



Adopted

Rejected

COMMITTEE REPORT

YES: 11
NO: 1

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1040, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 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.

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

4 "INSafe" means the division of the department created by section 40
 5 of this chapter.

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

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

10 "Voluntary protection program" means a program offered by the
 11 United States Occupational Safety and Health Administration to
 12 employers subject to this chapter that exempts the employers from
 13 general scheduled inspections.

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

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

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

- 22 **(1) eight (8) hours after the incident occurs, if the incident**
- 23 **results in the death or hospitalization of the victim; or**
- 24 **(2) twenty-four (24) hours after the incident occurs, if the**
- 25 **incident does not result in the death or hospitalization of the**
- 26 **victim.**

27 **The employer shall make the report required under this subsection**
 28 **regardless of whether a person is criminally charged with the**
 29 **workplace battery."**

30 Renumber all SECTIONS consecutively.

(Reference is to HB 1040 as introduced.)

and when so amended that said bill do pass.

Representative McNamara