



# SENATE MOTION

MR. PRESIDENT:

**I move** that Engrossed House Bill 1200 be amended to read as follows:

- 1 Page 7, line 10, delete "(a) If an individual:".
- 2 Page 7, delete lines 11 through 17.
- 3 Page 7, line 18, delete "(b)".
- 4 Page 7, run in lines 10 through 18.
- 5 Page 7, line 25, after "commits" insert "**unlawful use of a**
- 6 **commercial driver's license,**".
- 7 Page 7, line 25, after "felony." insert "**A commercial motor vehicle**
- 8 **operated by a person who violates this section is subject to civil**
- 9 **forfeiture under IC 34-24-1-1.**".
- 10 Page 7, delete lines 26 through 36.
- 11 Page 17, between lines 5 and 6, begin a new paragraph and insert:
- 12 "SECTION 18. IC 34-24-1-1, AS AMENDED BY P.L.186-2025,
- 13 SECTION 184, IS AMENDED TO READ AS FOLLOWS
- 14 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The following may be
- 15 seized:
- 16 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are used
- 17 or are intended for use by the person or persons in possession of
- 18 them to transport or in any manner to facilitate the transportation
- 19 of the following:
- 20 (A) A controlled substance for the purpose of committing,
- 21 attempting to commit, or conspiring to commit any of the
- 22 following:
- 23 (i) Dealing in or manufacturing cocaine or a narcotic drug
- 24 (IC 35-48-4-1).
- 25 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).
- 26 (iii) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 27 (iv) Dealing in a schedule I, II, or III controlled substance

- 1 (IC 35-48-4-2).  
 2 (v) Dealing in a schedule IV controlled substance (IC  
 3 35-48-4-3).  
 4 (vi) Dealing in a schedule V controlled substance (IC  
 5 35-48-4-4).  
 6 (vii) Dealing in a counterfeit substance (IC 35-48-4-5).  
 7 (viii) Possession of cocaine or a narcotic drug (IC  
 8 35-48-4-6).  
 9 (ix) Possession of methamphetamine (IC 35-48-4-6.1).  
 10 (x) Dealing in paraphernalia (IC 35-48-4-8.5).  
 11 (xi) Dealing in marijuana, hash oil, hashish, or salvia (IC  
 12 35-48-4-10).  
 13 (xii) An offense under IC 35-48-4 involving a synthetic drug  
 14 (as defined in IC 35-31.5-2-321), a synthetic drug lookalike  
 15 substance (as defined in IC 35-31.5-2-321.5 (before its  
 16 repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its  
 17 repeal on July 1, 2019), a controlled substance analog (as  
 18 defined in IC 35-48-1.1-8), or a substance represented to be  
 19 a controlled substance (as described in IC 35-48-4-4.6).  
 20 (B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or converted  
 21 property (IC 35-43-4-3) if the retail or repurchase value of that  
 22 property is one hundred dollars (\$100) or more.  
 23 (C) Any hazardous waste in violation of IC 13-30-10-1.5.  
 24 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of  
 25 mass destruction (as defined in IC 35-31.5-2-354) used to  
 26 commit, used in an attempt to commit, or used in a conspiracy  
 27 to commit a felony terrorist offense (as defined in  
 28 IC 35-50-2-18) or an offense under IC 35-47 as part of or in  
 29 furtherance of an act of terrorism (as defined by  
 30 IC 35-31.5-2-329).  
 31 (2) All money, negotiable instruments, securities, weapons,  
 32 communications devices, or any property used to commit, used in  
 33 an attempt to commit, or used in a conspiracy to commit a felony  
 34 terrorist offense (as defined in IC 35-50-2-18) or an offense under  
 35 IC 35-47 as part of or in furtherance of an act of terrorism or  
 36 commonly used as consideration for a violation of IC 35-48-4  
 37 (other than items subject to forfeiture under IC 16-42-20-5 or  
 38 IC 16-6-8.5-5.1, before its repeal):  
 39 (A) furnished or intended to be furnished by any person in  
 40 exchange for an act that is in violation of a criminal statute;  
 41 (B) used to facilitate any violation of a criminal statute; or  
 42 (C) traceable as proceeds of the violation of a criminal statute.  
 43 (3) Any portion of real or personal property purchased with  
 44 money that is traceable as a proceed of a violation of a criminal  
 45 statute.  
 46 (4) A vehicle that is used by a person to:

- 1 (A) commit, attempt to commit, or conspire to commit;  
 2 (B) facilitate the commission of; or  
 3 (C) escape from the commission of;  
 4 murder (IC 35-42-1-1), dealing in a controlled substance resulting  
 5 in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal  
 6 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting  
 7 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense  
 8 under IC 35-47 as part of or in furtherance of an act of terrorism.  
 9 (5) Real property owned by a person who uses it to commit any of  
 10 the following as a Level 1, Level 2, Level 3, Level 4, or Level 5  
 11 felony:  
 12 (A) Dealing in or manufacturing cocaine or a narcotic drug (IC  
 13 35-48-4-1).  
 14 (B) Dealing in methamphetamine (IC 35-48-4-1.1).  
 15 (C) Manufacturing methamphetamine (IC 35-48-4-1.2).  
 16 (D) Dealing in a schedule I, II, or III controlled substance (IC  
 17 35-48-4-2).  
 18 (E) Dealing in a schedule IV controlled substance (IC  
 19 35-48-4-3).  
 20 (F) Dealing in marijuana, hash oil, hashish, or salvia (IC  
 21 35-48-4-10).  
 22 (G) Dealing in a synthetic drug (as defined in  
 23 IC 35-31.5-2-321) or synthetic drug lookalike substance (as  
 24 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,  
 25 2019)) under IC 35-48-4-10.5 (before its repeal on July 1,  
 26 2019).  
 27 (H) Dealing in a controlled substance resulting in death (IC  
 28 35-42-1-1.5).  
 29 (6) Equipment and recordings used by a person to commit fraud  
 30 under IC 35-43-5.  
 31 (7) Recordings sold, rented, transported, or possessed by a person  
 32 in violation of IC 24-4-10.  
 33 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as  
 34 defined by IC 35-45-6-1) that is the object of a corrupt business  
 35 influence violation (IC 35-45-6-2).  
 36 (9) Unlawful telecommunications devices (as defined in  
 37 IC 35-45-13-6) and plans, instructions, or publications used to  
 38 commit an offense under IC 35-45-13.  
 39 (10) Any equipment, including computer equipment and cellular  
 40 telephones, used for or intended for use in preparing,  
 41 photographing, recording, videotaping, digitizing, printing,  
 42 copying, or disseminating matter in violation of IC 35-42-4.  
 43 (11) Destructive devices used, possessed, transported, or sold in  
 44 violation of IC 35-47.5.  
 45 (12) Tobacco products that are sold in violation of IC 24-3-5,  
 46 tobacco products that a person attempts to sell in violation of

- 1 IC 24-3-5, and other personal property owned and used by a  
 2 person to facilitate a violation of IC 24-3-5.
- 3 (13) Property used by a person to commit counterfeiting or  
 4 forgery in violation of IC 35-43-5-2.
- 5 (14) After December 31, 2005, if a person is convicted of an  
 6 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the  
 7 following real or personal property:
- 8 (A) Property used or intended to be used to commit, facilitate,  
 9 or promote the commission of the offense.
- 10 (B) Property constituting, derived from, or traceable to the  
 11 gross proceeds that the person obtained directly or indirectly  
 12 as a result of the offense.
- 13 (15) Except as provided in subsection (e), a vehicle used by a  
 14 person who operates the vehicle:
- 15 (A) while intoxicated, in violation of IC 9-30-5-1 through  
 16 IC 9-30-5-5, if in the previous five (5) years the person has two  
 17 (2) or more prior unrelated convictions for operating a motor  
 18 vehicle while intoxicated in violation of IC 9-30-5-1 through  
 19 IC 9-30-5-5; or
- 20 (B) on a highway while the person's driving privileges are  
 21 suspended in violation of IC 9-24-19-2 through IC 9-24-19-3,  
 22 if in the previous five (5) years the person has two (2) or more  
 23 prior unrelated convictions for operating a vehicle while  
 24 intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.
- 25 If a court orders the seizure of a vehicle under this subdivision,  
 26 the court shall transmit an order to the bureau of motor vehicles  
 27 recommending that the bureau not permit a vehicle to be  
 28 registered in the name of the person whose vehicle was seized  
 29 until the person possesses a current driving license (as defined in  
 30 IC 9-13-2-41).
- 31 (16) The following real or personal property:
- 32 (A) Property used or intended to be used to commit, facilitate,  
 33 or promote the commission of an offense specified in  
 34 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or  
 35 IC 30-2-13-38(f).
- 36 (B) Property constituting, derived from, or traceable to the  
 37 gross proceeds that a person obtains directly or indirectly as a  
 38 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),  
 39 IC 30-2-10-9(b), or IC 30-2-13-38(f).
- 40 (17) Real or personal property, including a vehicle, that is used by  
 41 a person to:
- 42 (A) commit, attempt to commit, or conspire to commit;  
 43 (B) facilitate the commission of; or  
 44 (C) escape from the commission of;  
 45 a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human  
 46 trafficking) or IC 35-45-4-4 (promoting prostitution).

- 1 (18) A signal jammer (as defined in IC 35-31.5-2-305.5) that is  
 2 used by a person to commit unlawful use of a signal jammer  
 3 under IC 35-45-2-6.
- 4 **(19) A commercial motor vehicle operated by a person who**  
 5 **commits:**
- 6 **(A) unlawful use of a commercial driver's license (IC**  
 7 **9-24-6.1-3.3); or**
- 8 **(B) fraud (IC 35-43-5-4), if the fraud relates to a**  
 9 **commercial driver's license.**
- 10 (b) A vehicle used by any person as a common or contract carrier in  
 11 the transaction of business as a common or contract carrier is not  
 12 subject to seizure under this section, unless it can be proven by a  
 13 preponderance of the evidence that the owner of the vehicle knowingly  
 14 permitted the vehicle to be used to engage in conduct that subjects it to  
 15 seizure under subsection (a).
- 16 (c) Equipment under subsection (a)(10) may not be seized unless it  
 17 can be proven by a preponderance of the evidence that the owner of the  
 18 equipment knowingly permitted the equipment to be used to engage in  
 19 conduct that subjects it to seizure under subsection (a)(10).
- 20 (d) Money, negotiable instruments, securities, weapons,  
 21 communications devices, or any property commonly used as  
 22 consideration for a violation of IC 35-48-4 found near or on a person  
 23 who is committing, attempting to commit, or conspiring to commit any  
 24 of the following offenses shall be admitted into evidence in an action  
 25 under this chapter as prima facie evidence that the money, negotiable  
 26 instrument, security, or other thing of value is property that has been  
 27 used or was to have been used to facilitate the violation of a criminal  
 28 statute or is the proceeds of the violation of a criminal statute:
- 29 (1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in  
 30 death).
- 31 (2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a  
 32 narcotic drug).
- 33 (3) IC 35-48-4-1.1 (dealing in methamphetamine).
- 34 (4) IC 35-48-4-1.2 (manufacturing methamphetamine).
- 35 (5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled  
 36 substance).
- 37 (6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
- 38 (7) IC 35-48-4-4 (dealing in a schedule V controlled substance)  
 39 as a Level 4 felony.
- 40 (8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a  
 41 Level 3, Level 4, or Level 5 felony.
- 42 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level  
 43 3, Level 4, or Level 5 felony.
- 44 (10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or  
 45 salvia) as a Level 5 felony.
- 46 (11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing

1           in a synthetic drug or synthetic drug lookalike substance) as a  
2           Level 5 felony or Level 6 felony (or as a Class C felony or Class  
3           D felony under IC 35-48-4-10 before its amendment in 2013).  
4       (e) A vehicle operated by a person who is not:  
5           (1) an owner of the vehicle; or  
6           (2) the spouse of the person who owns the vehicle;  
7       is not subject to seizure under subsection (a)(15) unless it can be  
8       proven by a preponderance of the evidence that the owner of the  
9       vehicle knowingly permitted the vehicle to be used to engage in  
10      conduct that subjects it to seizure under subsection (a)(15)."  
11      Renumber all SECTIONS consecutively.  
      (Reference is to EHB 1200 as printed February 18, 2026.)

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Senator YOUNG M