

PROPOSED AMENDMENT

HB 1040 # 4

DIGEST

Workplace battery report. 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) "Vulnerable worker" has the meaning set forth in
8 IC 35-42-2-1.
- 9 (2) "Workplace battery" means a battery described in
10 IC 35-42-2-1(d) or IC 35-42-2-1(g).
- 11 (b) The employer of a vulnerable worker shall make a
12 workplace battery report as described in subsection (c) to the
13 commissioner if the vulnerable worker is the victim of workplace
14 battery.
- 15 (c) Beginning July 1, 2027, the employer shall make the
16 workplace battery report required under subsection (b) each year
17 before:
- 18 (1) August 1, for the period from January 1 to June 30; and
19 (2) February 1, for the period from July 1 to December 31.
- 20 The report shall be made on a form provided by the commissioner.
- 21 (d) The workplace battery report must include the following
22 information:
- 23 (1) The name of the employer.
- 24 (2) The city and county in which a workplace battery was
25 committed.
- 26 (3) The time period covered by the report (January 1 to June

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