

## HOUSE BILL No. 1190

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### 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.

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**Novak**

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

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Introduced

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

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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.**



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

5 (1) is employed full time by the state or a political subdivision of  
 6 the state as:  
 7 (A) a member of a fire department (as defined in IC 36-8-1-8);  
 8 (B) an emergency medical services provider (as defined in  
 9 IC 16-41-10-1);  
 10 (C) a member of a police department (as defined in  
 11 IC 36-8-1-9); or  
 12 (D) a department of homeland security fire investigator;  
 13 (2) in the course of the individual's employment, is at risk for  
 14 occupational exposure; and  
 15 (3) is not employed elsewhere by the state or a political  
 16 subdivision of the state in a similar capacity.

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

19 (1) is employed full time by the state or a political subdivision  
 20 of the state as a member of a fire department (as defined in  
 21 IC 36-8-1-8);  
 22 (2) in the course of the individual's employment, is at risk for  
 23 occupational exposure; and  
 24 (3) is not employed elsewhere by the state or a political  
 25 subdivision of the state in a similar capacity.

26 SECTION 3. IC 5-10-15-6.5 IS ADDED TO THE INDIANA CODE  
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 28 1, 2026]: Sec. 6.5. **As used in this chapter, "PFAS chemical" means**  
 29 **any chemical of a class of fluorinated organic chemicals, including:**

30 (1) perfluoroalkyl substances; and  
 31 (2) polyfluoroalkyl substances;

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

33 SECTION 4. IC 5-10-15-6.7 IS ADDED TO THE INDIANA CODE  
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 35 1, 2026]: Sec. 6.7. **As used in this chapter, "PFAS exposure related**  
 36 **health condition" refers to a health condition that is caused by a**  
 37 **PFAS chemical to which an individual is at risk for occupational**  
 38 **exposure.**

39 SECTION 5. IC 5-10-15-9, AS AMENDED BY P.L.59-2009,  
 40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2026]: Sec. 9. (a) An employee or former employee who:  
 42 (1) is diagnosed with an exposure related cancer, exposure related



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

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

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

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

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

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

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

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

26 (1) Whether the fund member has a Class 1 impairment. A Class  
27 1 impairment is a covered impairment that is the direct result of  
28 one (1) or more of the following:

- 29 (A) A personal injury that occurs while the fund member is on  
30 duty.  
31 (B) A personal injury that occurs while the fund member is off  
32 duty and is responding to:  
33 (i) an offense or a reported offense, in the case of a police  
34 officer; or  
35 (ii) an emergency or reported emergency for which the fund  
36 member is trained, in the case of a firefighter.

37 (C) An occupational disease (as defined in IC 22-3-7-10). A  
38 covered impairment that is included within this clause and  
39 subdivision (2), including mental illnesses, shall be considered  
40 a Class 1 impairment.

41 (D) A health condition caused by an exposure risk disease that  
42 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.

