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HOUSE BILL No. 1040

Proposed Changes to introduced printing by AM104001

DIGEST OF PROPOSED AMENDMENT

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

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-22-1, AS AMENDED BY P.L.161-2018,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 1. The following definitions apply throughout this
4 chapter:

5 (1) "Crime of child abuse" means:
6 (A) neglect of a dependent (IC ~~35-46-1-4~~) if the dependent
7 is a child and the offense is committed under:
8 (i) IC 35-46-1-4(a)(1);
9 (ii) IC 35-46-1-4(a)(2); or
10 (iii) IC 35-46-1-4(a)(3);
11 (B) child selling (IC ~~35-46-1-4~~);
12 (C) a sex offense (as defined in IC 11-8-8-5.2) committed
13 against a child; or
14 (D) battery against a child under:
15 (i) IC 35-42-2-1(e)(3) (battery on a child);
16 (ii) ~~IC 35-42-2-1(g)(5)(B) IC 35-42-2-1(h)(5)(B)~~
17 (battery causing bodily injury to a child);
18 (iii) ~~IC 35-42-2-1(j) IC 35-42-2-1(k)~~ (battery causing
19 serious bodily injury to a child); or
20 (iv) ~~IC 35-42-2-1(k) IC 35-42-2-1(l)~~ (battery resulting

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in the death of a child).

(2) "Office" refers to the office of judicial administration created [] under by [] IC 33-24-6-1.

(3) "Registry" means the child abuse registry established under section 2 of this chapter.

SECTION 2. IC 5-14-3-4, AS AMENDED BY P.L.33-2025,

SECTION 1. IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2026] Sec. 4. (a) The following public records are excepted

JULY 1, 2023]. Sec. 11(a). The following public records are excepted from section 3 of this chapter and may not be disclosed by a public

from section 5 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state

agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery;

(1) Those declared confidential by state statute.

- (1) Those declared confidential by state statute.
- (2) Those declared confidential by rule adopted

(2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

(A) concerning any negotiations made with respect to the research; and

(B) received from another party involved in the research.

(7) Grade transcripts and license examination scores obtained as part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the Indiana economic development corporation under IC 5-28.

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

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(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(15) Information described in section 5(c)(3)(B) of this chapter that is contained in a daily log or record described in section 5(c) of this chapter for a victim of a crime or delinquent act who is less than eighteen (18) years of age, unless and to the extent that:

(A) a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records; and

(B) that parent, guardian, or custodian of the victim has not been charged with or convicted of committing a crime against the victim.

However, records described in this subdivision may be disclosed to the department of child services.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. However, information described in subsection (a)(15) contained in a law enforcement recording is exempt from disclosure, unless and to the extent that a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records. However, a parent, guardian, or custodian charged with or convicted of a crime against the victim may not consent to public disclosure of the records. Law enforcement agencies or private university police departments may share investigatory records with:

(A) a person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5)



1 or a victim service provider (as defined in IC 35-37-6-5),
 2 for the purposes of providing services to a victim or
 3 describing services that may be available to a victim;
 4 (B) a school corporation (as defined by IC 20-18-2-16(a)),
 5 charter school (as defined by IC 20-24-1-4), or nonpublic
 6 school (as defined by IC 20-18-2-12) for the purpose of
 7 enhancing the safety or security of a student or a school
 8 facility; and
 9 (C) the victim services division of the Indiana criminal
 10 justice institute under IC 5-2-6-8, for the purposes of
 11 conducting an investigation under IC 5-2-6.1-26;
 12 without the law enforcement agency or private university police
 13 department losing its discretion to keep those records
 14 confidential from other records requesters. However, certain law
 15 enforcement records must be made available for inspection and
 16 copying as provided in section 5 of this chapter.
 17 (2) The work product of an attorney representing, pursuant to
 18 state employment or an appointment by a public agency:
 19 (A) a public agency;
 20 (B) the state; or
 21 (C) an individual.
 22 (3) Test questions, scoring keys, and other examination data used
 23 in administering a licensing examination, examination for
 24 employment, or academic examination before the examination
 25 is given or if it is to be given again.
 26 (4) Scores of tests if the person is identified by name and has not
 27 consented to the release of the person's scores.
 28 (5) The following:
 29 (A) Records relating to negotiations between:
 30 (i) the Indiana economic development corporation;
 31 (ii) the ports of Indiana;
 32 (iii) the Indiana state department of agriculture;
 33 (iv) the Indiana finance authority;
 34 (v) an economic development commission;
 35 (vi) the Indiana White River state park development
 36 commission;
 37 (vii) a local economic development organization that is
 38 a nonprofit corporation established under state law
 39 whose primary purpose is the promotion of industrial
 40 or business development in Indiana, the retention or
 41 expansion of Indiana businesses, or the development of
 42 entrepreneurial activities in Indiana; or



(viii) a governing body of a political subdivision; with industrial, research, or commercial prospects, if the records are created while negotiations are in progress. However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, the Indiana White River state park development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;



- (B) information relating to the status of any formal charges against the employee; and
- (C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

- (A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or
- (B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

- (A) which can be used to identify any library patron; or
- (B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of



1 the acquisition or deposit.

2 However, nothing in this subdivision shall limit or affect
 3 contracts entered into by the Indiana state library pursuant to
 4 IC 4-1-6-8.

5 (17) The identity of any person who contacts the bureau of motor
 6 vehicles concerning the ability of a driver to operate a motor
 7 vehicle safely and the medical records and evaluations made by
 8 the bureau of motor vehicles staff or members of the driver
 9 licensing medical advisory board regarding the ability of a driver
 10 to operate a motor vehicle safely. However, upon written request
 11 to the commissioner of the bureau of motor vehicles, the driver
 12 must be given copies of the driver's medical records and
 13 evaluations.

14 (18) School safety and security measures, plans, and systems,
 15 including emergency preparedness plans developed under 511
 16 IAC 6.1-2-2.5.

17 (19) A record or a part of a record, the public disclosure of
 18 which would have a reasonable likelihood of threatening public
 19 safety by exposing a vulnerability to terrorist attack. A record
 20 described under this subdivision includes the following:

21 (A) A record assembled, prepared, or maintained to prevent,
 22 mitigate, or respond to an act of terrorism under
 23 IC 35-47-12-1 (before its repeal), an act of agricultural
 24 terrorism under IC 35-47-12-2 (before its repeal), or a
 25 felony terrorist offense (as defined in IC 35-50-2-18).

26 (B) Vulnerability assessments.

27 (C) Risk planning documents.

28 (D) Needs assessments.

29 (E) Threat assessments.

30 (F) Intelligence assessments.

31 (G) Domestic preparedness strategies.

32 (H) The location of community drinking water wells and
 33 surface water intakes.

34 (I) The emergency contact information of emergency
 35 responders and volunteers.

36 (J) Infrastructure records that disclose the configuration of
 37 critical systems such as voting system and voter registration
 38 system critical infrastructure, and communication,
 39 electrical, ventilation, water, and wastewater systems.

40 (K) Detailed drawings or specifications of structural
 41 elements, floor plans, and operating, utility, or security
 42 systems, whether in paper or electronic form, of any



1 building or facility located on an airport (as defined in
2 IC 8-21-1-1) that is owned, occupied, leased, or maintained
3 by a public agency, or any part of a law enforcement
4 recording that captures information about airport security
5 procedures, areas, or systems. A record described in this
6 clause may not be released for public inspection by any
7 public agency without the prior approval of the public
8 agency that owns, occupies, leases, or maintains the airport.
9 Both of the following apply to the public agency that owns,
10 occupies, leases, or maintains the airport:

11 (i) The public agency is responsible for determining
12 whether the public disclosure of a record or a part of a
13 record, including a law enforcement recording, has a
14 reasonable likelihood of threatening public safety by
15 exposing a security procedure, area, system, or
16 vulnerability to terrorist attack.

17 (ii) The public agency must identify a record described
18 under item (i) and clearly mark the record as
19 "confidential and not subject to public disclosure under
20 IC 5-14-3-4(b)(19)(J) without approval of (insert name
21 of submitting public agency)". However, in the case of
22 a law enforcement recording, the public agency must
23 clearly mark the record as "confidential and not subject
24 to public disclosure under IC 5-14-3-4(b)(19)(K)
25 without approval of (insert name of the public agency
26 that owns, occupies, leases, or maintains the airport)".

27 (L) The home address, home telephone number, and
28 emergency contact information for any:

29 (i) emergency management worker (as defined in
30 IC 10-14-3-3);

31 (ii) public safety officer (as defined in IC 35-47-4.5-3);
32 (iii) emergency medical responder (as defined in
33 IC 16-18-2-109.8); or

34 (iv) advanced emergency medical technician (as
35 defined in IC 16-18-2-6.5).

36 (M) Information relating to security measures or
37 precautions used to secure the statewide 911 system under
38 IC 36-8-16.7.

39 This subdivision does not apply to a record or portion of a record
40 pertaining to a location or structure owned or protected by a
41 public agency in the event that an act of terrorism under
42 IC 35-47-12-1 (before its repeal), an act of agricultural terrorism



1 under IC 35-47-12-2 (before its repeal), or a felony terrorist
 2 offense (as defined in IC 35-50-2-18) has occurred at that
 3 location or structure, unless release of the record or portion of
 4 the record would have a reasonable likelihood of threatening
 5 public safety by exposing a vulnerability of other locations or
 6 structures to terrorist attack.

7 (20) The following personal information concerning a customer
 8 of a municipally owned utility (as defined in IC 8-1-2-1):

- 9 (A) Telephone number.
- 10 (B) Address.
- 11 (C) Social Security number.

12 (21) The following personal information about a complainant
 13 contained in records of a law enforcement agency:

- 14 (A) Telephone number.
- 15 (B) The complainant's address. However, if the
 16 complainant's address is the location of the suspected crime,
 17 infraction, accident, or complaint reported, the address shall
 18 be made available for public inspection and copying.

19 (22) Notwithstanding subdivision (8)(A), the name,
 20 compensation, job title, business address, business telephone
 21 number, job description, education and training background,
 22 previous work experience, or dates of first employment of a law
 23 enforcement officer who is operating in an undercover capacity.

24 (23) Records requested by an offender, an agent, or a relative of
 25 an offender that:

- 26 (A) contain personal information relating to:
 - 27 (i) a correctional officer (as defined in IC 5-10-10-1.5);
 - 28 (ii) a probation officer;
 - 29 (iii) a community corrections officer;
 - 30 (iv) a law enforcement officer (as defined in
 31 IC 35-31.5-2-185);
 - 32 (v) a judge (as defined in IC 33-38-12-3);
 - 33 (vi) the victim of a crime; or
 - 34 (vii) a family member of a correctional officer,
 35 probation officer, community corrections officer, law
 36 enforcement officer (as defined in IC 35-31.5-2-185),
 37 judge (as defined in IC 33-38-12-3), or victim of a
 38 crime; or

- 39 (B) concern or could affect the security of a jail or
 40 correctional facility.

41 For purposes of this subdivision, "agent" means a person who is
 42 authorized by an offender to act on behalf of, or at the direction



1 of, the offender, and "relative" has the meaning set forth in
 2 ~~IC 35-42-2-1(b).~~ **IC 35-42-2-1(a).** However, the term "agent"
 3 does not include an attorney in good standing admitted to the
 4 practice of law in Indiana.

5 (24) Information concerning an individual less than eighteen
 6 (18) years of age who participates in a conference, meeting,
 7 program, or activity conducted or supervised by a state
 8 educational institution, including the following information
 9 regarding the individual or the individual's parent or guardian:

- 10 (A) Name.
 11 (B) Address.
 12 (C) Telephone number.
 13 (D) Electronic mail account address.

14 (25) Criminal intelligence information.

15 (26) The following information contained in a report of
 16 unclaimed property under IC 32-34-1.5-18 or in a claim for
 17 unclaimed property under IC 32-34-1.5-48:

- 18 (A) Date of birth.
 19 (B) Driver's license number.
 20 (C) Taxpayer identification number.
 21 (D) Employer identification number.
 22 (E) Account number.

23 (27) Except as provided in subdivision (19) and sections 5.1 and
 24 5.2 of this chapter, a law enforcement recording. However,
 25 before disclosing the recording, the public agency must comply
 26 with the obscuring requirements of sections 5.1 and 5.2 of this
 27 chapter, if applicable.

28 (28) Records relating to negotiations between a state educational
 29 institution and another entity concerning the establishment of a
 30 collaborative relationship or venture to advance the research,
 31 engagement, or educational mission of the state educational
 32 institution, if the records are created while negotiations are in
 33 progress. The terms of the final offer of public financial
 34 resources communicated by the state educational institution to
 35 an industrial, a research, or a commercial prospect shall be
 36 available for inspection and copying under section 3 of this
 37 chapter after negotiations with that prospect have terminated.
 38 However, this subdivision does not apply to records regarding
 39 research prohibited under IC 16-34.5-1-2 or any other law.

40 (c) Nothing contained in subsection (b) shall limit or affect the
 41 right of a person to inspect and copy a public record required or
 42 directed to be made by any statute or by any rule of a public agency.



1 commissioner of labor for alleged violations of this chapter, including
 2 any health and safety standards.

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

4 "Voluntary protection program" means a program offered by the
 5 United States Occupational Safety and Health Administration to
 6 employers subject to this chapter that exempts the employers from
 7 general scheduled inspections.

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

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

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

17 (1) eight (8) hours after the incident occurs, if the incident
 18 results in the death or hospitalization of the victim; or
 19 (2) twenty-four (24) hours after the incident occurs, if the
 20 incident does not result in the death or hospitalization of the
 21 victim.

22 The employer shall make the report required under this subsection
 23 regardless of whether a person is criminally charged with the
 24 workplace battery.

25 1 SECTION ~~43.2~~[5]. IC 27-10-2-4.5, AS ADDED BY P.L.147-2022,
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 4.5. (a) The following definitions apply
 28 throughout this section:

29 (1) "Charitable bail organization" means a business entity, or a
 30 nonprofit organization under:

31 (A) the Internal Revenue Code; or
 32 (B) Indiana law;

33 that exists for the purpose of paying cash bail for another person.
 34 However, the term does not include a person who pays cash bail
 35 for three (3) or fewer defendants in any one hundred eighty (180)
 36 day period, or a person who pays bail for a relative (as defined
 37 in ~~IC 35-42-2-1(b)). IC 35-42-2-1(a).~~

38 (2) "Crime of violence" has the meaning set forth in
 39 IC 35-50-1-2(a).

40 (b) The commissioner may certify a charitable bail organization if
 41 the charitable bail organization:

42 (1) is a business entity, or a nonprofit organization under:



- (A) the Internal Revenue Code; or
- (B) Indiana law;
- (2) is currently registered to do business in Indiana;
- (3) is located in Indiana; and
- (4) exists for the purpose of depositing cash bail for an indigent defendant who:
 - (A) is not charged with a crime of violence; or
 - (B) if charged with a felony, does not have a prior conviction for a crime of violence.
- (c) A person may apply for certification under this section in accordance with rules adopted under this section.
- (d) The commissioner shall certify a person as a charitable bail organization if the:
 - (1) person pays an application fee of three hundred dollars (\$300);
 - (2) person meets the requirements of this section; and
 - (3) person, including an officer or director of the person, has not engaged in conduct that:
 - (A) constitutes fraud, dishonesty, or deception;
 - (B) constitutes malfeasance, misfeasance, or nonfeasance in dealing with money; or
 - (C) resulted in the suspension or revocation of a previous certification.
- (e) A charitable bail certification is valid for two (2) years from the date of issuance and may be renewed upon payment of a renewal fee of three hundred dollars (\$300). If a person applies for renewal before the expiration of the existing certification, the existing certification remains valid until the commissioner renews the certification, or until five (5) days after the commissioner denies the application for renewal. A person is entitled to renewal unless the commissioner denies the application for renewal under subsection (f).
- (f) The commissioner shall deny, suspend, revoke, or refuse to renew certification for any of the following causes:
 - (1) Any cause for which issuance of the certification could have been refused had it then existed and been known to the commissioner.
 - (2) Violation of any laws of this state in the course of dealings under the certification.
 - (3) Material misstatement, misrepresentation, or fraud in obtaining the certification.
 - (4) Misappropriation, conversion, or unlawful withholding of money belonging to donors or others and received in the conduct

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1 of business under the certification.
 2 (5) Fraudulent or dishonest practices in the conduct of business
 3 under the certification.
 4 (6) Willful failure to comply with or willful violation of any
 5 proper order or rule of the commissioner.
 6 (7) When, in the judgment of the commissioner, the certificate
 7 holder has, in the conduct of affairs under the certification,
 8 demonstrated:
 9 (A) incompetency or untrustworthiness;
 10 (B) conduct or practices rendering the certificate holder
 11 unfit to carry on charitable bail activities or making the
 12 certificate holder's continuance detrimental to the public
 13 interest; or
 14 (C) that the certificate holder is no longer in good faith
 15 carrying on as a charitable bail organization;
 16 and for these reasons is found by the commissioner to be a
 17 source of detriment, injury, or loss to the public.
 18 (8) The listing of the name of the applicant or certificate holder
 19 on the most recent tax warrant list supplied to the commissioner
 20 by the department of state revenue.
 21 (g) A charitable bail organization must comply with all of the
 22 following:
 23 (1) If the charitable bail organization pays, or intends to pay, bail
 24 for more than three (3) individuals in any one hundred eighty
 25 (180) day period, the charitable bail organization must be
 26 certified by the commissioner under this section before soliciting
 27 or accepting donations for bail for another person, and before
 28 depositing money for bail for another person.
 29 (2) A charitable bail organization may not pay bail for a
 30 defendant who:
 31 (A) is charged with a crime of violence; or
 32 (B) is charged with a felony and has a prior conviction for
 33 a crime of violence.
 34 (3) A charitable bail organization may not execute a surety bond
 35 for a defendant.
 36 (4) A charitable bail organization shall, before paying bail for an
 37 individual, execute an agreement described in IC 35-33-8-3.2
 38 allowing the court to retain all or a part of the bail to pay
 39 publicly paid costs of representation and fines, costs, fees, and
 40 restitution that the court may order the defendant to pay if the
 41 defendant is convicted.
 42 (5) A charitable bail organization may not charge a premium or



1 receive any consideration for acting as a charitable bail
 2 organization.

3 (h) All fees collected under this section must be deposited in the
 4 bail bond enforcement and administration fund created by
 5 IC 27-10-5-1.

6 (i) Any authorized employee of a charitable bail organization may
 7 only deposit cash bail to the court.

8 (j) If an individual fails to appear, the bail shall be forfeited in the
 9 manner described in IC 35-33-8-7 and the court shall take the steps
 10 described in IC 35-33-8-8.

11 SECTION ~~↔~~⁶[6]. IC 35-31.5-2-151.8 IS ADDED TO THE
 12 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: **Sec. 151.8. "Health care employee"**,
 14 **for purposes of IC 35-42-2-1, has the meaning set forth in**
 15 **IC 35-42-2-1.**

16 SECTION ~~↔~~⁶[7]. IC 35-31.5-2-282.9 IS ADDED TO THE
 17 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: **Sec. 282.9. "School"**, **for purposes of**
 19 **IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1.**

20 SECTION ~~↔~~⁶[8]. IC 35-31.5-2-284.4 IS ADDED TO THE
 21 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: **Sec. 284.4. "School employee"**, **for**
 23 **purposes of IC 35-42-2-1, has the meaning set forth in**
 24 **IC 35-42-2-1.**

25 SECTION ~~↔~~⁶[9]. IC 35-31.5-2-352.6 IS ADDED TO THE
 26 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2026]: **Sec. 352.6. "Vulnerable worker"**, **for**
 28 **purposes of IC 35-42-2-1, has the meaning set forth in**
 29 **IC 35-42-2-1.**

30 SECTION ~~↔~~⁶[10]. IC 35-40.5-1-1, AS AMENDED BY
 31 P.L.32-2021, SECTION 94, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2026]: Sec. 1. The following definitions apply
 33 throughout this article:

34 (1) "Law enforcement officer" means any of the following:
 35 (A) A law enforcement officer (as defined in
 36 IC 35-31.5-2-185).
 37 (B) A state educational institution police officer appointed
 38 under IC 21-39-4.
 39 (C) A school corporation police officer appointed under
 40 IC 20-26-16.
 41 (D) A school resource officer (as defined in
 42 IC 20-26-18.2-1).



1 (E) A police officer of a private postsecondary educational
2 institution whose governing board has appointed the police
3 officer under IC 21-17-5-2.

4 (2) "Provider" has the meaning set forth in IC 16-21-8-0.2.

5 (3) "Relative" has the meaning set forth in ~~IE 35-42-2-1(b)~~.

6 IC 35-42-2-1(a).

(4) "Sexual assault forensic evidence" means the results collected from a forensic medical examination of a victim by a provider.

10 (5) "State sexual assault response team" means the statewide
11 sexual assault response team coordinated by the Indiana
12 prosecuting attorneys council and the Indiana criminal justice
13 institute.

14 (6) "Victim" means an individual;

(A) who is a victim of sexual assault (as defined in IC 5-26.5-1-8); or

(i) is a relative of or a person who has had a close personal relationship with the individual described under clause (A); and

(ii) is designated by the individual described under clause (A) as a representative.

22 clause (A) as a representative.
23 The term does not include an individual who is accused of
24 committing an act of sexual assault (as defined in IC 5-26.5-1-8)
25 against the individual described under clause (A).

(7) "Victim advocate" has the meaning set forth in IC 35-37-6-2.5.

(8) "Victim service provider" has the meaning set forth in IC 35-37-6-3.5.

29 IC 35-37-6-5.
30 SECTION ~~9~~11. IC 35-42-2-0.5, AS ADDED BY P.L.65-2016,
31 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]: Sec. 0.5. "Relative", for purposes of IC 35-42-2-1,
33 **section 1 of this chapter**, has the meaning set forth in IC 35-42-2-1(b).
34 **section 1(a) of this chapter.**

35 SECTION 1~~↔~~[2]. IC 35-42-2-1, AS AMENDED BY
36 P.L.148-2024, SECTION 24, IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) ~~As used in this~~
38 ~~section, "public safety official" means-~~

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(3) an employee of the department of correction;
(4) a probation officer;
(5) a parole officer;
(6) a community corrections worker;
(7) a home detention officer;
(8) a department of child services employee;
(9) a firefighter;
(10) an emergency medical services provider;
(11) a judicial officer;
(12) a bailiff of any court; or
(13) a special deputy (as described in IC 36-8-10-10.6).
(b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:
(1) a spouse;
(2) a parent or stepparent;
(3) a child or stepchild;
(4) a grandchild or stepgrandchild;
(5) a grandparent or stepgrandparent;
(6) a brother, sister, stepbrother, or stepsister;
(7) a niece or nephew;
(8) an aunt or uncle;
(9) a daughter-in-law or son-in-law;
(10) a mother-in-law or father-in-law; or
(11) a first cousin.
(a) The following definitions apply throughout this section:
(1) "Health care employee" means an individual whose responsibilities involve contact or interaction with a patient, and who is employed by, in a contractual relationship with, or providing services on behalf of:
(A) an individual;
(B) a partnership;
(C) a professional corporation;
(D) a facility;
(E) an institution;
(F) a hospital; or
(G) any entity;
that is licensed, certified, or authorized to administer health care in the ordinary course of business or practice of the profession.
(2) "Public safety official" means:
(A) a law enforcement officer, including an alcoholic beverage enforcement officer;

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- (B) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
(C) an employee of the department of correction;
(D) a probation officer;
(E) a parole officer;
(F) a community corrections worker;
(G) a home detention officer;
(H) a department of child services employee whose responsibilities include:
 (i) personally supervising a child or parent;
 (ii) personally providing services to a child or parent; or
 (iii) personally interviewing a child or parent as part of an investigation;
(I) a firefighter;
(J) an emergency medical services provider;
(K) a judicial officer;
(L) a bailiff of any court; or
(M) a special deputy (as described in IC 36-8-10-10.6).
(3) "Relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:
 (A) a spouse;
 (B) a parent or stepparent;
 (C) a child or stepchild;
 (D) a grandchild or stepgrandchild;
 (E) a grandparent or stepgrandparent;
 (F) a brother, sister, stepbrother, or stepsister;
 (G) a niece or nephew;
 (H) an aunt or uncle;
 (I) a daughter-in-law or son-in-law;
 (J) a mother-in-law or father-in-law; or
 (K) a first cousin.
(4) "School" means a public school, charter school, or nonpublic school with at least one (1) employee.
(5) "School employee" means a person who:
 (A) is employed by a school or is in a contractual relationship with a school; and
 (B) has direct and ongoing contact with a student.
(6) "Vulnerable worker" means the following:
 (A) A health care employee.
 (B) A school employee.
(e) (b) Except as provided in subsections (e) (c) through (e) (l),

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- 1 a person who knowingly or intentionally:
- 2 (1) touches another person in a rude, insolent, or angry manner;
- 3 or
- 4 (2) in a rude, insolent, or angry manner places any bodily fluid
- 5 or waste on another person;
- 6 commits battery, a Class B misdemeanor.
- 7 **(d) (c)** The offense described in subsection (e)(1) (b)(1) or (e)(2)
- 8 **(b)(2)** is a Class A misdemeanor if it:
- 9 (1) results in bodily injury to any other person; or
- 10 (2) is committed against a member of a foster family home (as
- 11 defined in IC 35-31.5-2-139.3) by a person who is not a resident
- 12 of the foster family home if the person who committed the
- 13 offense is a relative of a person who lived in the foster family
- 14 home at the time of the offense.
- 15 **(d) The offense described in subsection (b)(1) is a Class A**
- 16 **misdemeanor if it is committed against a vulnerable worker:**
- 17 **(1) while the vulnerable worker is acting within the scope of**
- 18 **the vulnerable worker's employment;**
- 19 **(2) while the vulnerable worker is commuting to or from the**
- 20 **vulnerable worker's place of employment; or**
- 21 **(3) in retaliation for an act taken by the vulnerable worker**
- 22 **within the scope of the vulnerable worker's employment;**
- 23 **unless the offense is committed by a person detained or committed**
- 24 **under IC 12-26.**
- 25 (e) The offense described in subsection (e)(1) (b)(1) or (e)(2)
- 26 **(b)(2)** is a Level 6 felony if one (1) or more of the following apply:
- 27 (1) The offense results in moderate bodily injury to any other
- 28 person.
- 29 (2) The offense is committed against a public safety official
- 30 while the official is engaged in the official's official duty, unless
- 31 the offense is committed by a person detained or committed
- 32 under IC 12-26.
- 33 (3) The offense is committed against a person less than fourteen
- 34 (14) years of age and is committed by a person at least eighteen
- 35 (18) years of age.
- 36 (4) The offense is committed against a person of any age who
- 37 has a mental or physical disability and is committed by a person
- 38 having the care of the person with the mental or physical
- 39 disability, whether the care is assumed voluntarily or because of
- 40 a legal obligation.
- 41 (5) The offense is committed against an endangered adult (as
- 42 defined in IC 12-10-3-2).



(6) The offense:

- (A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and
- (B) results in bodily injury to the member of the foster family.

(1) while the vulnerable worker is acting within the scope of the vulnerable worker's employment;

(2) while the vulnerable worker is commuting to or from the vulnerable worker's place of employment; or

(3) in retaliation for an act taken by the vulnerable worker within the scope of the vulnerable worker's employment;

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

(g) (h) The offense described in subsection (e)(1) or (b)(1) or (e)(2) (b)(2) is a Level 5 felony if one (1) or more of the following apply:

- (1) The offense results in serious bodily injury to another person.
- (2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery or strangulation offense included in this chapter against the same victim.

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A public safety official while the official is engaged in the official's official duties, unless the offense is committed by a person detained or committed under IC 12-26.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the



person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(h) (i) The offense described in subsection (e)(2)(b)(2) is a Level 5 felony if:

- (1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and
- (2) the person placed the bodily fluid or waste on a public safety official, unless the offense is committed by a person detained or committed under IC 12-26.

(i) The offense described in subsection (e)(1) (b)(1) or (e)(2)

(b)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(f) (k) The offense described in subsection (e)(1) (b)(1) or (e)(2) (b)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(k) (1) The offense described in subsection (e)(1) (b)(1) or (e)(2) (b)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2). [

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