

HOUSE BILL No. 1190

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-15; IC 36-8-8-12.5.

Synopsis: Line of duty disability from PFAS exposure. Provides that a health condition that is caused by a PFAS chemical creates a presumption of disability in the line of duty with respect to firefighters under certain circumstances. Defines certain terms. Makes conforming changes.

Effective: July 1, 2026.

Novak

January 5, 2026, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1190

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

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

- 1 SECTION 1. IC 5-10-15-1, AS AMENDED BY P.L.109-2015,
2 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 1. **(a) Except as provided in subsection (b),** this
4 chapter does not apply to an individual who, at any time during the
5 individual's employment by the state or a political subdivision of the
6 state as:
7 (1) a member of a fire department (as defined in IC 36-8-1-8);
8 (2) an emergency medical services provider (as defined in
9 IC 16-41-10-1); or
10 (3) a member of a police department (as defined in IC 36-8-1-9);
11 used tobacco products in any form in the five (5) years before the time
12 the individual is diagnosed under section 9(a) of this chapter.
13 **(b) This chapter applies to an individual notwithstanding the use**
14 **of tobacco products as described in subsection (a) if the individual**
15 **is diagnosed with a PFAS exposure related health condition that**
16 **would otherwise qualify the individual for a presumption of**
17 **disability under section 9 of this chapter.**



SECTION 2. IC 5-10-15-3, AS AMENDED BY P.L.170-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **(a) Except as provided in subsection (b),** as used in this chapter, "employee" means an individual who:

(1) is employed full time by the state or a political subdivision of the state as:

(A) a member of a fire department (as defined in IC 36-8-1-8);

(B) an emergency medical services provider (as defined in IC 16-41-10-1);

(C) a member of a police department (as defined in IC 36-8-1-9); or

(D) a department of homeland security fire investigator;

(2) in the course of the individual's employment, is at risk for occupational exposure; and

(3) is not employed elsewhere by the state or a political subdivision of the state in a similar capacity.

(b) As used in this chapter, "employee", with respect to a PFAS exposure related health condition, means an individual who:

(1) is employed full time by the state or a political subdivision of the state as a member of a fire department (as defined in IC 36-8-1-8);

(2) in the course of the individual's employment, is at risk for occupational exposure; and

(3) is not employed elsewhere by the state or a political subdivision of the state in a similar capacity.

SECTION 3. IC 5-10-15-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. **As used in this chapter, "PFAS chemical" means any chemical of a class of fluorinated organic chemicals, including:**

(1) perfluoroalkyl substances; and

(2) polyfluoroalkyl substances;

that contains at least one (1) fully fluorinated carbon atom.

SECTION 4. IC 5-10-15-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.7. **As used in this chapter, "PFAS exposure related health condition" refers to a health condition that is caused by a PFAS chemical to which an individual is at risk for occupational exposure.**

SECTION 5. IC 5-10-15-9, AS AMENDED BY P.L.59-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) An employee or former employee who:

(1) is diagnosed with an exposure related cancer, exposure related



heart or lung disease, ~~or~~ exposure related Parkinson's disease, **or PFAS exposure related health condition** that:

- (A) requires medical treatment; or
- (B) results in total or partial disability; and
- (2) at the time of the diagnosis:
 - (A) is actively employed; or
 - (B) has terminated employment not more than sixty (60) months earlier;

is presumed to have a disability incurred in the line of duty.

(b) The presumption described in subsection (a) may be rebutted by competent evidence.

(c) A meeting or hearing held to rebut the presumption described in subsection (a) may be held as an executive session under IC 5-14-1.5-6.1(b)(1).

SECTION 6. IC 36-8-8-12.5, AS AMENDED BY P.L.54-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12.5. (a) This section applies only to a fund member who:

- (1) is hired for the first time after December 31, 1989;
- (2) chooses coverage by this section and section 13.5 of this chapter under section 12.4 of this chapter; or
- (3) is described in section 12.3(c)(2) of this chapter.

(b) At the same hearing where the determination of whether the fund member has a covered impairment is made, the local board shall determine the following:

- (1) Whether the fund member has a Class 1 impairment. A Class 1 impairment is a covered impairment that is the direct result of one (1) or more of the following:
 - (A) A personal injury that occurs while the fund member is on duty.
 - (B) A personal injury that occurs while the fund member is off duty and is responding to:
 - (i) an offense or a reported offense, in the case of a police officer; or
 - (ii) an emergency or reported emergency for which the fund member is trained, in the case of a firefighter.
 - (C) An occupational disease (as defined in IC 22-3-7-10). A covered impairment that is included within this clause and subdivision (2), including mental illnesses, shall be considered a Class 1 impairment.
 - (D) A health condition caused by an exposure risk disease that results in a presumption of disability or death incurred in the



- 1 line of duty under IC 5-10-13.
- 2 (2) Whether the fund member has a Class 2 impairment. A Class
- 3 2 impairment is a covered impairment that is:
- 4 (A) a duty related disease. A duty related disease means a
- 5 disease arising out of the fund member's employment. A
- 6 disease shall be considered to arise out of the fund member's
- 7 employment if it is apparent to the rational mind, upon
- 8 consideration of all of the circumstances, that:
- 9 (i) there is a connection between the conditions under which
- 10 the fund member's duties are performed and the disease;
- 11 (ii) the disease can be seen to have followed as a natural
- 12 incident of the fund member's duties as a result of the
- 13 exposure occasioned by the nature of the fund member's
- 14 duties; and
- 15 (iii) the disease can be traced to the fund member's
- 16 employment as the proximate cause; or
- 17 (B) a health condition ~~caused by:~~
- 18 ~~(i) an exposure related heart or lung disease;~~
- 19 ~~(ii) an exposure related cancer; or~~
- 20 ~~(iii) exposure related Parkinson's disease;~~
- 21 that results in a presumption of disability incurred in the line
- 22 of duty under IC 5-10-15.
- 23 (3) Whether the fund member has a Class 3 impairment. A Class
- 24 3 impairment is a covered impairment that is not a Class 1
- 25 impairment or a Class 2 impairment.

