

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1022

AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

SECTION 1. IC 35-31.5-2-132.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.**

SECTION 2. IC 35-31.5-2-257.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.**

SECTION 3. IC 35-45-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "financial transaction" means any exchange of currency by cash, note, or credit card or through a wireless portal that is received by:**

- (1) a business;**
- (2) a parking meter or parking pay station on a street or another public place;**
- (3) a public parking garage or parking lot pay station;**
- (4) a facility or pay station operated by a public transportation authority; or**



(5) a restaurant or the service area of an outdoor seating establishment.

SECTION 4. IC 35-45-17-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter, "public monument" means a building, structure, or site that is of historical importance or interest that is preserved as public property.**

SECTION 5. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:**

~~(1)~~ **Panhandling after sunset and before sunrise:**

~~(2)~~ **(1) Panhandling when the individual being solicited is:**

(A) at a bus stop;

(B) in a:

(i) vehicle; or

(ii) facility;

used for public transportation;

(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;

(D) in the sidewalk dining area of a restaurant; ~~or~~

(E) within ~~twenty (20)~~ **fifty (50)** feet of:

(i) an automated teller machine; ~~or~~

(ii) the entrance ~~or exit~~ to a bank, **business, or restaurant;**

or

(iii) the location where a financial transaction occurs; or

(F) within fifty (50) feet of a public monument.

~~(3)~~ **(2) Panhandling while touching the individual being solicited without the solicited individual's consent.**

~~(4)~~ **(3) Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.**

~~(5)~~ **(4) Panhandling while blocking:**

(A) the path of the individual being solicited; or

(B) the entrance to a building or motor vehicle.

~~(6)~~ **(5) Panhandling while using profane or abusive language:**

(A) during a solicitation; or

(B) after the individual being solicited has declined to donate money or something else of value.



~~(7)~~ **(6)** Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:

(A) fear for the individual's safety; or

(B) feel compelled to donate.

~~(8)~~ **(7)** Panhandling with at least one (1) other individual.

~~(9)~~ **(8)** Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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