

## HOUSE BILL No. 1202

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2; IC 9-14-12-3; IC 9-19-11-9; IC 9-24-18-9; IC 9-30; IC 10-21-1-9; IC 11-11-6-2; IC 12-17.2; IC 12-23; IC 16-28-1-13; IC 16-31-3-2; IC 22-11; IC 22-14; IC 31-27; IC 35-47.5-4-1; IC 35-50-2-12; IC 36-8-19.5.

**Synopsis:** Various public safety matters. Requires a vendor or provider of an ignition interlock device to register an ignition interlock device with the department of toxicology. Eliminates a requirement for the director of the state department of toxicology to provide periodic reports to the Indiana criminal justice institute (institute) regarding the number of ignition interlock devices used in Indiana. Provides that a registered ignition interlock device must be installed in a motor vehicle in accordance with the manufacturer's instructions for installing the registered ignition interlock device. Codifies administrative rules adopted by the state department of toxicology relating to ignition interlock devices. Provides that prior to being issued an initial license to operate a child care center, the child care center must be inspected and found to be in substantial compliance with applicable building and fire safety laws by the department of homeland security. (Current law provides that a license may be issued only if the child care center is in substantial compliance with the fire and life safety rules as determined by the state fire marshal under rules adopted by the division of family resources (division) or in accordance with a variance or waiver approved by the division.) Provides that prior to being issued an initial registration to operate a child care ministry, the unlicensed child care ministry must be inspected and found to be in substantial compliance

(Continued next page)

**Effective:** July 1, 2026.

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

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with applicable building and fire safety laws by the department of homeland security. Provides that the department of homeland security shall perform inspections of: (1) child care ministries; (2) child care centers; (3) child caring institutions; and (4) group homes. Provides that a license or registration to operate a child care center or child care ministry may be revoked if the division determines that the operator has failed to comply with an order of the department of homeland security. Provides that the operator of an unlicensed child care ministry shall maintain a copy of the most recent department of homeland security inspection findings in a conspicuous place in the unlicensed child care ministry. Provides that the department of child services is not required to consult with the fire prevention and building safety commission when adopting administrative rules pertaining to the licensing and inspection of child care institutions, foster family homes, group homes, and child placing agencies. Provides that administrative rules of the fire prevention and building safety commission must include minimum building and safety requirements applicable for child caring institutions. Provides that prior to being issued an initial license to operate a child caring institution or group home, the child caring institution or group home must be inspected and found to be in substantial compliance with applicable building and fire safety laws by the department of homeland security. Provides that a license or registration to operate a child caring institution or group home may be revoked if the department of child services determines that the operator has failed to comply with an order of the department of homeland security. Provides that in order for an individual to receive a license from the emergency medical services commission, the individual must obtain a national criminal history background check and authorize release of the results of the check to the department of homeland security. Eliminates the requirement for the institute to adopt administrative rules relating to the child restraint system account. Provides that inspections conducted by the department of homeland security shall be conducted periodically in lieu of established periods. Changes a reference, from the department of education to the office of school safety, relating to the duties of a school safety specialist. Repeals: (1) provisions relating to public safety improvement areas; (2) a provision requiring the board of trustees of the institute to adopt rules relating to the law enforcement assistance fund; (3) a provision that authorizes the state fire marshal to charge a child care ministry a \$50 fee for processing a registration; (4) a provision requiring the institute to review characteristics of offenders committed to the department of correction over such period of time it deems appropriate and of the offenses committed by those offenders in order to ascertain norms used by the trial courts in sentencing; (5) a provision requiring the bureau of motor vehicles and the institute to enter into a memorandum of understanding to administer the provisions relating to ignition interlock devices; and (6) a provision that requires the institute to adopt rules relating to ignition interlock devices.



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. 1202

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

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

1        SECTION 1. IC 5-2-6-3, AS AMENDED BY P.L.122-2025,  
2        SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3        JULY 1, 2026]: Sec. 3. The institute is established to do the following:  
4                (1) Evaluate state and local programs associated with:  
5                        (A) the prevention, detection, and solution of criminal  
6                            offenses;  
7                        (B) law enforcement; and  
8                        (C) the administration of criminal and juvenile justice.  
9                (2) Participate in statewide collaborative efforts to improve all  
10                    aspects of law enforcement, juvenile justice, and criminal justice  
11                    in this state.  
12                (3) Stimulate criminal and juvenile justice research.  
13                (4) Develop new methods for the prevention and reduction of  
14                    crime.  
15                (5) Prepare applications for funds under the Omnibus Act and the

2026

IN 1202—LS 6734/DI 116



1 Juvenile Justice Act.

2 (6) Administer victim and witness assistance funds.

3 (7) Administer the traffic safety functions assigned to the institute

4 under IC 9-27-2.

5 (8) Compile and analyze information and disseminate the

6 information to persons who make criminal justice decisions in this

7 state.

8 (9) Serve as the criminal justice statistical analysis center for this

9 state.

10 (10) Identify grants and other funds that can be used by the

11 department of correction to carry out its responsibilities

12 concerning sex or violent offender registration under IC 11-8-8.

13 (11) ~~Administer the application and approval process for~~

14 ~~designating an area of a consolidated or second class city as a~~

15 ~~public safety improvement area under IC 36-8-19.5.~~

16 (12) Administer funds for the support of any sexual offense

17 services.

18 (13) Administer funds for the support of domestic violence

19 programs.

20 (14) Administer funds to support assistance to victims of

21 human sexual trafficking offenses as provided in IC 35-42-3.5-4.

22 (15) Administer the domestic violence prevention and

23 treatment fund under IC 5-2-6.7.

24 (16) Administer the family violence and victim assistance

25 fund under IC 5-2-6.8.

26 (17) Monitor and evaluate the status of Indiana's criminal

27 justice system under IC 5-2-6-24.

28 (18) ~~Administer the ignition interlock inspection account~~

29 ~~established under IC 9-30-8-7.~~

30 (19) Identify any federal, state, or local grants that can be

31 used to assist in the funding and operation of regional holding

32 facilities under IC 11-12-6.5.

33 (20) Coordinate with state and local criminal justice agencies

34 for the collection and transfer of data from sheriffs concerning

35 jail:

36 (A) populations; and

37 (B) statistics;

38 for the purpose of providing jail data to the management

39 performance hub established by IC 4-3-26-8.

40 (21) Establish and administer the Indiana crime guns task

41 force fund under IC 36-8-25.5-8.

42 (22) Establish and administer:



- (A) the juvenile diversion and community alternatives grant program fund under IC 31-40-5; and
- (B) the juvenile behavioral health competitive grant program fund under IC 31-40-6.

SECTION 2. IC 5-2-13-10 IS REPEALED [EFFECTIVE JULY 1, 2026]. See: 10. The board of trustees of the criminal justice institute shall adopt rules under IC 4-22-2 to implement this chapter.

SECTION 3. IC 9-14-12-3, AS AMENDED BY P.L.141-2024, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) For each individual licensed by the bureau to operate a motor vehicle, the bureau shall create and maintain a driving record that contains the following:

(1) The individual's convictions for any of the following:

(A) A moving traffic violation.

(B) Operating a vehicle without financial responsibility in violation of IC 9-25.

(2) Any administrative penalty imposed by the bureau.

(3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.

(4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau or sent electronically if the individual has indicated a preference for receiving notices from the bureau electronically, and the date of the mailing or sending of the notice.

(5) Any requirement that the individual may operate only a motor vehicle equipped with a ~~certified~~ **registered** ignition interlock device.

A driving record may not contain voter registration information.

(b) For an Indiana resident who does not hold any type of valid driving license, the bureau shall maintain a driving record as provided in IC 9-24-18-9.

SECTION 4. IC 9-19-11-9, AS AMENDED BY P.L.23-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The child restraint system account is established within the state general fund to make grants under subsection (d).

(b) The account consists of the following:

(1) Funds collected as judgments for violations under this chapter.

(2) Appropriations to the account from the general assembly.

(3) Grants, gifts, and donations intended for deposit in the account.



(4) Interest that accrues from money in the account.

(c) The account shall be administered by the criminal justice institute.

(d) The criminal justice institute shall use money in the account to make grants to entities specified in IC 5-2-6-10 to:

- (1) purchase child restraint systems; and
- (2) distribute the child restraint systems:
  - (A) without charge; or
  - (B) for a minimal charge;

to persons who are not otherwise able to afford to purchase child restraint systems.

~~The criminal justice institute shall adopt rules under IC 4-22-2 to implement this section.~~

(e) Money in the account is appropriated continuously to the criminal justice institute for the purposes stated in subsection (a).

(f) The expenses of administering the account shall be paid from money in the account.

(g) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(h) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 5. IC 9-24-18-9, AS AMENDED BY P.L.141-2024, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license. The driving record shall be established for an unlicensed driver when the bureau receives an abstract of court conviction for the type of conviction that would appear on an official driver's record.

(b) If an unlicensed driver applies for and receives any type of driver's license in Indiana, the individual's driving record as an unlicensed driver shall be recorded on the permanent record file.

(c) The bureau shall also certify traffic violation convictions on the driving record of an unlicensed driver who subsequently receives an Indiana driver's license.

(d) A driving record established under this section must include the following:

- (1) The individual's convictions for any of the following:
  - (A) A moving traffic violation.
  - (B) Operating a vehicle without financial responsibility in violation of IC 9-25.



1 (2) Any administrative penalty imposed by the bureau.

2 (3) Any suspensions, revocations, or reinstatements of the

3 individual's driving privileges, license, or permit.

4 (4) If the driving privileges of the individual have been suspended

5 or revoked by the bureau, an entry in the record stating that a

6 notice of suspension or revocation was mailed to the individual by

7 the bureau or sent electronically if the individual has indicated a

8 preference for receiving notices from the bureau electronically,

9 and the date of the mailing or sending of the notice.

10 (5) Any requirement that the individual may operate only a motor

11 vehicle equipped with a ~~certified registered~~ ignition interlock

12 device.

A driving record may not contain voter registration information.

SECTION 6. IC 9-30-5-16, AS AMENDED BY P.L.188-2015, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) Except as provided in subsection (b), the court may, in granting specialized driving privileges under IC 9-30-16-3 or IC 9-30-16-4, also order that the specialized driving privileges include the requirement that a person may not operate a motor vehicle unless the vehicle is equipped with a functioning ~~certified~~ **registered** ignition interlock device under IC 9-30-8.

(b) A court may not order the installation of an ignition interlock device on a vehicle operated by an employee to whom any of the following apply:

- (1) Has been convicted of violating section 1 or 2 of this chapter.
- (2) Is employed as the operator of a vehicle owned, leased, or provided by the employee's employer.
- (3) Is subject to a labor agreement that prohibits an employee who is convicted of an alcohol related offense from operating the employer's vehicle.

(c) A person who knowingly or intentionally violates a court order issued under this section commits a Class A misdemeanor.

SECTION 7. IC 9-30-6-8, AS AMENDED BY P.L.111-2021, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in IC 9-30-16-1(g), whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward, in a form and manner prescribed by the bureau:

- (1) a paper copy of the affidavit, or an electronic substitute; or
- (2) a bureau certificate as described in section 16 of this chapter;



1 to the bureau at the conclusion of the initial hearing under subsection  
2 (c).

3 (b) The probable cause affidavit required under section 7(b)(2) of  
4 this chapter must do the following:

5 (1) Set forth the grounds for the arresting officer's belief that there  
6 was probable cause that the arrested person was operating a  
7 vehicle in violation of IC 9-30-5 or a motorboat in violation of  
8 IC 35-46-9 or IC 14-15-8 (before its repeal).

9 (2) State that the person was arrested for a violation of IC 9-30-5  
10 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8  
11 (before its repeal).

12 (3) State whether the person:

13 (A) refused to submit to a chemical test when offered; or

14 (B) submitted to a chemical test that resulted in prima facie  
15 evidence that the person was intoxicated.

16 (4) Be sworn to by the arresting officer.

17 (c) Except as provided in subsection (d), if it is determined under  
18 subsection (a) that there was probable cause to believe that a person  
19 has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at  
20 the initial hearing of the matter held under IC 35-33-7-1 the court shall  
21 recommend immediate suspension of the person's driving privileges to  
22 take effect on the date the order is entered, and forward to the bureau  
23 a copy of the order recommending immediate suspension of driving  
24 privileges.

25 (d) If it is determined under subsection (a) that there is probable  
26 cause to believe that a person violated IC 9-30-5, the court may, as an  
27 alternative to any suspension of the person's driving privileges under  
28 subsection (c), issue an order recommending that the person be  
29 prohibited from operating a motor vehicle unless the motor vehicle is  
30 equipped with a functioning **certified registered** ignition interlock  
31 device under IC 9-30-8. This subsection applies even if the probable  
32 cause affidavit in subsection (b) states that the person:

33 (1) refused to submit to a chemical test; or

34 (2) submitted to a chemical test that resulted in prima facie  
35 evidence that the person was intoxicated.

36 The order remains in effect until the bureau is notified by a court that  
37 the criminal charges against the person have been resolved. When the  
38 court issues an order under this subsection, no administrative  
39 suspension is imposed by the bureau and no suspension is noted on the  
40 person's driving record.

41 (e) A person commits a Class B infraction if the person:

42 (1) operates a motor vehicle without a functioning **certified**



1                   **registered** ignition interlock device; and  
2                   (2) is prohibited from operating a motor vehicle unless the motor  
3                   vehicle is equipped with a functioning ~~certified~~ **registered**  
4                   ignition interlock device under subsection (d).

5                   (f) A person commits a Class B misdemeanor if the person:  
6                   (1) operates a motor vehicle without a functioning ~~certified~~  
7                   **registered** ignition interlock device; and  
8                   (2) knows the person is prohibited from operating a motor vehicle  
9                   unless the motor vehicle is equipped with a functioning ~~certified~~  
10                  **registered** ignition interlock device under subsection (d).

11                  SECTION 8. IC 9-30-6-8.5, AS AMENDED BY P.L.141-2024,  
12                  SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13                  JULY 1, 2026]: Sec. 8.5. If the bureau receives an order recommending  
14                  use of an ignition interlock device under section 8(d) of this chapter,  
15                  the bureau shall immediately do the following:

16                  (1) Mail notice to the person's address contained in the records of  
17                  the bureau, or send notice electronically if the person has  
18                  indicated a preference for receiving notices from the bureau  
19                  electronically, stating that the person may not operate a motor  
20                  vehicle unless the motor vehicle is equipped with a functioning  
21                  **certified registered** ignition interlock device under IC 9-30-8 **and**  
22                  **IC 9-30-8.1** commencing:

23                  (A) five (5) days after the date of the notice; or  
24                  (B) on the date the court enters an order recommending use of  
25                  an ignition interlock device;  
26                  whichever occurs first.

27                  (2) Notify the person of the right to a judicial review under  
28                  section 10 of this chapter.

29                  SECTION 9. IC 9-30-8-1, AS AMENDED BY P.L.188-2015,  
30                  SECTION 112, IS AMENDED TO READ AS FOLLOWS  
31                  [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** If a court orders the  
32                  installation of a **certified registered** ignition interlock device on a  
33                  motor vehicle that a person whose license is restricted owns or expects  
34                  to operate, the court shall set the time that the installation must remain  
35                  in effect. However, the term may not exceed the maximum term of  
36                  imprisonment the court could have imposed. The person shall pay the  
37                  cost of installation unless the sentencing court determines that the  
38                  person is indigent.

39                  **(b) An ignition interlock device ordered installed under this**  
40                  **section must be registered with the Indiana state department of**  
41                  **toxicology and installed in accordance with the manufacturer's**  
42                  **instructions.**



1        SECTION 10. IC 9-30-8-3, AS AMENDED BY P.L.23-2020,  
2        SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3        JULY 1, 2026]: Sec. 3. (a) **Registered ignition interlock devices must**  
4        **comply with standards and specifications described in**  
5        **IC 9-30-8.1-2.** The director of the state department of toxicology shall  
6        adopt rules under IC 4-22-2 to establish standards and specifications  
7        for a certified ignition interlock device. The standards and  
8        specifications must require at a minimum that the device meets the  
9        following requirements:

10        (1) Is accurate;  
11        (2) Does not impede the safe operation of a vehicle;  
12        (3) Provides a minimum opportunity to be bypassed;  
13        (4) Shows evidence of tampering if tampering is attempted;  
14        (5) Has a label affixed warning a person that tampering with or  
15        misusing the device is a crime and may subject that person to  
16        criminal and civil penalties;  
17        (6) Provides the ability to accurately identify the user.

18        (b) After July 1, 2015, all ignition interlock devices used in Indiana  
19        must be certified under rules adopted by the state department of  
20        toxicology.

21        (c) (b) A vendor or provider ~~may~~ shall submit an application for  
22        approval ~~a registration~~ of an ignition interlock device in a form  
23        prescribed by the director of the state department of toxicology. ~~The~~  
24        vendor or provider must provide a written attestation under  
25        IC 9-30-8.1-3 that the ignition interlock device complies with the  
26        standards and specifications described in IC 9-30-8.1-2.

27        (d) If testing is required to determine whether an ignition interlock  
28        device complies with standards set forth by the state department of  
29        toxicology, the testing must be performed by an independent laboratory  
30        designated by the state department of toxicology. The vendor shall pay  
31        any testing expenses under this section.

32        (e) If the director of the state department of toxicology finds that the  
33        ignition interlock device complies with the standards of the state  
34        department of toxicology, the director may approve the ignition  
35        interlock device as a certified ignition interlock device.

36        (f) The director of the state department of toxicology shall provide  
37        periodic reports to the criminal justice institute; including, but not  
38        limited to:

39        (1) the number of ignition interlock devices certified by the state  
40        department of toxicology;  
41        (2) the number of ignition interlock devices currently installed in  
42        Indiana; and



(3) the number of ignition interlock devices rejected by the state department of toxicology.

(g) The state department of toxicology shall consider all recommendations made by the criminal justice institute.

(h) (c) The criminal justice institute shall: **may**

(f) evaluate reports submitted by the state department of toxicology;

(2) evaluate and study ignition interlock issues. and

(3) make recommendations to the state department of toxicology.

SECTION 11. IC 9-30-8-6, AS ADDED BY P.L.217-2014, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A vendor or provider whose ignition interlock device is **certified registered** under section 3 of this chapter shall provide a report to the court that ordered the device or the court's designee within two (2) weeks if any of the following occur:

(1) Any attempt to start the vehicle with a breath alcohol concentration of four hundredths (.04) grams or higher if the person does not register a test result indicating a breath alcohol concentration of four hundredths (.04) grams or lower within ten (10) minutes of the initial test.

(2) Absent a documented failure of the ignition interlock device, failure to take or pass any required test.

(3) Failure of the person ordered to use an ignition interlock device to appear at the ignition interlock vendor or provider for maintenance, repair, calibration, monitoring, inspection, or replacement of the ignition interlock device.

(4) Any violations of restrictions imposed by the court.

(b) Any person who is required to have an ignition interlock device installed as part of probation, a specialized driving permit, or any other order of a court is required to pay for the installation, leasing, maintenance, and removal of the ignition interlock device, as well as any additional expenses ordered by the court or the court's designee.

(c) An ignition interlock vendor or provider shall provide any reports or data requested by the state department of toxicology.

SECTION 12. IC 9-30-8-7 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 7. (a) This section applies after June 30, 2017. (b) The Indiana criminal justice institute shall adopt rules under

-22-2 concerning the following:

(+) Establishing standards for service centers and inspections.

## (2) Establishing

technicians.



(4) Requirements for removing an ignition interlock device.

(5) Fees with respect to service centers and ignition interlock devices that do not exceed the cost of the program. Fees described in this subdivision shall be paid by the service center, by the vendor or provider of an ignition interlock device and used to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers or ignition interlock devices. Funds collected under this subdivision shall be deposited in the ignition interlock inspection account established under subsection (c).

(6) Review of denial, suspension, or revocation of certification of service centers and ignition interlock device installers and technicians.

(7) Hearing procedures for service centers or installers of ignition interlock devices.

(8) Appeal procedures for service centers or installers of ignition interlock devices.

(c) The ignition interlock inspection account is established within the state general fund to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices. The account shall be administered by the Indiana criminal justice institute. The following provisions apply to the account:

(1) The account consists of:

(A) fees paid by the vendor or provider of an ignition interlock device;

(B) fees paid by the service center; and

(C) appropriations made by the general assembly.

(2) Money in the account may be spent to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices.

(3) The Indiana criminal justice institute shall annually prepare a plan for the expenditure of money in the account.

(4) The expenses of administering the account shall be paid from money in the account.

(5) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(6) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 13. IC 9-30-8-8 IS REPEALED [EFFECTIVE JULY 1,



1       2026]. See: 8: The bureau and the Indiana criminal justice institute  
2       shall enter into a memorandum of understanding to administer this  
3       chapter and IC 9-30-6-8(d).

4       SECTION 14. IC 9-30-8.1 IS ADDED TO THE INDIANA CODE  
5       AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
6       JULY 1, 2026]:

7       **Chapter 8.1. Registration of Ignition Interlock Devices**

8       **Sec. 1. The following definitions apply throughout this chapter:**

9           (1) "Fail point" means an alcohol concentration of at least  
10          two-hundredths (0.02) gram per one hundred (100) milliliters  
11          of blood or two hundred ten (210) liters of breath or a higher  
12          alcohol concentration prescribed by the originating court.

13           (2) "Lockout" means a period of time when the ignition  
14          interlock device does not allow a breath sample to be analyzed  
15          or a vehicle's engine to be started.

16           (3) "Material modification" means an addition or reduction  
17          in features, software version change, configuration profile  
18          change, or alteration in the components, design, or installation  
19          or operating instructions of a registered ignition interlock  
20          device model.

21           (4) "Random retest" means a breath test required at  
22          randomly variable intervals from the operator of a vehicle  
23          equipped with an ignition interlock device to ensure that the  
24          operator's alcohol concentration remains below the fail point  
25          after vehicle start up.

26           (5) "Restricted operator" means a person whose driving  
27          privileges are restricted to operating only motor vehicles  
28          equipped with a functioning registered ignition interlock  
29          device.

30           (6) "Service" means to calibrate, maintain, download data  
31          from, inspect for evidence of tampering or circumvention, and  
32          report information to the appropriate authorities.

33           (7) "Vendor" means a producer, provider, distributor, or  
34          supplier of an ignition interlock device.

35           (8) "Violation reset" means activation of a requirement for  
36          service of an ignition interlock device.

37       **Sec. 2. In order to be registered, an ignition interlock device**  
38       **model must meet or exceed the following standards and**  
39       **specifications:**

40           **(1) The Model Specifications for Breath Alcohol Ignition**  
41           **Interlock Devices in section III, beginning on page 26862,**  
42           **published by the National Highway Traffic Safety**



**Administration in the Federal Register, Volume 78, Number 089, on May 8, 2013, on pages 26849-26867, including:**

- (A) the General Provisions and Features of Breath Alcohol Ignition Interlock Devices; and
- (B) the Performance Requirements in the Conformance Tests 1 through 16 when performed under the General Test Conditions.

(2) Require the operator of a vehicle equipped with the ignition interlock device to submit to a random retest within a variable interval ranging from three (3) to fifteen (15) minutes of starting the vehicle, with random retests continuing at variable intervals ranging from fifteen (15) to forty-five (45) minutes after the previous retest for the duration of the travel.

(3) Have the capability to activate a violation reset with notification to the vehicle operator when any one (1) of the following occurs:

(A) There is a circumvention of the correct operation of the ignition interlock device by the vehicle being started without a breath test below the fail point having first been provided.

(B) A breath test result at or above the fail point is recorded during a vehicle start-up attempt.

**(C) A breath test result at or above the fail point is recorded during a vehicle start-up attempt, and a breath test result below the fail point is not recorded within ten (10) minutes after the initial breath test result at or above the fail point was recorded.**

(D) A random retest result at or above the fail point is recorded.

**(E) The vehicle operator fails to provide a breath sample below the fail point within six (6) minutes of notification of a required random retest.**

(F) The ignition interlock device control head is disconnected after the vehicle is started.

(G) The ignition interlock device is not serviced by the vendor or provider within thirty-seven (37) days of installation or the previous service date.

(4) Have the capability to repeatedly sound the horn of a vehicle equipped with the ignition interlock device until the vehicle is turned off when any one (1) of the following occurs:

**(A) A violation reset occurs from a missed random retest.**



(B) The result of a random retest is at or above the fail point.

**(C) There is a disconnection of the ignition interlock device control head for longer than one (1) minute after vehicle start-up.**

**(5) Activate a lockout after a violation reset if the ignition interlock device is not serviced by the vendor or provider within five (5) days of initiation of the violation reset.**

**(6) Contain an image identification device that:**

**(A) does not distract or impede the vehicle operator from safe and legal operation of the vehicle;**

**(B) produces a digital or photographic image of the vehicle operator:**

- (i) upon delivery of a sample required for vehicle start-up; and
- (ii) upon delivery of a sample during a required random retest;

in various lighting conditions, including, but not limited to, brightness, darkness, and low light conditions;

(C) documents the date and time of a digital or photographic image produced; and

(D) stores the digital or photographic images and data produced in the device memory for download by the vendor or provider.

**(7) Have a label affixed warning a person that tampering with or misusing the device is a crime and may subject that person to criminal and civil penalties.**

**Sec. 3. The registration form required in IC 9-30-8-3 shall include:**

(1) the vendor or provider's name, address, telephone number, and electronic mail address;

**(2) the name, telephone number, and electronic mail address of a contact person authorized to represent the vendor or provider:**

(3) the name and number of the ignition interlock device model for which registration is sought;

(4) a list of other states in which the same ignition interlock device model has been approved for use;

(5) a precise set of specifications describing the features of the ignition interlock device model;

(6) the operator's manual, user's guide, or instructions provided to restricted operators using the ignition interlock device model;

provided to restricted operators using the ignition interlock



1                   device model;

2                   (7) a written attestation that the ignition interlock device  
3                   meets the registration standards and specifications described  
4                   in section 2 of this chapter; and

5                   (8) an agreement to provide, upon the request by the state  
6                   department of toxicology, a report from an independent  
7                   accredited laboratory showing that the device meets the  
8                   required standards and specifications, and a copy of the  
9                   accreditation of each laboratory.

10                  Sec. 4. (a) Upon receipt of the information described in section  
11                  3 of this chapter, the ignition interlock device shall be deemed  
12                  registered for a period of three years unless it is surrendered,  
13                  suspended, or revoked prior to expiration.

14                  (b) To renew a registration of an ignition interlock device  
15                  model, the vendor or provider must submit the information  
16                  required under section 3 of this chapter to the state department of  
17                  toxicology.

18                  Sec. 5. During the registration period of a registered ignition  
19                  interlock device model, the vendor or provider of the device must  
20                  provide written notice to the state department of toxicology of a  
21                  material modification of the registered ignition interlock device  
22                  model prior to implementation of the material modification in  
23                  Indiana and submit a written attestation described in section 3(7)  
24                  of this chapter.

25                  Sec. 6. (a) The registration of an ignition interlock device model  
26                  may be reviewed by the state department of toxicology during the  
27                  course of the registration period.

28                  (b) The director of the state department of toxicology may deny  
29                  a registration or renewal of a registration of an ignition interlock  
30                  device model and may suspend or revoke a registration of an  
31                  ignition interlock device model upon receiving evidence that the  
32                  ignition interlock device model does not comply with a requirement  
33                  of this chapter.

34                  (c) An order denying a registration of an ignition interlock  
35                  device model under this section shall be issued by the director of  
36                  the state department of toxicology following the requirements of  
37                  IC 4-21.5-3-5.

38                  (d) If a petition for review of an order issued under subsection  
39                  (c) is subsequently granted under IC 4-21.5-3-7, the resulting  
40                  administrative proceeding shall be conducted by the state  
41                  department of toxicology.

42                  (e) An order suspending or revoking a registration of an ignition



1       **interlock device model shall be issued by the director of the state**  
 2       **department of toxicology in accordance with IC 4-21.5-3-6.**

3       SECTION 15. IC 9-30-9-5 IS AMENDED TO READ AS  
 4       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) If the court enters  
 5       an order conditionally deferring charges under section 3 of this chapter,  
 6       the court may do the following:

7           (1) Suspend the person's driving privileges for at least two (2)  
 8           years but not more than four (4) years.

9           (2) Impose other appropriate conditions, including the payment of  
 10          fees imposed under section 8 of this chapter.

11          (b) Notwithstanding IC 9-30-6-9, the defendant may be granted  
 12          probationary driving privileges only after the defendant's license has  
 13          been suspended for at least one (1) year.

14          (c) The court may, as an alternative to a license suspension under  
 15          subsection (a)(1), issue an order prohibiting the defendant from  
 16          operating a motor vehicle unless the motor vehicle is equipped with a  
 17          functioning **certified registered** ignition interlock device under  
 18          IC 9-30-8 **and IC 9-30-8.1**. An order requiring an ignition interlock  
 19          device must remain in effect for at least two (2) years but not more than  
 20          four (4) years.

21       SECTION 16. IC 9-30-9-7 IS AMENDED TO READ AS  
 22       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) If the court refers  
 23       a defendant to the program under section 6 of this chapter, the court  
 24       may do the following:

25           (1) Suspend the defendant's driving privileges for at least ninety  
 26           (90) days but not more than four (4) years.

27           (2) Impose other appropriate conditions.

28           (b) The defendant may be granted probationary driving privileges  
 29          only after the defendant's license has been suspended for at least thirty  
 30          (30) days under IC 9-30-6-9.

31          (c) The court may, as an alternative to a license suspension under  
 32          subsection (a)(1), issue an order prohibiting the defendant from  
 33          operating a motor vehicle unless the motor vehicle is equipped with a  
 34          functioning **certified registered** ignition interlock device under  
 35          IC 9-30-8 **and IC 9-30-8.1**. An order requiring an ignition interlock  
 36          device must remain in effect for at least two (2) years but not more than  
 37          four (4) years.

38       SECTION 17. IC 9-30-9-7.5, AS AMENDED BY P.L.2-2005,  
 39       SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40       JULY 1, 2026]: Sec. 7.5. (a) A person commits a Class B infraction if  
 41       the person:

42           (1) operates a motor vehicle without a functioning **certified**



1                   **registered** ignition interlock device; and  
 2                   (2) is prohibited from operating a motor vehicle unless the motor  
 3                   vehicle is equipped with a functioning ~~certified~~ **registered**  
 4                   ignition interlock device under section 5(c) or 7(c) of this chapter.  
 5                   (b) A person commits a Class B misdemeanor if the person:  
 6                   (1) operates a motor vehicle without a functioning ~~certified~~  
 7                   **registered** ignition interlock device; and  
 8                   (2) knows the person is prohibited from operating a motor vehicle  
 9                   unless the motor vehicle is equipped with a functioning ~~certified~~  
 10                  **registered** ignition interlock device under section 5(c) or 7(c) of  
 11                  this chapter.

12                  SECTION 18. IC 10-21-1-9, AS ADDED BY P.L.150-2023,  
 13                  SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14                  JULY 1, 2026]: Sec. 9. (a) Each school corporation shall designate at  
 15                  least one (1) individual who is not a school resource officer as  
 16                  described in IC 20-26-18.2-2 to serve as the school safety specialist for  
 17                  the school corporation.

18                  (b) Each charter school shall designate at least one (1) individual  
 19                  who is not a school resource officer as described in IC 20-26-18.2-2 to  
 20                  serve as the school safety specialist for the charter school. A charter  
 21                  school in operation on July 1, 2023, shall comply with this subsection  
 22                  on or before July 1, 2024.

23                  (c) All school safety specialists shall be chosen by the  
 24                  superintendent of the school corporation or leadership of the charter  
 25                  school with the approval of the governing body or organizer.

26                  (d) A school safety specialist shall perform the following duties:  
 27                   (1) Serve on the county school safety commission with  
 28                   jurisdiction over the school corporation if that individual school  
 29                   safety specialist is chosen by the superintendent of the school  
 30                   corporation with the approval of the governing body. Except as  
 31                   provided in section 12 of this chapter, the school safety specialists  
 32                   of charter schools do not serve on a county school safety  
 33                   commission.  
 34                   (2) Participate each year in a number of days of school safety  
 35                   training that the ~~department of education~~ **office of school safety**  
 36                   determines necessary under section 13 of this chapter.  
 37                   (3) With the assistance of the county school safety commission  
 38                   with jurisdiction over the school corporation or charter school,  
 39                   develop, implement, and improve a school safety plan for each  
 40                   school building in the school corporation or charter school.  
 41                   (4) Coordinate the school safety plans of each school building in  
 42                   the school corporation or charter school as required under this



1 chapter and under rules adopted by the Indiana state board of  
 2 education.

3 (5) Act as a resource for the school corporation's or charter  
 4 school's safe school committees and other individuals in the  
 5 school corporation or charter school on issues related to school  
 6 discipline, safety, and security.

7 (6) Serve as a liaison for the school corporation or charter school  
 8 regarding school safety matters with the board, the department of  
 9 homeland security, the department of education, the Indiana  
 10 criminal justice institute, and other state agencies, as applicable.

11 SECTION 19. IC 11-11-6-2, AS AMENDED BY P.L.56-2023,  
 12 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2026]: Sec. 2. (a) The facilities of the department must  
 14 comply with federal and state health, sanitation, safety, and fire laws  
 15 applicable to dwellings, food establishments, eating facilities, and  
 16 public buildings.

17 (b) Each department facility shall be inspected: ~~at least annually by:~~

18 (1) **at least annually by** the Indiana department of health if the  
 19 facility is not accredited by a nationally recognized accrediting  
 20 organization; and

21 (2) **by the state fire marshal department of homeland security  
 22 in accordance with IC 22-14-2-11;**

23 who shall, within fifteen (15) days of the inspection, file a written  
 24 report with the commissioner listing all unsafe, unsanitary, or  
 25 unhealthy conditions within a facility that constitute a menace to the  
 26 health, safety, and welfare of committed persons or department  
 27 employees. In determining whether conditions are unsafe, unsanitary,  
 28 or unhealthy, the Indiana department of health and the **state fire  
 29 marshal department of homeland security** shall consider the degree  
 30 of overcrowding, the light, air, and space available to offenders within  
 31 a facility, the size and arrangement of rooms and cells, the sanitary  
 32 facilities, and the extent to which conditions in a facility endanger life  
 33 or property.

34 (c) The commissioner shall correct all unsafe, unsanitary, or  
 35 unhealthy conditions reported by the Indiana department of health or  
 36 the **state fire marshal department of homeland security** with  
 37 reasonable promptness. Failure by the department to initiate and  
 38 continue action to correct unsafe, unsanitary, or unhealthy conditions  
 39 within thirty (30) days of receiving a report of those conditions from  
 40 the Indiana department of health or the **state fire marshal department  
 41 of homeland security** constitutes noncompliance with this subsection.  
 42 Upon such noncompliance, the commissioner shall submit to the



1 reporting agency and the governor a written statement explaining:  
 2 (1) why the reported condition or conditions have not been  
 3 remedied;  
 4 (2) what the estimated cost of remedying the reported condition  
 5 or conditions would be in terms of construction, renovation,  
 6 manpower, space, and equipment;  
 7 (3) whether the reported condition or conditions can be corrected  
 8 by using facilities of other governmental entities;  
 9 (4) whether additional state financing is required and, if so, the  
 10 estimated amount needed; and  
 11 (5) the probable consequences of not remedying each reported  
 12 unsafe, unsanitary, or unhealthy condition.

13 (d) Notwithstanding other provisions of this section, the Indiana  
 14 department of health and state fire marshal **department of homeland**  
 15 **security** retain authority to correct unhealthy, unsanitary, or unsafe  
 16 conditions within a facility as provided by law.

17 SECTION 20. IC 12-17.2-4-2, AS AMENDED BY P.L.26-2025,  
 18 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2026]: Sec. 2. (a) A license may be issued only if a child care  
 20 center is in compliance with food, health, safety, and sanitation  
 21 standards as determined by the division under rules adopted by the  
 22 division under IC 12-17.2-2-4 or in accordance with a variance or  
 23 waiver approved by the division under IC 12-17.2-2-10.

24 (b) A license may be issued only if the child care center is in  
 25 substantial compliance with the fire and life safety rules as determined  
 26 by the state fire marshal under rules adopted by the division under  
 27 IC 12-17.2-2-4 or in accordance with a variance or waiver approved by  
 28 the division under IC 12-17.2-2-10.

29 (c) The division may issue a waiver or variance regarding a  
 30 determination by the division or the state fire marshal under  
 31 subsections (a) and (b).

32 (b) Prior to the division issuing an initial license to an applicant,  
 33 the child care center must be inspected and found to be in  
 34 substantial compliance with applicable building and fire safety  
 35 laws by the department of homeland security.

36 (c) Upon receipt of the initial application for a license:

37 (1) the division shall notify the department of homeland  
 38 security of the application; and  
 39 (2) the department of homeland security shall inspect the  
 40 child care center.

41 (d) At least one (1) adult individual who maintains current  
 42 certification in a course of pediatric cardiopulmonary resuscitation



1 applicable to all age groups of children cared for by the child care  
 2 center shall be present at all times when a child is in the care of a child  
 3 care center. Certifications accepted under this subsection must include  
 4 a live return demonstration of skills.

5 (e) An individual who is employed or volunteers as a caregiver at a  
 6 child care center:

- 7       (1) must, not more than ninety (90) days after the individual  
       8 begins employment or volunteer duties, be trained in pediatric  
       9 cardiopulmonary resuscitation applicable to all age groups of  
      10 children cared for by the child care center; and
- 11       (2) shall maintain current certification in pediatric first aid  
      12 applicable to all age groups of children cared for by the child care  
      13 center.

14 SECTION 21. IC 12-17.2-4-14 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The division  
 16 may grant a probationary license to a licensee who is temporarily  
 17 unable to comply with a rule if:

- 18       (1) the noncompliance does not present an immediate threat to the  
      19 health and well-being of the children;
- 20       (2) the licensee files a plan with the division ~~or the state fire~~  
      21 ~~marshal~~ to correct the areas of noncompliance within the  
      22 probationary period; and
- 23       (3) the division ~~or state fire marshal~~ approves the plan.

24 (b) A probationary license is valid for not more than six (6) months.  
 25 The division may extend a probationary license for one (1) additional  
 26 period of six (6) months.

27 (c) An existing license is invalidated when a probationary license is  
 28 issued.

29 (d) At the expiration of the probationary license, the division shall  
 30 reinstate the original license to the end of the original term of the  
 31 license, issue a new license, or revoke the license.

32 (e) Upon receipt of a probationary license, the licensee shall return  
 33 to the division the previously issued license.

34 (f) The division shall:

- 35       (1) upon issuing a probationary license under this section, provide  
      36 written notice to the licensee that the division will provide the  
      37 notice required under subdivision (2); and
- 38       (2) not more than seven (7) days after issuing a probationary  
      39 license under this section, publish notice under IC 5-3-1 and  
      40 provide written notice to the parent or guardian of each child  
      41 enrolled in the child care center of the:

42       (A) issuance of the probationary license; and



(B) reason for the issuance of the probationary license.

SECTION 22. IC 12-17.2-4-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. **(a)** The division and the state fire marshal shall do the following:

(1) Make annual onsite inspections.

(2) Keep written records of their the monitoring activities and inspections.

(b) The department of homeland security shall perform inspections of child care centers in accordance with IC 22-14-2-11.

SECTION 23. IC 12-17.2-4-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. The licensee shall cooperate with the division and the state fire marshal in carrying out these activities, including permitting the division and the state fire marshal **department of homeland security** to conduct announced or unannounced inspections.

SECTION 24. IC 12-17.2-4-32, AS AMENDED BY P.L.121-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) The following constitute sufficient grounds for revocation of a license:

(1) A determination by the department of child services of child abuse or neglect (as defined in IC 31-9-2-14) by:

(A) the licensee;

(B) an employee of the licensee who may be present on the premises of the child care center during operating hours of the child care center; or

(C) a volunteer of the licensee who may be present on the premises of the child care center during operating hours of the child care center.

(2) A criminal conviction of the licensee, or an employee or volunteer of the licensee who may be present on the premises of the child care center during operating hours of the child care center, of any of the following:

(A) A felony.

(i) related to the health or safety of a child;

(i) related to the health or safety of a child;

(ii) that is a sex offense (as defined in JC 11-8-8-5.2);

(ii) that is a sex offence (as defined in section 12 of the Sex Offences Act 2003); or

(iv) that is not a felony otherwise described in items (i) through (iii), and less than ten (10) years have elapsed from the date the person was discharged from probation, imprisonment, or parole, whichever discharge date is latest.

(B) A misdemeanor related to the health or safety of a child.

(C) A misdemeanor for operating a child care center without



1 a license under section 35 of this chapter, or a substantially  
 2 similar offense in another jurisdiction if the offense is directly  
 3 or indirectly related to jeopardizing the health or safety of a  
 4 child.

5 (D) A misdemeanor for operating a child care home without a  
 6 license under IC 12-17.2-5-35, or a substantially similar  
 7 offense in another jurisdiction if the offense is directly or  
 8 indirectly related to jeopardizing the health or safety of a child.

9 (3) A determination by the division that the licensee made false  
 10 statements in the licensee's application for licensure.

11 (4) A determination by the division that the licensee made false  
 12 statements in the records required by the division.

13 (5) A determination by the division that the licensee previously  
 14 operated a:

15 (A) child care center without a license under this chapter; or  
 16 (B) child care home without a license under IC 12-17.2-5.

17 **(6) A determination by the division that the operator of the  
 18 child care center has failed to comply with an order of the  
 19 department of homeland security.**

20 (b) Notwithstanding subsection (a)(2), if:

21 (1) a license is revoked due to a criminal conviction of an  
 22 employee or a volunteer of the licensee; and

23 (2) the division determines that the employee or volunteer has  
 24 been dismissed by the licensee;

25 the criminal conviction of the former employee or former volunteer  
 26 does not require revocation of a license.

27 SECTION 25. IC 12-17.2-6-2, AS AMENDED BY P.L.187-2021,  
 28 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2026]: Sec. 2. (a) An unlicensed child care ministry under  
 30 section 1 of this chapter may not operate unless the child care ministry:

31 (1) has registered with and met the requirements of the division;  
 32 and ~~the department of homeland security~~.

33 (2) **for an initial registration only, has been inspected and  
 34 found to be in substantial compliance with applicable building  
 35 and fire safety laws by the department of homeland security.**

36 Registration application forms shall be provided by the division. ~~and  
 37 the department of homeland security~~.

38 (b) A registration application under this section must include a  
 39 current and valid electronic mail address for the applicant.

40 (c) Registration under this section expires two (2) years after the  
 41 date of issuance unless revoked, modified to a probationary or  
 42 suspended status, or voluntarily returned.



1                   **(d) Upon receipt of an initial registration:**2                   **(1) the division shall notify the department of homeland**  
3                   **security of the filing; and**4                   **(2) the department of homeland security shall inspect the**  
5                   **unlicensed child care ministry.**6                   SECTION 26. IC 12-17.2-6-5, AS AMENDED BY P.L.187-2021,  
7                   SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8                   JULY 1, 2026]: Sec. 5. (a) As used in this section, "primary use of the  
9                   building" means the occupancy classification that is:10                  (1) most closely related to the intended use of the building; and  
11                  (2) determined by the rules of the fire prevention and building  
12                  safety commission in effect at the time that the child care ministry  
13                  is first registered.14                  (b) The state fire marshal **department of homeland security** shall  
15                  inspect a child care ministry registered under section 2 of this chapter  
16                  to ensure that the child care ministry complies with the requirements  
17                  of subsection (c).18                  (c) Except as provided in the following, a registered child care  
19                  ministry shall comply with all rules of the fire prevention and building  
20                  safety commission applicable to the primary use of the building:21                  (1) A registered child care ministry with an occupant load of at  
22                  least fifty (50) shall do either of the following:23                   (A) Install and maintain a fire alarm system in compliance  
24                  with the rules of the fire prevention and building safety  
25                  commission.26                   (B) Provide a notice on a form prescribed by the department  
27                  of homeland security to the parents of each child who attends  
28                  the ministry stating that the ministry does not have the same  
29                  level of fire safety protection as a licensed child care center.30                  (2) Each registered child care ministry with an occupant load of  
31                  less than fifty (50) shall do either of the following:32                   (A) Install and maintain in good operating condition at least  
33                  one (1) battery operated smoke detector in each room and  
34                  corridor used by the ministry.35                   (B) Provide a notice on a form prescribed by the department  
36                  of homeland security to the parents of each child who attends  
37                  the ministry stating that the ministry does not have the same  
38                  level of fire safety protection as a licensed child care center.39                  (3) Each registered child care ministry shall comply with the rules  
40                  of the fire prevention and building safety commission concerning  
41                  fire drills.

42                  For purposes of this subsection, occupant load is determined by



1 dividing the total square footage of the area used by the child care  
2 ministry by thirty-five (35) and rounding any result that is not a whole  
3 number up to the next whole number.

4 (d) The state fire marshal department of homeland security shall  
5 make an inspection perform inspections of a child care ministry  
6 registered under section 2 of this chapter at least annually. in  
7 accordance with IC 22-14-2-11.

11 SECTION 27. IC 12-17.2-6-6, AS AMENDED BY P.L.187-2021,  
12 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2026]: Sec. 6. **(a)** Upon the completion of the inspections  
14 required under this chapter, a notice signed by the ~~inspectors~~ **inspector**  
15 from the division ~~and the department of homeland security~~ shall be in  
16 issued to the operator of each child care ministry found to be in  
17 compliance. The notice shall be placed in a conspicuous place in the  
18 child care ministry, and must be in substantially the following form:

19 "THIS UNLICENSED REGISTERED CHILD CARE MINISTRY  
20 has been inspected and complies with state rules concerning  
21 health and sanitation in child care ministries.

22 DATE \_\_\_\_\_  
23 SIGNATURE \_\_\_\_\_

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## DIVISION OF FAMILY RESOURCES

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24 DIVISION OF FAMILY RESOURCES  
25 THIS UNLICENSED REGISTERED CHILD CARE MINISTRY  
26 has been inspected and complies with state law concerning fire  
27 safety and life safety.

28 **DATE** \_\_\_\_\_  
29 **SIGNATURE** \_\_\_\_\_

30 DEPARTMENT OF HOMELAND SECURITY".  
31 (b) Upon completion of an inspection by the department of  
32 homeland security, a copy of the inspection findings shall be issued  
33 to the unlicensed child care ministry. The operator of the  
34 unlicensed child care ministry shall maintain a copy of the most  
35 recent inspection findings in a conspicuous place in the unlicensed  
36 child care ministry.

37 SECTION 28. IC 12-17.2-6-13 IS REPEALED [EFFECTIVE JULY  
38 1, 2026]. Sec. 13. (a) The state fire marshal shall charge a child care  
39 ministry a fifty dollar (\$50) fee for processing a registration under  
40 section 2 of this chapter.



1       **IC 22-12-6-1.**

2       SECTION 29. IC 12-17.2-6-19, AS AMENDED BY P.L.121-2020,  
 3       SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4       JULY 1, 2026]: Sec. 19. (a) The following constitute sufficient grounds  
 5       for revocation of a registration under this chapter:

6       (1) A determination by the department of child services of child  
 7       abuse or neglect (as defined in IC 31-9-2-14) by:

8           (A) the operator of the child care ministry;

9           (B) an employee of the child care ministry who may be present  
 10          on the premises of the child care ministry during operating  
 11          hours of the child care ministry; or

12          (C) a volunteer of the child care ministry who may be present  
 13          on the premises of the child care ministry during operating  
 14          hours of the child care ministry.

15       (2) A criminal conviction of the operator of the child care  
 16          ministry, or an employee or volunteer of the child care ministry  
 17          who may be present on the premises of the child care ministry  
 18          during operating hours of the child care ministry, of any of the  
 19          following:

20           (A) A felony:

21              (i) related to the health or safety of a child;

22              (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

23              (iii) that is a dangerous felony; or

24              (iv) that is not a felony otherwise described in items (i)  
 25              through (iii), and less than ten (10) years have elapsed from  
 26              the date the person was discharged from probation,  
 27              imprisonment, or parole, whichever discharge date is latest.

28           (B) A misdemeanor related to the health or safety of a child.

29           (C) A misdemeanor for operating a child care ministry without  
 30          a registration under this chapter, or a substantially similar  
 31          offense in another jurisdiction if the offense is directly or  
 32          indirectly related to jeopardizing the health or safety of a child.

33           (D) A misdemeanor for operating a child care center without  
 34          a license under IC 12-17.2-4-35, or a substantially similar  
 35          offense in another jurisdiction if the offense is directly or  
 36          indirectly related to jeopardizing the health or safety of a child.

37           (E) A misdemeanor for operating a child care home without a  
 38          license under IC 12-17.2-5-35, or a substantially similar  
 39          offense in another jurisdiction if the offense is directly or  
 40          indirectly related to jeopardizing the health or safety of a child.

41       (3) A determination by the division that the operator of the child  
 42          care ministry made false statements in the child care ministry's



registration application.

(4) A determination by the division that the operator of the child care ministry made false statements in the records required by the division.

(5) A determination by the division that the operator of the child care ministry previously operated a:

(A) child care ministry without a registration under this chapter;

- (B) child care center without a license under IC 12-17.2-4; or
- (C) child care home without a license under IC 12-17.2-5.

(6) A determination by the division that the operator of the child care ministry has failed to comply with an order of the department of homeland security.

(b) Notwithstanding subsection (a)(2), if:

(1) a registration is revoked due to a criminal conviction of an employee or a volunteer of the child care ministry; and

(2) the division determines that the employee or volunteer has been dismissed by the child care ministry;

the criminal conviction of the former employee or former volunteer does not require revocation of the registration.

SECTION 30. IC 12-23-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Subject to subsection (b), if a court enters an order conditionally deferring charges that involve a violation of IC 9-30-5, the court shall do the following:

(1) Suspend the defendant's driving privileges for at least ninety (90) days but not more than two (2) years.

(2) Impose other appropriate conditions.

(b) A defendant may be granted probationary driving privileges only after the defendant's license has been suspended for at least thirty (30) days under IC 9-30-6-9.

(c) If a defendant has at least one (1) conviction for an offense under IC 9-30-5, the order granting probationary driving privileges under subsection (b) must, in a county that provides for the installation of ~~an~~ a registered ignition interlock device under IC 9-30-8 and IC 9-30-8.1, prohibit the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified registered ignition interlock device under IC 9-30-8 and IC 9-30-8.1.

(d) If a defendant does not have a prior conviction for an offense under IC 9-30-5, the court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning **certified registered** ignition interlock



1 device under IC 9-30-8 **and IC 9-30-8.1**. An order requiring ~~an a~~ **registered** ignition interlock device must remain in effect for at least  
2 two (2) years but not more than four (4) years.  
3

4 SECTION 31. IC 12-23-5-5.5 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. (a) A person  
6 commits a Class B infraction if the person:

7 (1) operates a motor vehicle without a functioning ~~certified~~  
8 **registered** ignition interlock device; and  
9 (2) is prohibited from operating a motor vehicle unless the motor  
10 vehicle is equipped with a functioning ~~certified~~ **registered**  
11 ignition interlock device under section 5(d) of this chapter.  
12

12 (b) A person commits a Class B misdemeanor if the person:  
13 (1) operates a motor vehicle without a functioning ~~certified~~  
14 **registered** ignition interlock device; and  
15 (2) knows the person is prohibited from operating a motor vehicle  
16 unless the motor vehicle is equipped with a functioning ~~certified~~  
17 **registered** ignition interlock device under section 5(d) of this  
18 chapter.

19 SECTION 32. IC 16-28-1-13, AS AMENDED BY P.L.187-2021,  
20 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2026]: Sec. 13. (a) Licensure inspections of health facilities  
22 shall be made regularly in accordance with rules adopted under this  
23 chapter. The division shall make all health and sanitation inspections.  
24 The department of homeland security shall make all fire safety  
25 inspections **in accordance with IC 22-14-2-11**.

26 (b) The exact date of an inspection of a health facility under this  
27 chapter may not be announced or communicated directly or indirectly  
28 to the owner, administrator, or an employee of the facility before the  
29 inspection. An employee of the state department who knowingly or  
30 intentionally informs a health facility of the exact date of an inspection  
31 shall be suspended without pay for five (5) days for a first offense and  
32 shall be dismissed for a subsequent offense.

33 (c) Reports of all inspections must be:  
34 (1) in writing; and  
35 (2) sent to the health facility.

36 (d) The report of an inspection and records relating to the inspection  
37 may not be released to the public until the conditions set forth in  
38 IC 16-19-3-25 are satisfied.

39 SECTION 33. IC 16-31-3-2, AS AMENDED BY P.L.139-2023,  
40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2026]: Sec. 2. The commission shall establish standards for  
42 persons required to be certified or licensed by the commission to



1 provide emergency medical services. To be certified or licensed, a  
2 person must meet the following minimum requirements:

3 (1) The personnel certified or licensed under this chapter must do  
4 the following:

5 (A) Meet the standards for education and training established  
6 by the commission by rule.

7 (B) Successfully complete a basic or an inservice course of  
8 education and training on sudden infant death syndrome that  
9 is certified by the commission in conjunction with the state  
10 health commissioner.

11 (C) Successfully complete a basic or an inservice course of  
12 education and training on autism that is certified by the  
13 commission.

14 (D) Successfully complete a research based training program  
15 concerning suicide assessment, treatment, and management  
16 that is:

17 (i) demonstrated to be an effective or promising program;  
18 and

19 (ii) recommended by the Indiana Suicide Prevention  
20 Network Advisory Council.

21 (E) After December 31, 2024, complete basic training, which  
22 may be completed online or by other means of virtual  
23 instruction, that addresses the mental health and wellness of  
24 persons required to be licensed under this chapter, including:

25 (i) healthy coping skills to preserve the mental health of  
26 persons required to be licensed under this chapter and  
27 manage the stress and trauma related to the provision of  
28 emergency medical services;

29 (ii) recognition of symptoms of posttraumatic stress disorder  
30 and signs of suicidal behavior; and

31 (iii) information on mental health resources available for  
32 persons required to be licensed under this chapter.

33 (F) **Submit to a national criminal history background**  
34 **check. The state police department shall release the results**  
35 **of the national criminal history background check**  
36 **conducted under this clause to the:**

37 (i) **commission; or**

38 (ii) **department of homeland security.**

39 (2) Ambulances to be used must conform with the requirements  
40 of the commission and must either be:

41 (A) covered by insurance issued by a company licensed to do  
42 business in Indiana in the amounts and under the terms



1 required in rules adopted by the commission; or  
2 (B) owned by a governmental entity covered under IC 34-13-3.

3 (3) Emergency ambulance service shall be provided in accordance  
4 with rules adopted by the commission. However, the rules  
5 adopted under this chapter may not prohibit the dispatch of an  
6 ambulance to aid an emergency patient because an emergency  
7 medical technician is not immediately available to staff the  
8 ambulance.

9 (4) Ambulances must be equipped with a system of emergency  
10 medical communications approved by the commission. The  
11 emergency medical communication system must properly  
12 integrate and coordinate appropriate local and state emergency  
13 communications systems and reasonably available area  
14 emergency medical facilities with the general public's need for  
15 emergency medical services.

16 (5) Emergency medical communications shall be provided in  
17 accordance with rules adopted by the commission.

18 (6) A nontransporting emergency medical services vehicle must  
19 conform with the commission's requirements.

20 SECTION 34. IC 22-11-14-4.5, AS AMENDED BY P.L.187-2021,  
21 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2026]: Sec. 4.5. (a) A retailer may sell consumer fireworks  
23 and items referenced in section 8(a) of this chapter from a tent under  
24 the following conditions:

25 (1) The tent may not be larger than one thousand five hundred  
26 (1,500) square feet.

27 (2) There may be only one (1) tent for each registration granted  
28 under section 11(a) of this chapter.

29 (3) The tent may not be located closer than one hundred (100) feet  
30 from a permanent structure.

31 (4) A vehicle may not be parked closer than twenty (20) feet from  
32 the edge of the tent.

33 (5) The tent must be fire retardant.

34 (6) The sales site must comply with all applicable local zoning  
35 and land use rules.

36 (7) Sales of fireworks may be made from the tent for not more  
37 than forty-five (45) days in a year.

38 (8) The weight of consumer fireworks in a tent may not exceed  
39 three thousand (3,000) gross pounds of consumer fireworks.

40 (9) A retailer that legally operated a tent with a registration in  
41 2005 may continue operation in a tent in 2006 and the following  
42 years. A registration under section 11(a) of this chapter is



1 required for operation in 2006 and following years. For purposes  
2 of this subdivision, a retailer includes a resident wholesaler who  
3 supplied consumer fireworks to an applicant for a tent registration  
4 in 2005.

5 (10) The retailer holds a valid registration under section 11(a) of  
6 this chapter.

7 (b) A retailer may sell consumer fireworks and items referenced in  
8 section 8(a) of this chapter from a Class 1 structure (as defined in  
9 IC 22-12-1-4) if the Class 1 structure meets the requirements of any of  
10 the following subdivisions:

11 (1) The structure complied with the rules for a B-2 or M building  
12 occupancy classification before July 4, 2003, under the Indiana  
13 building code adopted by the fire prevention and building safety  
14 commission established under IC 22-12-2-1:

15 (A) in which consumer fireworks were sold or stored on or  
16 before July 4, 2003; and

17 (B) in which no subsequent intervening nonfireworks sales or  
18 storage use has occurred.

19 (2) The structure complied with the rules for a B-2 or M building  
20 occupancy classification before July 4, 2003, under the Indiana  
21 building code adopted by the fire prevention and building safety  
22 commission established under IC 22-12-2-1;

23 (A) in which consumer fireworks were sold or stored on or  
24 before July 4, 2003;

25 (B) in a location at which the retailer was registered as a  
26 resident wholesaler in 2005; and

27 (C) in which the retailer's primary business is not the sale of  
28 consumer fireworks.

29 (3) The structure complies with the rules for an H-3 building  
30 occupancy classification under the Indiana building code adopted  
31 by the fire prevention and building safety commission established  
32 under IC 22-12-2-1, or the equivalent occupancy classification  
33 adopted by subsequent rules of the fire prevention and building  
34 safety commission.

35 (4) The structure complies with the rules adopted after July 3,  
36 2003, by the fire prevention and building safety commission  
37 established under IC 22-12-2-1 for an M building occupancy  
38 classification under the Indiana building code.

39 A registration under section 11(a) of this chapter is required for  
40 operation in 2006 and following years.

41 (c) This subsection does not apply to a structure identified in  
42 subsection (b)(1), (b)(2), (b)(3), or (b)(4). A retailer may sell consumer



1 fireworks and items referenced in section 8(a) of this chapter from a  
2 structure under the following conditions:

3 (1) The structure must be a Class 1 structure in which consumer  
4 fireworks are sold and stored.

5 (2) The sales site must comply with all applicable local zoning  
6 and land use rules.

7 (3) The weight of consumer fireworks in the structure may not  
8 exceed three thousand (3,000) gross pounds of consumer  
9 fireworks.

10 (4) The retailer holds a valid registration under section 11(a) of  
11 this chapter.

12 (5) A retailer that sold consumer fireworks and operated from a  
13 structure with a registration in 2005 may continue in operation in  
14 the structure in 2006 and the following years. A registration under  
15 section 11(a) of this chapter is required for operation in 2006 and  
16 following years.

17 (d) ~~The state fire marshal or a~~ A member of the department of  
18 homeland security staff shall, under section 9 of this chapter, inspect  
19 tents and structures in which fireworks are sold **in accordance with**  
20 **IC 22-14-2-11**. ~~The state fire marshal department of homeland~~  
21 **security** may delegate this responsibility to a responding fire  
22 department with jurisdiction over the tent or structure, subject to the  
23 policies and procedures of the state fire marshal.

24 (e) A retailer shall file an application for each retail location on a  
25 form to be provided by ~~the state fire marshal department of~~  
26 **homeland security**.

27 (f) This chapter does not limit the quantity of items referenced in  
28 section 8(a) of this chapter that may be sold from any Class 1 structure  
29 that complied with the rules of the fire prevention and building safety  
30 commission in effect before May 21, 2003.

31 SECTION 35. IC 22-11-18-6 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The ~~state fire~~  
33 **marshal's office department of homeland security** shall, as part of its  
34 normal inspection process, conduct inspections of hotels and motels **in**  
35 **accordance with IC 22-14-2-11**, to determine if the detectors are  
36 installed and functioning in compliance with this chapter.

37 (b) Except for common areas shared by at least three (3) dwellings,  
38 a dwelling may not be inspected solely to determine compliance with  
39 section 3.5 of this chapter unless the owner or occupant of the dwelling  
40 gives permission.

41 (c) Any evidence of a violation of this chapter shall be turned over  
42 to the prosecuting attorney of the county where the violation occurred.



1        SECTION 36. IC 22-14-2-11, AS AMENDED BY P.L.187-2021,  
 2        SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3        JULY 1, 2026]: Sec. 11. The department shall carry out a program to  
 4        periodically inspect structures and other property. ~~that are used by the~~  
 5        state; a county; a city; a town; or a school corporation; including  
 6        institutions where inmates are involuntarily detained. Inspections shall  
 7        be conducted under the schedule specified by the department. The  
 8        department may exclude a class of buildings or other property from  
 9        inspection under this section, if the department determines that the  
 10        public interest will be served without inspection. **Such inspections**  
 11        shall be conducted at a frequency specified by the department. The  
 12        department may exclude a class of buildings or other property  
 13        from inspection under this section, if the department determines:

- 14        (1) that the building or property is subject to inspection for  
 15        compliance with statewide fire or building safety laws by  
 16        another entity; or

17        (2) that the public interest will be served without inspection.

18        SECTION 37. IC 22-14-3-1, AS AMENDED BY P.L.187-2021,  
 19        SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20        JULY 1, 2026]: Sec. 1. (a) Except as provided in subsections (c) and  
 21        (d), this chapter does not apply to a nonpublic school (as defined in  
 22        IC 20-18-2-12) or a school operated by a school corporation (as defined  
 23        in IC 20-18-2-16).

24        (b) The department shall carry out an inspection program to  
 25        periodically inspect regulated places of amusement or entertainment  
 26        ~~These inspections shall be conducted at least annually. in accordance~~  
 27        ~~with IC 22-14-2-11.~~

28        (c) A school that holds amusement or entertainment events shall be  
 29        inspected at least one (1) time each year. ~~in accordance with~~  
 30        **IC 22-14-2-11.** The inspection may be performed by either the  
 31        department or the fire department that has jurisdiction over the school.

32        (d) At the time of each annual inspection performed by the  
 33        department, the department shall provide a fire safety checklist to each  
 34        school that holds amusement or entertainment events. Each school  
 35        shall be responsible for ensuring compliance with the items on the fire  
 36        safety checklist for each amusement or entertainment event held at the  
 37        school.

38        SECTION 38. IC 31-27-2-4, AS AMENDED BY P.L.1-2025,  
 39        SECTION 223, IS AMENDED TO READ AS FOLLOWS  
 40        [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The department shall adopt  
 41        rules under IC 4-22-2 concerning the licensing and inspection of:

- 42        (1) child caring institutions, foster family homes, group homes,



1 and child placing agencies after consultation with the  
 2 (A) Indiana department of health; and  
 3 (B) ~~fire prevention and building safety commission; and~~  
 4 (2) child caring institutions and group homes that are licensed for  
 5 infants and toddlers after consultation with the division of family  
 6 resources.

7 (b) The rules adopted under subsection (a) shall be applied by the  
 8 department ~~and state fire marshal~~ in the licensing and inspection of  
 9 applicants for a license and licensees under this article.

10 (c) The rules adopted under IC 4-22-2 must establish minimum  
 11 standards for the care and treatment of children in a secure private  
 12 facility.

13 (d) The rules described in subsection (c) must include standards  
 14 governing the following:

15 (1) Admission criteria.  
 16 (2) General physical and environmental conditions.  
 17 (3) Services and programs to be provided to confined children.  
 18 (4) Procedures for ongoing monitoring and discharge planning.  
 19 (5) Procedures for the care and control of confined persons that  
 20 are necessary to ensure the health, safety, and treatment of  
 21 confined children.

22 (e) The department shall license a facility as a secure private facility  
 23 if the facility:  
 24 (1) meets the minimum standards required under subsection (c);  
 25 (2) provides a continuum of care and services; and  
 26 (3) is licensed under IC 31-27-3.

27 (f) A waiver of the rules may not be granted for treatment and  
 28 reporting requirements.

29 (g) **Rules that the fire prevention and building safety**  
 30 **commission adopts under IC 22-13-2-2:**  
 31 (1) **establish the minimum building and fire safety**  
 32 **requirements applicable to structures covered by this article;**  
 33 **and**  
 34 (2) **take precedence over conflicting rules as provided for in**  
 35 **IC 22-13-2-3.**

36 (h) **The department may not adopt rules regulating the same**  
 37 **subject matter as rules adopted by the fire prevention and building**  
 38 **safety commission.**

39 SECTION 39. IC 31-27-3-2, AS ADDED BY P.L.145-2006,  
 40 SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A license may be issued only  
 42 if the child caring institution is in substantial compliance with food,



1        health, safety, and sanitation standards under rules adopted by the  
 2        department under IC 31-27-2-4 or in accordance with a variance or  
 3        waiver approved by the department under IC 31-27-2-8.

4        (b) A license may be issued only if the child caring institution is in  
 5        compliance with the fire and life safety rules as determined by the state  
 6        fire marshal under rules adopted by the department under IC 31-27-2-4  
 7        or in accordance with a variance or waiver approved by the department  
 8        under IC 31-27-2-8.

9        (c) The department may issue a waiver or variance regarding a  
 10      determination by the state fire marshal under subsection (b).

11      (b) Prior to the department issuing an initial license to an  
 12      applicant, the child caring institution must be inspected and found  
 13      to be in substantial compliance with applicable building and fire  
 14      safety laws by the department of homeland security.

15      (c) Upon receipt of the initial application for a license:

16        (1) the department shall notify the department of homeland  
 17        security of the application; and

18        (2) the department of homeland security shall inspect the  
 19        child caring institution.

20      (d) Except as provided in subsection (e), the department may not  
 21      issue a license under this chapter unless the child caring institution is  
 22      staffed by, when children are being cared for, at least one (1) child care  
 23      provider who is annually certified in a program on pediatric  
 24      cardiopulmonary resuscitation and pediatric airway obstruction under  
 25      the American Heart Association's Basic Life Support Course D or any  
 26      other comparable course approved by the department.

27      (e) The requirement under subsection (d) does not apply to a child  
 28      caring institution that only serves children who are at least thirteen (13)  
 29      years of age and less than twenty-one (21) years of age. However, a  
 30      child caring institution that only serves children who are at least  
 31      thirteen (13) years of age and less than twenty-one (21) years of age  
 32      must have on duty, when children are being cared for, at least one (1)  
 33      child care provider who is annually certified in a program on  
 34      cardiopulmonary resuscitation as required by the department.

35      SECTION 40. IC 31-27-3-15, AS ADDED BY P.L.145-2006,  
 36      SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 37      [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) The department and the  
 38      state fire marshal shall do the following:

39        (1) Make annual onsite inspections.

40        (2) Keep written records of their the monitoring activities and  
 41        inspections.

42        (b) The department of homeland security shall perform periodic



1       **inspections of child caring institutions.**

2       SECTION 41. IC 31-27-3-16, AS AMENDED BY P.L.128-2012,  
3       SECTION 100, IS AMENDED TO READ AS FOLLOWS  
4       [EFFECTIVE JULY 1, 2026]: Sec. 16. A licensee shall cooperate with  
5       the department ~~the state fire marshal~~; and any other state agency  
6       working on behalf of the department in carrying out the activities  
7       required by section 15 of this chapter, including permitting the  
8       department, ~~the state fire marshal~~, **department of homeland security**,  
9       and any other state agency working on behalf of the department to  
10      conduct announced or unannounced inspections.

11      SECTION 42. IC 31-27-3-31, AS AMENDED BY P.L.243-2019,  
12      SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13      JULY 1, 2026]: Sec. 31. (a) The following constitute sufficient grounds  
14      for revocation of a license:

15       (1) A determination by the department of child abuse or neglect  
16       by:  
17           (A) the licensee; or  
18           (B) an employee, volunteer, or contractor of the licensee.  
19       (2) A criminal conviction of the licensee, or the director or  
20       manager of a facility where children will be placed by the  
21       licensee, of any of the following:  
22           (A) A felony.  
23           (B) A misdemeanor related to the health or safety of a child.  
24           (C) A misdemeanor for operating a child caring institution,  
25           foster family home, group home, or child placing agency  
26           without a license under this article (or IC 12-17.4 before its  
27           repeal).  
28           (D) A misdemeanor for operating a child care center or child  
29           care home without a license under IC 12-17.2.  
30       (3) A determination by the department that the licensee made  
31       false statements in the licensee's application for licensure.  
32       (4) A determination by the department that the licensee made  
33       false statements in the records required by the department.  
34       (5) A determination by the department that:  
35           (A) the licensee; or  
36           (B) an employee, volunteer, or contractor of the licensee;  
37           previously operated a home or facility without a license required  
38           under any applicable provision of this article (or IC 12-17.4  
39           before its repeal) or IC 12-17.2.  
40       (6) A juvenile adjudication of a licensee for a nonwaivable  
41       offense, as defined in IC 31-9-2-84.8 that, if committed by an  
42       adult, would be a felony.



(7) A determination by the department that the operator of the child caring institution has failed to comply with an order of the department of homeland security.

(b) A license may also be revoked if an employee, volunteer, or contractor of the licensee has had any of the following:

(1) A conviction of a nonwaivable offense, as defined in IC 31-9-2-84.8.

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(3) A juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license could be revoked due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the licensee; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the licensee within a reasonable time after the licensee became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the revocation of a license.

(e) The department may adopt rules to implement this section.

SECTION 43. IC 31-27-5-2, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A license may be issued only if the group home is in substantial compliance with food, health, safety, and sanitation standards as determined under rules adopted by the department under IC 31-27-2-4 or in accordance with a variance or waiver approved by the department under IC 31-27-2-8.



1                   **(b) A license may be issued only if the group home is in compliance**  
 2                   **with the fire and life safety rules as determined by the state fire marshal**  
 3                   **under rules adopted by the department under IC 31-27-2-4 or in**  
 4                   **accordance with a variance or waiver approved by the department**  
 5                   **under IC 31-27-2-8.**

6                   **(c) The department may issue a waiver or variance regarding a**  
 7                   **determination by the state fire marshal or the department under**  
 8                   **subsections (a) and (b).**

9                   **(b) Prior to the department issuing an initial license to an**  
 10                  **applicant, the group home must be inspected and found to be in**  
 11                  **substantial compliance with applicable building and fire safety**  
 12                  **laws by the department of homeland security.**

13                  **(c) Upon receipt of the initial application for a license:**

14                  **(1) the department shall notify the department of homeland**  
 15                  **security of the application; and**

16                  **(2) the department of homeland security shall inspect the**  
 17                  **group home.**

18                  SECTION 44. IC 31-27-5-15, AS AMENDED BY P.L.56-2023,  
 19                  SECTION 303, IS AMENDED TO READ AS FOLLOWS  
 20                  [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) The department may place  
 21                  a licensee on probationary status if the licensee is temporarily unable  
 22                  to comply with a rule and if:

23                  (1) the noncompliance does not present an immediate threat to the  
 24                  health and well-being of the children in the care of the licensee;

25                  (2) the licensee files a plan with the department **or** the Indiana  
 26                  department of health **or** the state fire marshal to correct the areas  
 27                  of noncompliance within the probationary period; and

28                  (3) the department **or** the Indiana department of health **or** the state  
 29                  fire marshal approves the plan.

30                  (b) A probationary status period is for not more than six (6) months.  
 31                  However, the department may extend a probationary status period for  
 32                  one (1) additional period of six (6) months.

33                  (c) At the expiration of a probationary status period, the department  
 34                  shall:

35                  (1) reactivate the license to the end of the original term of the  
 36                  license;

37                  (2) extend the probationary status period as permitted in  
 38                  subsection (b); or

39                  (3) revoke the license.

40                  SECTION 45. IC 31-27-5-16, AS ADDED BY P.L.145-2006,  
 41                  SECTION 273, IS AMENDED TO READ AS FOLLOWS  
 42                  [EFFECTIVE JULY 1, 2026]: Sec. 16. **(a) The department and the**



1       state fire marshal shall do the following:

2       (1) Make annual onsite inspections;

3       (2) shall keep written records of the monitoring activities and  
4       inspections.

5       **(b) The department of homeland security shall perform**  
6       **inspections of group homes in accordance with IC 22-14-2-11.**

7       SECTION 46. IC 31-27-5-17, AS AMENDED BY P.L.128-2012,  
8       SECTION 121, IS AMENDED TO READ AS FOLLOWS  
9       [EFFECTIVE JULY 1, 2026]: Sec. 17. A licensee shall cooperate with  
10      the department the state fire marshal, and any other state agency  
11      working on behalf of the department in carrying out the activities  
12      required by section 16 of this chapter, including permitting the  
13      department, the state fire marshal, department of homeland security,  
14      or any other state agency working on behalf of the department to  
15      conduct announced or unannounced inspections.

16       SECTION 47. IC 31-27-5-31, AS AMENDED BY P.L.243-2019,  
17       SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18       JULY 1, 2026]: Sec. 31. (a) The following constitute sufficient grounds  
19       for revocation of a license:

20       (1) A determination by the department of child abuse or neglect  
21       by:

22           (A) the licensee; or  
23           (B) an employee, volunteer, or contractor of the licensee.

24       (2) A criminal conviction of the licensee, or the director or  
25       manager of a facility where children will be placed by the  
26       licensee, for any of the following:

27           (A) A felony.  
28           (B) A misdemeanor related to the health or safety of a child.  
29           (C) A misdemeanor for operating a child caring institution,  
30           foster family home, group home, or child placing agency  
31           without a license under this article (or IC 12-17.4 before its  
32           repeal).  
33           (D) A misdemeanor for operating a child care center or child  
34           care home without a license under IC 12-17.2.

35       (3) A determination by the department that the licensee made  
36       false statements in the licensee's application for licensure.

37       (4) A determination by the department that the licensee made  
38       false statements in the records required by the department.

39       (5) A determination by the department that:  
40           (A) the licensee; or  
41           (B) an employee, volunteer, or contractor of the licensee;  
42       previously operated a home or facility without a license required



1                   under any applicable provision of this article (or IC 12-17.4  
2                   before its repeal) or IC 12-17.2.

3                   (6) A juvenile adjudication of the licensee for a nonwaivable  
4                   offense, as defined in IC 31-9-2-84.8 that, if committed by an  
5                   adult, would be a felony.

6                   **(7) A determination by the department that the operator of a**  
7                   **group home has failed to comply with an order of the**  
8                   **department of homeland security.**

9                   (b) A license may also be revoked if an employee, volunteer, or  
10                  contractor of the licensee has had any of the following:

11                  (1) A conviction of a nonwaivable offense, as defined in  
12                  IC 31-9-2-84.8.

13                  (2) A conviction of any other felony or a misdemeanor relating to  
14                  the health and safety of a child, unless the licensee is granted a  
15                  waiver by the department with regard to the employee, volunteer,  
16                  or contractor.

17                  (3) A juvenile adjudication for a nonwaivable offense, as defined  
18                  in IC 31-9-2-84.8 that, if committed by an adult, would be a  
19                  felony, unless the licensee is granted a waiver by the department  
20                  with regard to the employee, volunteer, or contractor.

21                  (c) In determining whether to grant a waiver under subsection (b),  
22                  the department shall consider the following factors:

23                  (1) The length of time that has passed since the disqualifying  
24                  conviction.

25                  (2) The severity, nature, and circumstances of the offense.

26                  (3) Evidence of rehabilitation.

27                  (4) The duties and qualifications required for the proposed  
28                  employment positions, volunteer assignment, or contract.

29                  (d) Notwithstanding subsection (a) or (b), if:

30                  (1) a license could be revoked due to a criminal conviction of, or  
31                  a determination of child abuse or neglect by, an employee,  
32                  volunteer, or contractor of the licensee; and

33                  (2) the department determines that the employee, volunteer, or  
34                  contractor has been dismissed by the licensee within a reasonable  
35                  time after the licensee became aware of the conviction;

36                  the criminal conviction of, or determination of child abuse or neglect  
37                  by, the former employee, former volunteer, or former contractor does  
38                  not constitute a sufficient basis for the revocation of a license.

39                  (e) The department may adopt rules to implement this section.

40                  SECTION 48. IC 35-47.5-4-1, AS AMENDED BY P.L.187-2021,  
41                  SECTION 131, IS AMENDED TO READ AS FOLLOWS  
42                  [EFFECTIVE JULY 1, 2026]: Sec. 1. The department shall carry out



1 a program to periodically inspect places where regulated explosives are  
2 manufactured **in accordance with IC 22-14-2-11.**

3 SECTION 49. IC 35-50-2-12 IS REPEALED [EFFECTIVE JULY  
4 1, 2026]. See: 12: The Indiana criminal justice institute shall review  
5 characteristics of offenders committed to the department of correction  
6 over such period of time it deems appropriate and of the offenses  
7 committed by those offenders in order to ascertain norms used by the  
8 trial courts in sentencing. The Indiana criminal justice institute shall  
9 from time to time publish its findings in the Indiana Register and  
10 provide its findings to the legislative services agency and the judicial  
11 conference of Indiana.

12 SECTION 50. IC 36-8-19.5 IS REPEALED [EFFECTIVE JULY 1,  
13 2026]. (Public Safety Improvement Areas).

14 SECTION 51. [EFFECTIVE JULY 1, 2026] **(a) 260 IAC 3 is void.**  
15 The publisher of the Indiana Administrative Code and Indiana  
16 Register shall remove 260 IAC 3 from the Indiana Administrative  
17 Code.

18 **(b) This SECTION expires January 1, 2027.**

