



COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1040, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 11, between lines 34 and 35, begin a new paragraph and insert:
2 **""Health care employee" has the meaning set forth in**
3 **IC 35-42-2-1."**
- 4 Page 11, between lines 39 and 40, begin a new paragraph and insert:
5 **""School employee" has the meaning set forth in IC 35-42-2-1."**
- 6 Page 12, delete lines 3 through 18, begin a new paragraph and
7 insert:
8 "SECTION 4. IC 22-8-1.1-43.2 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: **Sec. 43.2. (a) The following definitions**
11 **apply throughout this section:**
- 12 (1) **"Health care employee" has the meaning set forth in**
13 **IC 35-42-2-1.**
- 14 (2) **"School employee" has the meaning set forth in**
15 **IC 35-42-2-1.**
- 16 (3) **"Workplace battery" means a battery described in**
17 **IC 35-42-2-1(d) or IC 35-42-2-1(g).**
- 18 **(b) The employer of a health care employee or school employee**
19 **shall make a workplace battery report as described in subsection**

- 1 (c) to the commissioner if a health care employee or school
- 2 employee is the victim of workplace battery.
- 3 (c) Beginning July 1, 2027, the employer shall make the
- 4 workplace battery report required under subsection (b) each year
- 5 before:
- 6 (1) August 1, for the period from January 1 to June 30; and
- 7 (2) February 1, for the period from July 1 to December 31.
- 8 The report shall be made on a form provided by the commissioner.
- 9 (d) The workplace battery report must include the following
- 10 information:
- 11 (1) The name of the employer.
- 12 (2) The city and county in which a workplace battery was
- 13 committed.
- 14 (3) The time period covered by the report (January 1 to June
- 15 30 or July 1 to December 31).
- 16 (4) The number of workplace batteries that were committed
- 17 during the reporting period.
- 18 (5) The job title of each health care employee or school
- 19 employee who was the victim of the workplace battery.
- 20 (6) The date of each workplace battery.
- 21 (7) The address and specific location (such as "hospital
- 22 emergency room" or "school parking lot") where the
- 23 workplace battery occurred. However, if the battery occurred
- 24 at the health care employee's or school employee's home, the
- 25 report may not include the address.
- 26 (8) The circumstances surrounding the workplace battery and
- 27 any resulting injury, including the following, if known:
- 28 (A) The gender of the victim.
- 29 (B) The specific manner in which the workplace battery
- 30 was committed (such as by striking, biting, pushing,
- 31 kicking, use of an object, or use of a weapon).
- 32 (C) Whether the victim required hospitalization.
- 33 (D) If a weapon or other object was used to commit the
- 34 workplace battery, the type of weapon or object.
- 35 (E) Whether law enforcement was contacted or responded
- 36 to the workplace battery.
- 37 (F) Whether criminal charges were filed against the
- 38 perpetrator.

1 **For a workplace battery that does not occur on the employer's**
2 **premises, the employer shall provide as much information as is**
3 **known to the employer.**

4 **(e) The employer shall make the report required under this**
5 **section regardless of whether a person is criminally charged with**
6 **the workplace battery."**

7 Page 15, delete lines 18 through 22.

8 Page 18, delete lines 28 through 30.

9 Page 19, delete lines 4 through 13, begin a new paragraph and
10 insert:

11 **"(d) The offense described in subsection (b)(1) is a Class A**
12 **misdemeanor if it is committed against a health care employee or**
13 **school employee:**

14 **(1) while the health care employee or school employee is**
15 **acting within the scope of the health care employee's or school**
16 **employee's employment;**

17 **(2) while the health care employee or school employee is**
18 **commuting to or from the health care employee's or school**
19 **employee's place of employment; or**

20 **(3) in retaliation for an act taken by the health care employee**
21 **or school employee within the scope of the health care**
22 **employee's or school employee's employment;**

23 **unless the offense is committed by a person detained or committed**
24 **under IC 12-26."**

25 Page 20, delete lines 1 through 11, begin a new paragraph and
26 insert:

27 **"(g) The offense described in subsection (b)(1) is a Level 6 felony**
28 **if it results in bodily injury to a health care employee or school**
29 **employee and is committed against the health care employee or**
30 **school employee:**

31 **(1) while the health care employee or school employee is**
32 **acting within the scope of the health care employee's or school**
33 **employee's employment;**

34 **(2) while the health care employee or school employee is**
35 **commuting to or from the health care employee's or school**
36 **employee's place of employment; or**

37 **(3) in retaliation for an act taken by the health care employee**
38 **or school employee within the scope of the health care**

1 **employee's or school employee's employment;**
2 **unless the offense is committed by a person detained or committed**
3 **under IC 12-26."**

4 Renumber all SECTIONS consecutively.
 (Reference is to HB 1040 as printed January 8, 2026.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Freeman

Chairperson