

**IC 35-45-17**

**Chapter 17. Panhandling**

**IC 35-45-17-0.1**

**Repealed**

*(Repealed by P.L.63-2012, SEC.66.)*

**IC 35-45-17-1**

**"Panhandling"**

Sec. 1. (a) As used in this chapter, "panhandling" means to solicit an individual:

- (1) on a street or in another public place; and
- (2) by requesting an immediate donation of money or something else of value.

(b) The term includes soliciting an individual:

- (1) by making an oral request;
- (2) in exchange for:
  - (A) performing music;
  - (B) singing; or
  - (C) engaging in another type of performance; or
- (3) by offering the individual an item of little or no monetary value in exchange for money or another gratuity under circumstances that would cause a reasonable individual to understand that the transaction is only a donation.

(c) The term does not include an act of passively standing, sitting, performing music, singing, or engaging in another type of performance:

- (1) while displaying a sign or other indication that a donation is being sought; and
- (2) without making an oral request other than in response to an inquiry by another person.

*As added by P.L.140-2005, SEC.8.*

**IC 35-45-17-2**

**Panhandling; Class C misdemeanor**

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) 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) feet of:

- (i) an automated teller machine; or
- (ii) the entrance to a bank.
- (3) Panhandling while touching the individual being solicited without the solicited individual's consent.
- (4) Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.
- (5) Panhandling while blocking:
  - (A) the path of the individual being solicited; or
  - (B) the entrance to a building or motor vehicle.
- (6) 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) 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) Panhandling with at least one (1) other individual.
- (9) 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.

*As added by P.L.140-2005, SEC.8.*