6 **include the person's Social Security number.**
 7 **Sec. 4. (a) The office shall publish the registry on the office's**
 8 **Internet web site. The registry must be searchable and available to**
 9 **the public.**
 10 **(b) The office shall ensure that the registry is updated at least**
 11 **one (1) time every thirty (30) days.**
 12 **(c) If a court issues an order granting a petition for**
 13 **expungement under IC 35-38-9 of a felony included in the registry,**
 14 **the office shall update the registry by removing the felony**
 15 **conviction from the registry.**
 16 **(d) The office shall ensure that the registry displays the**
 17 **following or similar words:**
 18 **"Based on information submitted to law enforcement, a**
 19 **person whose name appears in this registry has been**
 20 **convicted of a felony. However, information on the registry**
 21 **may not be complete. No person shall have a duty or other**
 22 **obligation, concerning the provision of banking or other**
 23 **financial services to an endangered adult or other person, to**
 24 **review this registry or to deny banking or other financial**
 25 **services to any person appearing on the registry."**
 26 **Sec. 5. (a) This chapter expires June 30, 2023.**
 27 **(b) The office shall remove the registry from the office's**
 28 **Internet web site upon the expiration of this chapter.**



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 36, 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 3, line 4, delete "complete." and insert "**complete. No person shall have a duty or other obligation, concerning the provision of banking or other financial services to an endangered adult or other person, to review this registry or to deny banking or other financial services to any person appearing on the registry.**".

and when so amended that said bill do pass.

(Reference is to SB 36 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 9, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 36 be amended to read as follows:

Page 1, line 4, delete "Elder and Adult Abuse" and insert "**Felony**".

Page 1, delete lines 6 through 17, begin a new line block indented and insert:

"(1) "Felony" means a conviction for which the convicted person might have been imprisoned for more than one (1) year."

Page 2, delete lines 1 through 19.

Page 2, line 20, delete "(3)" and insert "**(2)**".

Page 2, line 22, delete "(4)" and insert "**(3)**".

Page 2, line 22, delete "elder and adult abuse" and insert "**felony**".

Page 2, line 24, delete "an elder and adult" and insert "**a felony**".

Page 2, line 25, delete "abuse".

Page 2, line 31, delete "crime of elder or adult abuse of which" and insert "**felony; and**".

Page 2, delete line 32.

Page 2, line 35, delete "crime of elder or adult abuse." and insert "**felony. However, the office may not include the person's Social**

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Security number."

Page 2, line 41, after "(c)" insert **"If a court issues an order granting a petition for expungement under IC 35-38-9 of a felony included in the registry, the office shall update the registry by removing the felony conviction from the registry.**

(d)".

Page 3, line 3, delete "crime of elder or adult abuse." and insert **"felony."**

Page 3, after line 9, begin a new paragraph and insert:

"Sec. 5. (a) This chapter expires June 30, 2023.

(b) The office shall remove the registry from the office's Internet web site upon the expiration of this chapter."

(Reference is to SB 36 as printed January 16, 2019.)

HEAD

