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# HOUSE BILL No. 1193

AM119301 has been incorporated into introduced printing.

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**Synopsis:** Civil rights commission.

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2026

IN 1193—LS 6691/DI 106



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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. 1193

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1        SECTION 1. IC 22-9-1-2, AS AMENDED BY P.L.136-2014,  
2        SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3        JULY 1, 2026]: Sec. 2. (a) It is the public policy of the state to provide  
4        all of its citizens equal opportunity for education, employment, access  
5        to public conveniences and accommodations, and acquisition through  
6        purchase or rental of real property, including but not limited to housing,  
7        and to eliminate segregation or separation based solely on race,  
8        religion, color, sex, disability, national origin, or ancestry, since such  
9        segregation is an impediment to equal opportunity. Equal education  
10      and employment opportunities and equal access to and use of public  
11      accommodations and equal opportunity for acquisition of real property  
12      are hereby declared to be civil rights.

13      (b) The practice of denying these rights to properly qualified  
14      persons by reason of the race, religion, color, sex, disability, national  
15      origin, or ancestry of such person is contrary to the principles of

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1 freedom and equality of opportunity and is a burden to the objectives  
 2 of the public policy of this state and shall be considered as  
 3 discriminatory practices. The promotion of equal opportunity without  
 4 regard to race, religion, color, sex, disability, national origin, or  
 5 ancestry through reasonable methods is the purpose of this chapter.

6 (c) It is also the public policy of this state to protect employers,  
 7 labor organizations, employment agencies, property owners, real estate  
 8 brokers, builders, and lending institutions from unfounded charges of  
 9 discrimination.

10 (d) It is hereby declared to be contrary to the public policy of the  
 11 state and an unlawful practice for any person, for profit, to induce or  
 12 attempt to induce any person to sell or rent any dwelling by  
 13 representations regarding the entry or prospective entry into the  
 14 neighborhood of a person or persons of a particular race, religion,  
 15 color, sex, disability, national origin, or ancestry.

16 (e) The general assembly recognizes that on February 16, 1972,  
 17 there are institutions of learning in Indiana presently and traditionally  
 18 following the practice of limiting admission of students to males or to  
 19 females. It is further recognized that it would be unreasonable to  
 20 impose upon these institutions the expense of remodeling facilities to  
 21 accommodate students of both sexes, and that educational facilities of  
 22 similar quality and type are available in coeducational institutions for  
 23 those students desiring such facilities. It is further recognized that this  
 24 chapter is susceptible of interpretation to prevent these institutions  
 25 from continuing their traditional policies, a result not intended by the  
 26 general assembly. Therefore, the amendment effected by Acts 1972,  
 27 P.L.176, is desirable to permit the continuation of the policies  
 28 described.

29 (f) It is against the public policy of the state and a discriminatory  
 30 practice for an employer to discriminate against a prospective  
 31 employee on the basis of status as a veteran by:

32 (1) refusing to employ an applicant for employment on the basis  
 33 that the applicant is a veteran of the armed forces of the United  
 34 States; or

35 (2) refusing to employ an applicant for employment on the basis  
 36 that the applicant is a member of the Indiana National Guard or  
 37 member of a reserve component.

38 (g) **It is against the public policy of the state and an**  
 39 **unconstitutional practice for any person to violate another person's**  
 40 **rights protected by the Constitution of the United States or the**  
 41 **Constitution of the State of Indiana.**

42 (g) (h) This chapter shall be construed broadly to effectuate its



1       purpose.

2       SECTION 2. IC 22-9-1-3, AS AMENDED BY P.L.213-2016,  
 3       SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4       JULY 1, 2026]: Sec. 3. As used in this chapter:

5       (a) "Person" means one (1) or more individuals, partnerships,  
 6       associations, organizations, limited liability companies, corporations,  
 7       labor organizations, cooperatives, legal representatives, trustees,  
 8       trustees in bankruptcy, receivers, and other organized groups of  
 9       persons.

10      (b) "Commission" means the civil rights commission created under  
 11       section 4 of this chapter.

12      (c) "Director" means the director of the civil rights commission.

13      (d) "Deputy director" means the deputy director of the civil rights  
 14       commission.

15      (e) "Commission attorney" means the deputy attorney general,  
 16       such assistants of the attorney general as may be assigned to the  
 17       commission, or such other attorney as may be engaged by the  
 18       commission.

19      (f) "Consent agreement" means a formal agreement entered into  
 20       in lieu of adjudication.

21      (g) "Affirmative action" means those acts that the commission  
 22       determines necessary to assure compliance with the Indiana civil rights  
 23       law.

24      (h) "Employer" means the state or any political or civil subdivision  
 25       thereof and any person employing six (6) or more persons within the  
 26       state, except that the term "employer" does not include:

27       (1) any nonprofit corporation or association organized  
 28       exclusively for fraternal or religious purposes;

29       (2) any school, educational, or charitable religious institution  
 30       owned or conducted by or affiliated with a church or religious  
 31       institution; or

32       (3) any exclusively social club, corporation, or association that  
 33       is not organized for profit.

34       (i) "Employee" means any person employed by another for wages  
 35       or salary. However, the term does not include any individual employed:

36       (1) by the individual's parents, spouse, or child; or

37       (2) in the domestic service of any person.

38       (j) "Labor organization" means any organization that exists for the  
 39       purpose in whole or in part of collective bargaining or of dealing with  
 40       employers concerning grievances, terms, or conditions of employment  
 41       or for other mutual aid or protection in relation to employment.



(k) "Employment agency" means any person undertaking with or without compensation to procure, recruit, refer, or place employees.

3 (1) "Discriminatory practice" means:

10 (3) the promotion of racial segregation or separation in any  
11 manner, including but not limited to the inducing of or the  
12 attempting to induce for profit any person to sell or rent any

dwelling by representations regarding the entry or prospective entry in the neighborhood of a person or persons of a particular race, religion, color, sex, disability, national origin, or ancestry; (4) a violation of IC 22-9-5 that occurs after July 25, 1992, and is committed by a covered entity (as defined in IC 22-9-5-4); (5) the performance of an abortion solely because of the race, religion, color, sex, disability, national origin, or ancestry of the

19 color, sex, disability, national origin, or ancestry of the fetus; or  
20 (6) a violation of any of the following statutes protecting the  
21 right of conscience regarding abortion:  
22 (A) IC 16-34-1-4.  
23 (B) IC 16-34-1-5.  
24 (C) IC 16-34-1-6

24 (C) IC 16-34-1-8.  
25 Every discriminatory practice relating to the acquisition or sale of real  
26 estate, education, public accommodations, employment, or the  
27 extending of credit (as defined in IC 24-4.5-1-301.5) shall be  
28 considered unlawful unless it is specifically exempted by this chapter.

(m) "Public accommodation" means any establishment that caters or offers its services or facilities or goods to the general public.

31 (n) "Complainant" means:

(1) any individual charging on the individual's own behalf to have been personally aggrieved by a discriminatory **practice or unconstitutional** practice; or

35 (2) the director or deputy director of the commission charging  
36 that a discriminatory **practice or unconstitutional** practice was  
37 committed against a person (other than the director or deputy  
38 director) or a class of people, in order to vindicate the public  
39 policy of the state (as defined in section 2 of this chapter).

40 (o) "Complaint" means any written grievance that is:

41 (1) sufficiently complete and filed by a complainant with the



1 commission; or  
 2 (2) filed by a complainant as a civil action in the circuit or  
 3 superior court having jurisdiction in the county in which the  
 4 alleged discriminatory **practice or unconstitutional** practice  
 5 occurred.

6 The original of any complaint filed under subdivision (1) shall be  
 7 signed and verified by the complainant.

8 (p) "Sufficiently complete" refers to a complaint that includes:  
 9 (1) the full name and address of the complainant;  
 10 (2) the name and address of the respondent against whom the  
 11 complaint is made;  
 12 (3) the alleged discriminatory **practice or unconstitutional**  
 13 practice and a statement of particulars thereof;  
 14 (4) the date or dates and places of the alleged discriminatory  
 15 **practice or unconstitutional** practice and if the alleged  
 16 discriminatory **practice or unconstitutional** practice is of a  
 17 continuing nature the dates between which continuing acts of  
 18 discrimination **or unconstitutional practices** are alleged to have  
 19 occurred; and  
 20 (5) a statement as to any other action, civil or criminal, instituted  
 21 in any other form based upon the same grievance alleged in the  
 22 complaint, together with a statement as to the status or  
 23 disposition of the other action.

24 No complaint shall be valid unless filed within one hundred eighty  
 25 (180) days from the date of the occurrence of the alleged  
 26 discriminatory **practice or unconstitutional** practice.

27 (q) "Sex" as it applies to segregation or separation in this chapter  
 28 applies to all types of employment, education, public accommodations,  
 29 and housing. However:

30 (1) it shall not be a discriminatory practice to maintain separate  
 31 restrooms;  
 32 (2) it shall not be an unlawful employment practice for an  
 33 employer to hire and employ employees, for an employment  
 34 agency to classify or refer for employment any individual, for a  
 35 labor organization to classify its membership or to classify or  
 36 refer for employment any individual, or for an employer, labor  
 37 organization, or joint labor management committee controlling  
 38 apprenticeship or other training or retraining programs to admit  
 39 or employ any other individual in any program on the basis of  
 40 sex in those certain instances where sex is a bona fide  
 41 occupational qualification reasonably necessary to the normal

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5 (r) "Disabled" or "disability" means the physical or mental  
6 condition of a person that constitutes a substantial disability. In  
7 reference to employment under this chapter, "disabled or disability"  
8 also means the physical or mental condition of a person that constitutes  
9 a substantial disability unrelated to the person's ability to engage in a  
10 particular occupation.

11 (s) "Veteran" means:

17 SECTION 3. IC 22-9-1-6, AS AMENDED BY P.L.205-2019,  
18 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2026]: Sec. 6. (a) The commission shall establish and  
20 maintain a permanent office in the city of Indianapolis.

21 (b) Except as it concerns judicial review, the commission may  
22 adopt rules under IC 4-22-2 to implement this chapter.

31 (d) The commission shall receive and investigate complaints  
32 alleging discriminatory **practices or unconstitutional** practices. The  
33 commission shall not hold hearings in the absence of a complaint. All  
34 investigations of complaints shall be conducted by staff members of the  
35 civil rights commission or their agents.

36 (e) The commission may create such advisory agencies and  
37 conciliation councils, local or statewide, as will aid in effectuating the  
38 purposes of this chapter. The commission may itself, or it may  
39 empower these agencies and councils to:

40 (1) study the problems of discrimination in the areas covered by  
41 section 2 of this chapter when based on race, religion, color, sex,

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handicap, national origin, or ancestry; and  
(2) foster through community effort, or otherwise, good will among the groups and elements of the population of the state.

These agencies and councils may make recommendation to the commission for the development of policies and procedures in general. Advisory agencies and conciliation councils created by the commission shall be composed of representative citizens serving without pay, but with reimbursement for reasonable and necessary actual expenses.

(f) The commission may issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, religion, color, sex, handicap, national origin, or ancestry.

18 (h) The commission may hold hearings, subpoena witnesses,  
19 compel their attendance, administer oaths, take the testimony of any  
20 person under oath, and require the production for examination of any  
21 books and papers relating to any matter under investigation or in  
22 question before the commission. The commission may make rules as  
23 to the issuance of subpoenas by individual commissioners. Contumacy  
24 or refusal to obey a subpoena issued under this section shall constitute  
25 a contempt. All hearings shall be held within Indiana at a location  
26 determined by the commission. A citation of contempt may be issued  
27 upon application by the commission to the circuit or superior court in  
28 the county in which the hearing is held or in which the witness resides  
29 or transacts business.

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9 (1) to restore the complainant's losses incurred as a result of  
10 discriminatory **or unconstitutional** treatment, as the commission  
11 may deem necessary to assure justice; however, except in  
12 discriminatory practices involving veterans, this specific  
13 provision when applied to orders pertaining to employment shall  
14 include only wages, salary, or commissions;  
15 (2) to require the posting of notice setting forth the public policy  
16 of Indiana concerning civil rights and the respondent's  
17 compliance with the policy in places of public accommodations;  
18 (3) to require proof of compliance to be filed by the respondent  
19 at periodic intervals; and  
20 (4) to require a person who has been found to be in violation of  
21 this chapter and who is licensed by a state agency authorized to  
22 grant a license to show cause to the licensing agency why the  
23 person's license should not be revoked or suspended.

When an employer has been found to have committed a discriminatory practice in employment by failing to employ an applicant on the basis that the applicant is a veteran, the order to restore the veteran's losses may include placing the veteran in the employment position with the employer for which the veteran applied.



1 chapter, the commission shall state its findings of facts and shall issue  
 2 and cause to be served on the complainant an order dismissing the  
 3 complaint as to the person.

4 (m) The commission may furnish technical assistance requested  
 5 by persons subject to this chapter to further compliance with this  
 6 chapter or with an order issued under this chapter.

7 (n) The commission shall promote the creation of local civil rights  
 8 agencies to cooperate with individuals, neighborhood associations, and  
 9 state, local, and other agencies, both public and private, including  
 10 agencies of the federal government and of other states.

11 (o) The commission may reduce the terms of conciliation agreed  
 12 to by the parties to writing (to be called a consent agreement) that the  
 13 parties and a majority of the commissioners shall sign. When signed,  
 14 the consent agreement shall have the same effect as a cease and desist  
 15 order issued under subsection (j). If the commission determines that a  
 16 party to the consent agreement is not complying with it, the  
 17 commission may obtain enforcement of the consent agreement in a  
 18 circuit or superior court upon showing that the party is not complying  
 19 with the consent agreement and the party is subject to the commission's  
 20 jurisdiction and resides or transacts business within the county in  
 21 which the petition for enforcement is brought.

22 (p) In lieu of investigating a complaint and holding a hearing  
 23 under this section, the commission may issue an order based on  
 24 findings and determinations by the federal Department of Housing and  
 25 Urban Development or the federal Equal Employment Opportunity  
 26 Commission concerning a complaint that has been filed with one (1) of  
 27 these federal agencies and with the commission. The commission shall  
 28 adopt by rule standards under which the commission may issue such an  
 29 order.

30 (q) Upon notice that a complaint is the subject of an action in a  
 31 federal court, the commission shall immediately cease investigation of  
 32 the complaint and may not conduct hearings or issue findings of fact or  
 33 orders concerning that complaint.

34 SECTION 4. IC 22-9-1-11 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. In addition to its  
 36 power to investigate the discriminatory **practices or unconstitutional**  
 37 practices referred to in this chapter, the commission may receive  
 38 written complaints of violation of this chapter or other discriminatory  
 39 practices based upon race, religion, color, sex, national origin, or  
 40 ancestry and to investigate such complaints as it deems meritorious, or  
 41 to conduct such investigation in the absence of complaints whenever



1       it deems it in the public interest. It may transmit to the general  
 2       assembly its recommendations for legislation designed to aid in the  
 3       removing of such discrimination.

4       SECTION 5. IC 22-9-1-17, AS AMENDED BY P.L.100-2012,  
 5       SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6       JULY 1, 2026]: Sec. 17. (a) If a timely election is made under section  
 7       16 of this chapter, the complainant may file a civil action in a circuit or  
 8       superior court having jurisdiction in the county in which a  
 9       discriminatory **practice or unconstitutional** practice allegedly  
 10      occurred.

11      (b) If the court finds that a discriminatory **practice or**  
 12      **unconstitutional** practice has occurred the court may grant the relief  
 13      allowed under ~~IC 22-9-1-6(j)~~. **section 6(j) of this chapter.**

14      (c) A civil action filed under this section must be tried by the court  
 15      without benefit of a jury.

16      (d) **The commission may not represent the plaintiff in a civil**  
 17      **action filed under this section.**

18       SECTION 6. IC 22-9-1-18 IS AMENDED TO READ AS  
 19       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) If a timely  
 20       election is not made under section 16 of this chapter, the commission  
 21       shall schedule a hearing on the finding of probable cause.

22      (b) Except as provided in subsection (c), IC 4-21.5 governs a  
 23      hearing under this section.

24      (c) A proceeding under this section may not continue regarding an  
 25      alleged discriminatory **practice or unconstitutional** practice after the  
 26      filing of a civil action.

27      (d) IC 22-9-8 governs appeal of a final order issued under this  
 28      section.

29       SECTION 7. IC 22-9-15 IS ADDED TO THE INDIANA CODE  
 30       AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 31       JULY 1, 2026]:

32       **Chapter 15. Unconstitutional Practices**

33       **Sec. 1. As used in this chapter, "commission" refers to the civil**  
 34       **rights commission.**

35       **Sec. 2. As used in this chapter, "person" has the meaning set**  
 36       **forth in Section 701 of the Civil Rights Act of 1964 (42 U.S.C.**  
 37       **2000e).**

38       **Sec. 3. As used in this chapter, "state agency" means an**  
 39       **authority, a board, a branch, a commission, a committee, a**  
 40       **department, a division, or another instrumentality of the executive,**  
 41       **including the administrative department of state government.**

42       **Sec. 4. As used in this chapter, "unconstitutional practice"**



1       means an action that violates a person's rights protected by:  
 2       (1) the Constitution of the United States;  
 3       (2) the Constitution of the State of Indiana; or  
 4       (3) federal law and guaranteed through the Fourteenth  
 5       Amendment, including:  
 6           (A) Title VI of the federal Civil Rights Act of 1964;  
 7           (B) Title VII of the federal Civil Rights Act of 1964; and  
 8           (C) Title IX of the Education Amendments of 1972.

9       The term includes a right relating to parenting, education, religion,  
 10      and speech.

11      Sec. 5. A person may not commit an unconstitutional practice.

12      Sec. 6. A person who feels that the person is the victim of an  
 13      unconstitutional practice under this chapter may submit a  
 14      complaint to the civil rights commission under IC 22-9-1-6.

15      Sec. 7. (a) The commission may receive a complaint submitted  
 16      under section 6 of this chapter.

17      (b) If another state or federal agency has jurisdiction to  
 18      investigate the unconstitutional practice that is the subject of the  
 19      complaint, the commission:

20           (1) shall transmit the complaint and any supporting  
 21           documentation to the appropriate state or federal agency;  
 22           and  
 23           (2) may, after consulting with the state or federal agency,  
 24           enter into a memorandum of understanding with the state or  
 25           federal agency to grant the commission enforcement  
 26           jurisdiction over the complaint.

27      Sec. 8. The commission has the authority to investigate a  
 28      complaint that a person is the victim of an unconstitutional  
 29      practice even if another state or federal agency has jurisdiction to  
 30      investigate the unconstitutional practice.

31      SECTION 8. IC 22-9.5-6-6 IS AMENDED TO READ AS  
 32      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) If the commission  
 33      concludes at any time following the filing of a complaint that prompt  
 34      judicial action is necessary to carry out the purposes of this article, the  
 35      commission may file a civil action for appropriate temporary or  
 36      preliminary relief pending final disposition of the complaint in a circuit  
 37      or superior court that is located in the county in which the alleged  
 38      discriminatory housing practice occurred.

39      (b) A temporary restraining order or other order granting  
 40      preliminary or temporary relief under this section is governed by the  
 41      Indiana Rules of Trial Procedure.

42      (c) The filing of a civil action under this section does not affect the



1 initiation or continuation of administrative proceedings under section  
 2 14 of this chapter.

3 **(d) The commission may not represent a private individual in  
 4 an action filed under this section.**

5 SECTION 9. IC 22-9.5-6-13, AS AMENDED BY P.L.11-2023,  
 6 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 13. (a) If a timely election is made under section  
 8 12 of this chapter, the **commission party that made the election** shall,  
 9 not later than thirty (30) days after the election is made, file a civil  
 10 action ~~on behalf of the aggrieved person~~ seeking relief under this  
 11 section in a circuit or superior court that is located in the county in  
 12 which the alleged discriminatory housing practice occurred.

13 (b) An aggrieved person may intervene in the action.

14 (c) If the court finds that a discriminatory housing practice has  
 15 occurred or is about to occur, the court may grant as relief any relief  
 16 that a court may grant in a civil action under IC 22-9.5-7.

17 (d) If monetary relief is sought for the benefit of an aggrieved  
 18 person who does not intervene in the civil action, the court may not  
 19 award the monetary relief if that aggrieved person has not complied  
 20 with discovery orders entered by the court.

21 SECTION 10. IC 22-9.5-6-15 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) If the  
 23 commission determines at a hearing under section 14 of this chapter  
 24 that a respondent has engaged in or is about to engage in a  
 25 discriminatory housing practice, the commission may order the  
 26 appropriate **following** relief: ~~including actual~~

27 **(1) Damages to restore the aggrieved party's losses incurred  
 28 as a result of the discriminatory housing practice.**  
 29 **(2) Reasonable attorney's fees and court costs. and**  
 30 **(3) Other injunctive or equitable relief.**

31 (b) To vindicate the public interest, the commission may assess a  
 32 civil penalty against the respondent in an amount that does not exceed  
 33 the following:

34 (1) Ten thousand dollars (\$10,000) if the respondent has not  
 35 been adjudged by order of the commission or a court to have  
 36 committed a prior discriminatory housing practice.  
 37 (2) Except as provided by subsection (c), twenty-five thousand  
 38 dollars (\$25,000) if the respondent has been adjudged by order  
 39 of the commission or a court to have committed one (1) other  
 40 discriminatory housing practice during the five (5) year period  
 41 ending on the date of the filing of the finding of reasonable



1 cause.

(3) Except as provided by subsection (c), fifty thousand dollars (\$50,000) if the respondent has been adjudged by order of the commission or a court to have committed two (2) or more discriminatory housing practices during the seven (7) year period ending on the date of the filing of the finding of reasonable cause.

15 (d) The commission may sue to recover a civil penalty due under  
16 this section.

17 SECTION 11. IC 22-9.5-7-1 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) An aggrieved  
19 person may file a civil action in the circuit or superior court located in  
20 the county in which the alleged discriminatory practice occurred not  
21 later than one (1) year after the occurrence of the termination of an  
22 alleged discriminatory housing practice or the breach of a conciliation  
23 agreement entered into under this article, whichever occurs last, to  
24 obtain appropriate relief with respect to the discriminatory housing  
25 practice or breach.

31 (c) An aggrieved person may file an action under this section  
32 whether or not a complaint has been filed under IC 22-9.5-6 and  
33 without regard to the status of any complaint filed under IC 22-9.5-6.

34 (d) If the commission has obtained a conciliation agreement with  
35 the consent of an aggrieved person, the aggrieved person may not file  
36 an action under this section with respect to the alleged discriminatory  
37 housing practice that forms the basis for the complaint except to  
38 enforce the terms of the agreement.

39 (e) An aggrieved person may not file an action under this section  
40 with respect to an alleged discriminatory housing practice that forms  
41 the basis of a finding of reasonable cause issued by the commission if

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1 the commission has begun a hearing on the record under this article  
 2 with respect to the finding of reasonable cause.

3 **(f) The commission may not represent the aggrieved person in  
 4 a civil action filed under this section.**

5 SECTION 12. IC 22-9.5-8.1-1 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** The commission  
 7 may file a civil action for appropriate relief if the commission has  
 8 reasonable cause to believe that:

9       (1) a person is engaged in a pattern or practice of resistance to  
 10       the full enjoyment of any right granted by this article; or  
 11       (2) a person has been denied any right granted by this article and  
 12       that denial raises an issue of general public importance.

13 An action under this section may be filed in a circuit or superior court  
 14 located in the county in which the alleged pattern, practice, or denial  
 15 occurred.

16 **(b) The commission may only represent the state in a civil  
 17 action filed under this section.**

18 SECTION 13. IC 22-9.5-8.1-2 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. In an action filed  
 20 under section 1 of this chapter, the court may do the following:

21       (1) Award preventive relief, including a permanent or temporary  
 22       injunction, restraining order, or other order against the person  
 23       responsible for a violation of this article as necessary to assure  
 24       the full enjoyment of the rights granted by this article.  
 25       (2) Award other appropriate relief, including monetary damages,  
 26       reasonable attorney's fees and court costs.  
 27       (3) To vindicate the public interest, assess a civil penalty against  
 28       the respondent in an amount that does not exceed the following:  
 29           (A) Fifty thousand dollars (\$50,000) for a first violation.  
 30           (B) One hundred thousand dollars (\$100,000) for a second  
 31           or subsequent violation.

32 SECTION 14. IC 22-9.5-9-1 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** A court in a civil  
 34 action brought under this article or the commission in an administrative  
 35 hearing under IC 22-9.5-6-14 may award reasonable attorney's fees to  
 36 the prevailing party and assess court costs against the nonprevailing  
 37 party.

38 **(b) IC 4-21.5-3-27.5(b) and IC 4-21.5-3-27.5(c) (attorney's fee  
 39 awards in judicial review cases) do not apply to a civil action  
 40 brought in a trial court.**

