

# PROPOSED AMENDMENT

## HB 1040 # 1

### DIGEST

Reporting. Requires the employer of a vulnerable worker to report to the department of labor if the worker is the victim of workplace battery.

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1       Page 11, between lines 19 and 20, begin a new paragraph and insert:

2       "SECTION 3. IC 22-8-1.1-1, AS AMENDED BY P.L.32-2008,  
3       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4       JULY 1, 2026]: Sec. 1. As used in this chapter, unless otherwise  
5       provided:

6       "Board" means the board of safety review created by this chapter.

7       "Commission" means the occupational safety standards commission  
8       created by this chapter.

9       "Commissioner" means the commissioner of labor or the  
10      commissioner's duly designated representative.

11      "Department" means the department of labor.

12      "Employee" means a person permitted to work by an employer in  
13      employment.

14      "Employer" means any individual or type of organization, including  
15      the state and all its political subdivisions, that has in its employ one (1)  
16      or more individuals.

17      "INSafe" means the division of the department created by section 40  
18      of this chapter.

19      "Safety order" refers to a notice issued to employers by the  
20      commissioner of labor for alleged violations of this chapter, including  
21      any health and safety standards.

22      "Standard" refers to both health and safety standards.

23      "Voluntary protection program" means a program offered by the  
24      United States Occupational Safety and Health Administration to  
25      employers subject to this chapter that exempts the employers from  
26      general scheduled inspections.

27      **"Vulnerable worker" has the meaning set forth in IC 35-42-2-1.**

1 SECTION 2. IC 22-8-1.1-43.2 IS ADDED TO THE INDIANA  
2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 43.2.** **(a)** The employer of a  
4 vulnerable worker shall make a report to the commissioner if the  
5 vulnerable worker is the victim of workplace battery as described  
6 in IC 35-42-2-1(d) or IC 35-42-2-1(g).

7 **(b)** The employer shall make the report not later than:

8 (1) eight (8) hours after the incident occurs, if the incident  
9 results in the death or hospitalization of the victim; or  
10 (2) twenty-four (24) hours after the incident occurs, if the  
11 incident does not result in the death or hospitalization of the  
12 victim.

13 The employer shall make the report required under this subsection  
14 regardless of whether a person is criminally charged with the  
15 workplace battery.".

16 Rerumber all SECTIONS consecutively.

(Reference is to HB 1040 as introduced.)