

# PROPOSED AMENDMENT

## HB 1040 # 6

### DIGEST

Workplace battery report for health care and school employees. Specifies that the report shall be made on a form required by the commissioner of the department of labor, and replaces the reporting requirements in the bill with new reporting requirements.

---

- 1           Page 12, delete lines 4 through 18, begin a new paragraph and  
2 insert:
- 3           "SECTION 4. IC 22-8-1.1-43.2 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2026]: **Sec. 43.2. (a) The following definitions**  
6 **apply throughout this section:**
- 7           (1) "Health care employee" has the meaning set forth in  
8 IC 35-42-2-1.
- 9           (2) "School employee" has the meaning set forth in  
10 IC 35-42-2-1.
- 11           (3) "Workplace battery" means a battery described in  
12 IC 35-42-2-1(d) or IC 35-42-2-1(g).
- 13           **(b) The employer of a health care employee or school employee**  
14 **shall make a workplace battery report as described in subsection**  
15 **(c) to the commissioner if a health care employee or school**  
16 **employee is the victim of workplace battery.**
- 17           **(c) Beginning July 1, 2027, the employer shall make the**  
18 **workplace battery report required under subsection (b) each year**  
19 **before:**
- 20           (1) August 1, for the period from January 1 to June 30; and  
21           (2) February 1, for the period from July 1 to December 31.
- 22           **The report shall be made on a form provided by the commissioner.**
- 23           **(d) The workplace battery report must include the following**  
24 **information:**
- 25           (1) The name of the employer.  
26           (2) The city and county in which a workplace battery was  
27 committed.

- 1           **(3) The time period covered by the report (January 1 to June**
- 2           **30 or July 1 to December 31).**
- 3           **(4) The number of workplace batteries that were committed**
- 4           **during the reporting period.**
- 5           **(5) The job title of each health care employee or school**
- 6           **employee who was the victim of the workplace battery.**
- 7           **(6) The date of each workplace battery.**
- 8           **(7) The address and specific location (such as "hospital**
- 9           **emergency room" or "school parking lot") where the**
- 10          **workplace battery occurred. However, if the battery occurred**
- 11          **at the health care employee's or school employee's home, the**
- 12          **report may not include the address.**
- 13          **(8) The circumstances surrounding the workplace battery and**
- 14          **any resulting injury, including the following, if known:**
- 15               **(A) The gender of the victim.**
- 16               **(B) The specific manner in which the workplace battery**
- 17               **was committed (such as by striking, biting, pushing,**
- 18               **kicking, use of an object, or use of a weapon).**
- 19               **(C) Whether the victim required hospitalization.**
- 20               **(D) If a weapon or other object was used to commit the**
- 21               **workplace battery, the type of weapon or object.**
- 22               **(E) Whether law enforcement was contacted or responded**
- 23               **to the workplace battery.**
- 24               **(F) Whether criminal charges were filed against the**
- 25               **perpetrator.**
- 26          **For a workplace battery that does not occur on the employer's**
- 27          **premises, the employer shall provide as much information as is**
- 28          **known to the employer.**
- 29               **(e) The employer shall make the report required under this**
- 30          **section regardless of whether a person is criminally charged with**
- 31          **the workplace battery."**
- 32               Renumber all SECTIONS consecutively.
- (Reference is to HB 1040 as printed January 8, 2026.)