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# HOUSE BILL No. 1031

Proposed Changes to January 6, 2026 printing by AM103103

## DIGEST OF PROPOSED AMENDMENT

Improper investigation. Adds a mens rea element to the crime and names the crime.

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

- 1 SECTION 1. IC 4-23-6.5-10, AS AMENDED BY P.L.3-2008,
- 2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]: Sec. 10. The board shall consult with the Indiana law
- 4 enforcement academy under IC 36-2-14-22.3 concerning criminal
- 5 investigations in the creation of:
- 6 (1) the training course for coroners and deputy coroners under
- 7 IC 36-2-14-22.3(a); and
- 8 (2) the annual training course for coroners and deputy coroners
- 9 under ~~IC 36-2-14-22.3(b)~~; IC 36-2-14-22.3(c).
- 10 SECTION 2. IC 35-52-36-13.3 IS ADDED TO THE INDIANA
- 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2026]: **Sec. 13.3. IC 36-2-14-23 defines a**
- 13 **crime concerning coroners and deputy coroners.**
- 14 SECTION 3. IC 36-2-14-22.1, AS AMENDED BY THE
- 15 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
- 16 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JANUARY 1, 2026 (RETROACTIVE)]: Sec. 22.1. (a) As used in this
- 18 section, "hospital" refers to a hospital that is licensed under IC 16-21-2.
- 19 (b) Upon the request of a coroner who is conducting or will
- 20 conduct a death investigation on an individual who is admitted or was

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1 admitted to a hospital, the hospital shall provide a sample of the  
2 individual's blood or tissue to the coroner.

3 (c) A hospital shall have a blood retention protocol for the  
4 preservation of the first sample of blood drawn for an individual  
5 seeking treatment of emergency care services at an emergency  
6 department of the hospital regardless of whether the individual is  
7 ultimately admitted to the hospital. who is:

8 (1) treated for an injury that is suspicious, violent,  
9 accidental, or from an overdose;

10 (2) determined by a provider to be critically injured or  
11 mortally wounded at the time the patient seeks emergency  
12 care services at the emergency department; and

13 (3) admitted as an inpatient to the hospital.

14 The requirements set forth in this subsection may be waived in any  
15 case where a first sample of blood cannot be drawn in the best  
16 interest of the clinical care of the patient or the first sample of  
17 blood is adulterated.

18 (d) The protocol under subsection (c) shall include a plan for:

19 (1) when a patient is transferred to another hospital; and

20 (2) notifying the laboratory for a requisition or order for whole  
21 blood sample analysis for the patient identified under  
22 subsection (c). to indicate when a patient is:

23 (A) treated for an injury that is suspicious, violent,  
24 accidental, or from an overdose; and

25 (B) determined by a provider to be critically injured or  
26 mortally wounded at the time the patient seeks emergency  
27 care services at the emergency department.

28 (e) A laboratory that receives an order for whole blood sample  
29 analysis and the notification under subsection (c)(2) (d)(2) shall do the  
30 following:

31 (1) The laboratory shall hold the blood sample in storage until  
32 the earlier of the following:

33 (A) The expiration of the twenty-one (21) day period  
34 beginning on the date that the sample of the patient's blood  
35 is drawn.

36 (B) The date of the patient's discharge from the hospital. For  
37 purposes of this clause, the transfer of the patient to another  
38 hospital does not constitute a discharge.

39 (C) The date of the patient's death.

40 (2) This subdivision applies if:

41 (A) the patient is transferred to another hospital; and

42 (B) at the time of the transfer, the transferring hospital

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1           **laboratory** is still holding the first blood sample in storage  
2           in accordance with subdivision (1)(A).

3           The transferring hospital laboratory shall hold the first blood  
4           sample in storage in accordance with subdivision (1)(A), unless  
5           the transferring hospital laboratory receives information from the  
6           receiving hospital that the patient has been discharged from the  
7           receiving hospital or has died.

8           The requirements set forth in this subsection may be waived in any  
9           case where the sample is tested and cannot be retained for reasons of  
10          medical necessity in the clinical care of the patient.

11          ~~(e)~~ **(f)** A coroner does not need to obtain a warrant to request a  
12          blood or tissue sample under this section.

13          SECTION 4. IC 36-2-14-22.3, AS ADDED BY P.L.3-2008,  
14          SECTION 258, IS AMENDED TO READ AS FOLLOWS  
15          [EFFECTIVE JULY 1, 2026]: Sec. 22.3. (a) The coroners training  
16          board established by IC 4-23-6.5-3, in consultation with the Indiana  
17          law enforcement academy, shall create and offer a training course for  
18          coroners and deputy coroners. **The training course must include, at  
19          a minimum, forty (40) hours of instruction. The training course  
20          must require each coroner and deputy coroner to attend, complete,  
21          and successfully pass a certification program that consists of  
22          in-person classroom lectures and instruction, as well as a  
23          supervised externship.**

24          ~~(b)~~ **(c)** The training course **described in subsection (a)** must include  
25          **instruction regarding:**

26               ~~(1)~~ **(1)** at least ~~forty (40)~~ hours of instruction; and

27               ~~(2)~~ **(2)** instruction regarding:

28                   ~~(A)~~ **(1)** death investigation;

29                   ~~(B)~~ **(2)** crime scenes; and

30                   ~~(C)~~ **(3)** preservation of evidence at a crime scene for police and  
31                   crime lab technicians.

32          ~~(b)~~ **(c)** The coroners training board, in consultation with the  
33          Indiana law enforcement academy, shall create and offer an annual  
34          training course for coroners and deputy coroners. The annual training  
35          course must **include at a minimum eight (8) hours of instruction and  
36          cover recent developments in:**

37               ~~(1)~~ **(1)** include at least ~~eight (8)~~ hours of instruction; and

38               ~~(2)~~ **(2)** cover recent developments in:

39                   ~~(A)~~ **(1)** death investigation;

40                   ~~(B)~~ **(2)** crime scenes; and

41                   ~~(C)~~ **(3)** preservation of evidence at a crime scene for police and  
42                   crime lab technicians.

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1           ~~(e)~~ **(d)** In creating the courses under **this section** ~~subsections (a)~~  
 2 ~~and (b)~~, the coroners training board shall consult with a pathologist  
 3 certified by the American Board of Pathology regarding medical issues  
 4 that are a part of the training courses.

5           ~~(d)~~ **(e)** All training in the courses offered under **this section** [  
 6 ~~subsections (a) and (b)~~] that involves medical issues must be approved  
 7 by a pathologist certified by the American Board of Pathology.

8           ~~(e)~~ **(f)** All training in the courses offered under **this section** [  
 9 ~~subsections (a) and (b)~~] that involves crime scenes and evidence  
 10 preservation must be approved by a law enforcement officer.

11           ~~(f)~~ **(g)** The coroners training board shall issue a coroner or deputy  
 12 coroner a certificate upon successful completion of the courses  
 13 described in ~~subsections (a) and (b)~~: **this section**.

14           SECTION 5. IC 36-2-14-23, AS AMENDED BY P.L.3-2008,  
 15 SECTION 260, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) Each coroner shall  
 17 successfully complete the training course offered under section 22.3(a)  
 18 of this chapter within six (6) months after taking office.

19           (b) Each deputy coroner shall successfully complete the training  
 20 course offered under section 22.3(a) of this chapter within one (1) year  
 21 after beginning employment with a coroner's office.

22           (c) Each coroner and each deputy coroner shall successfully  
 23 complete the annual training course offered under section ~~22.3(b)~~  
 24 **22.3(c)** of this chapter each year after the year in which the coroner or  
 25 deputy coroner received the training required by section 22.3(a) of this  
 26 chapter.

27           (d) After a coroner or deputy coroner has:

28           (1) successfully completed the training course as required under  
 29 subsection (a) or (b); and

30           (2) successfully completed the annual training course as required  
 31 under subsection (c);

32           the coroner or deputy coroner shall present a certificate or other  
 33 evidence to the county executive, or in the case of a county that  
 34 contains a consolidated city, the city-county council, that the coroner  
 35 or deputy coroner has successfully completed the training required  
 36 under subsection (a), (b), or (c).

37           (e) If a coroner or deputy coroner does not present a certificate or  
 38 other evidence to the county executive, or in the case of a county that  
 39 contains a consolidated city, the city-county council, that the coroner  
 40 or deputy coroner has successfully completed the training required  
 41 under subsection (a), (b), or (c), the county executive or city-county  
 42 council shall order the auditor to withhold the paycheck of the coroner

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1 or deputy coroner until the coroner or deputy coroner satisfies the  
 2 respective training requirements under subsections (a), (b), and (c),  
 3 unless the county executive or city-county council adopts a resolution  
 4 finding that:

5 (1) the failure of the coroner or deputy coroner to complete the  
 6 respective training requirements under subsections (a), (b), and  
 7 (c) is the result of unusual circumstances;

8 (2) the coroner or deputy coroner is making reasonable progress,  
 9 under the circumstances, toward completing the respective  
 10 training requirements under subsections (a), (b), and (c); and

11 (3) in light of the unusual circumstances described in  
 12 subdivision (1), withholding the paycheck of the coroner or  
 13 deputy coroner would be unjust.

14 (f) If the county executive or city-county council orders an auditor  
 15 to withhold a paycheck under subsection (e) and a coroner or deputy  
 16 coroner later presents a certificate or other evidence to the county  
 17 executive or city-county council that the coroner or deputy coroner has  
 18 successfully completed training required under subsection (a), (b), or  
 19 (c), the county executive or city-county council shall order the auditor  
 20 to release all of the coroner's or deputy coroner's paychecks that were  
 21 withheld from the coroner or deputy coroner.

22 **(g) A coroner or deputy coroner who has not successfully**  
 23 **completed the training required under subsection (a) or (b) may**  
 24 **not conduct a death investigation or sign a death certificate. A**  
 25 **coroner or deputy coroner who knowingly or intentionally**  
 26 **violates this subsection commits conducting an improper**  
 27 **investigation,** a Class B misdemeanor.

28 **(h) If a coroner or deputy coroner begins a training course**  
 29 **required under subsection (a) or (b) but fails to complete the**  
 30 **course within the time required by this section, the county shall**  
 31 **reimburse the coroners training board for the cost of the training.**  
 32 **The county may recover from the individual the amount the county**  
 33 **reimbursed the coroners training board under this subsection.**

34 SECTION 6. An emergency is declared for this act.

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