



February 11, 2026

**ENGROSSED
HOUSE BILL No. 1202**

DIGEST OF HB 1202 (Updated February 10, 2026 9:21 am - DI 140)

Citations Affected: IC 5-2; IC 9-14; IC 9-19; IC 9-24; IC 9-30; IC 10-21; IC 11-11; IC 12-17.2; IC 12-23; IC 16-28; IC 16-31; IC 22-11; IC 22-14; IC 31-27; IC 35-47.5; IC 35-50; IC 36-8; noncode.

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
(Continued next page)

Effective: July 1, 2026.

Lawson, Bartels, Judy

(SENATE SPONSORS — CRIDER, CLARK)

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

January 12, 2026, reported — Do Pass.

January 15, 2026, read second time, ordered engrossed.

January 16, 2026, engrossed.

January 20, 2026, read third time, passed. Yeas 85, nays 5.

SENATE ACTION

January 26, 2026, read first time and referred to Committee on Homeland Security and Transportation.

February 10, 2026, reported favorably — Do Pass.

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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 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.



February 11, 2026

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.

ENGROSSED HOUSE BILL No. 1202

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

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- 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)~~ (11) Administer funds for the support of any sexual offense
- 17 services.
- 18 ~~(13)~~ (12) Administer funds for the support of domestic violence
- 19 programs.
- 20 ~~(14)~~ (13) Administer funds to support assistance to victims of
- 21 human sexual trafficking offenses as provided in IC 35-42-3.5-4.
- 22 ~~(15)~~ (14) Administer the domestic violence prevention and
- 23 treatment fund under IC 5-2-6.7.
- 24 ~~(16)~~ (15) Administer the family violence and victim assistance
- 25 fund under IC 5-2-6.8.
- 26 ~~(17)~~ (16) 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)~~ (17) 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)~~ (18) 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)~~ (19) Establish and administer the Indiana crime guns task
- 41 force fund under IC 36-8-25.5-8.
- 42 ~~(22)~~ (20) Establish and administer:



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

5 SECTION 2. IC 5-2-13-10 IS REPEALED [EFFECTIVE JULY 1,
 6 2026]. ~~Sec. 10: The board of trustees of the criminal justice institute~~
 7 ~~shall adopt rules under IC 4-22-2 to implement this chapter.~~

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

- 13 (1) The individual's convictions for any of the following:
 - 14 (A) A moving traffic violation.
 - 15 (B) Operating a vehicle without financial responsibility in
 - 16 violation of IC 9-25.
- 17 (2) Any administrative penalty imposed by the bureau.
- 18 (3) Any suspensions, revocations, or reinstatements of the
- 19 individual's driving privileges, license, or permit.
- 20 (4) If the driving privileges of the individual have been suspended
- 21 or revoked by the bureau, an entry in the record stating that a
- 22 notice of suspension or revocation was mailed to the individual by
- 23 the bureau or sent electronically if the individual has indicated a
- 24 preference for receiving notices from the bureau electronically,
- 25 and the date of the mailing or sending of the notice.
- 26 (5) Any requirement that the individual may operate only a motor
- 27 vehicle equipped with a ~~certified~~ **registered** ignition interlock
- 28 device.

29 A driving record may not contain voter registration information.
 30 (b) For an Indiana resident who does not hold any type of valid
 31 driving license, the bureau shall maintain a driving record as provided
 32 in IC 9-24-18-9.

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

- 38 (b) The account consists of the following:
 - 39 (1) Funds collected as judgments for violations under this chapter.
 - 40 (2) Appropriations to the account from the general assembly.
 - 41 (3) Grants, gifts, and donations intended for deposit in the
 - 42 account.



- 1 (4) Interest that accrues from money in the account.
- 2 (c) The account shall be administered by the criminal justice
3 institute.
- 4 (d) The criminal justice institute shall use money in the account to
5 make grants to entities specified in IC 5-2-6-10 to:
- 6 (1) purchase child restraint systems; and
7 (2) distribute the child restraint systems:
- 8 (A) without charge; or
9 (B) for a minimal charge;
10 to persons who are not otherwise able to afford to purchase child
11 restraint systems.
- 12 ~~The criminal justice institute shall adopt rules under IC 4-22-2 to~~
13 ~~implement this section.~~
- 14 (e) Money in the account is appropriated continuously to the
15 criminal justice institute for the purposes stated in subsection (a).
- 16 (f) The expenses of administering the account shall be paid from
17 money in the account.
- 18 (g) The treasurer of state shall invest the money in the account not
19 currently needed to meet the obligations of the account in the same
20 manner as other public money may be invested. Interest that accrues
21 from these investments shall be deposited in the account.
- 22 (h) Money in the account at the end of a state fiscal year does not
23 revert to the state general fund.
- 24 SECTION 5. IC 9-24-18-9, AS AMENDED BY P.L.141-2024,
25 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 9. (a) The bureau may establish a driving record
27 for an Indiana resident who does not hold any type of valid driving
28 license. The driving record shall be established for an unlicensed driver
29 when the bureau receives an abstract of court conviction for the type of
30 conviction that would appear on an official driver's record.
- 31 (b) If an unlicensed driver applies for and receives any type of
32 driver's license in Indiana, the individual's driving record as an
33 unlicensed driver shall be recorded on the permanent record file.
- 34 (c) The bureau shall also certify traffic violation convictions on the
35 driving record of an unlicensed driver who subsequently receives an
36 Indiana driver's license.
- 37 (d) A driving record established under this section must include the
38 following:
- 39 (1) The individual's convictions for any of the following:
- 40 (A) A moving traffic violation.
41 (B) Operating a vehicle without financial responsibility in
42 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.

13 A driving record may not contain voter registration information.

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

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

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

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

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

- 41 (1) a paper copy of the affidavit, or an electronic substitute; or
- 42 (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



- 1 (3) the number of ignition interlock devices rejected by the state
2 department of toxicology.
- 3 ~~(g)~~ The state department of toxicology shall consider all
4 recommendations made by the criminal justice institute.
- 5 ~~(h)~~ **(c)** The criminal justice institute shall ~~may~~
6 (1) evaluate reports submitted by the state department of
7 toxicology;
8 (2) evaluate and study ignition interlock issues. ~~and~~
9 (3) ~~make recommendations to the state department of toxicology.~~
- 10 SECTION 11. IC 9-30-8-6, AS ADDED BY P.L.217-2014,
11 SECTION 132, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A vendor or provider whose
13 ignition interlock device is ~~certified~~ **registered** under section 3 of this
14 chapter shall provide a report to the court that ordered the device or the
15 court's designee within two (2) weeks if any of the following occur:
- 16 (1) Any attempt to start the vehicle with a breath alcohol
17 concentration of four hundredths (.04) grams or higher if the
18 person does not register a test result indicating a breath alcohol
19 concentration of four hundredths (.04) grams or lower within ten
20 (10) minutes of the initial test.
- 21 (2) Absent a documented failure of the ignition interlock device,
22 failure to take or pass any required test.
- 23 (3) Failure of the person ordered to use an ignition interlock
24 device to appear at the ignition interlock vendor or provider for
25 maintenance, repair, calibration, monitoring, inspection, or
26 replacement of the ignition interlock device.
- 27 (4) Any violations of restrictions imposed by the court.
- 28 (b) Any person who is required to have an ignition interlock device
29 installed as part of probation, a specialized driving permit, or any other
30 order of a court is required to pay for the installation, leasing,
31 maintenance, and removal of the ignition interlock device, as well as
32 any additional expenses ordered by the court or the court's designee.
- 33 (c) An ignition interlock vendor or provider shall provide any
34 reports or data requested by the state department of toxicology.
- 35 SECTION 12. IC 9-30-8-7 IS REPEALED [EFFECTIVE JULY 1,
36 2026]. ~~Sec. 7: (a) This section applies after June 30, 2017.~~
- 37 ~~(b) The Indiana criminal justice institute shall adopt rules under~~
38 ~~IC 4-22-2 concerning the following:~~
- 39 (1) ~~Establishing standards for service centers and inspections.~~
40 (2) ~~Establishing standards for ignition interlock device~~
41 ~~technicians.~~
42 (3) ~~Installation of ignition interlock devices.~~



1 (4) Requirements for removing an ignition interlock device.

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

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

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

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

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

24 (1) The account consists of:

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

27 (B) fees paid by the service center; and

28 (C) appropriations made by the general assembly.

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

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

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

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

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

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



1 2026]. Sec. 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**



1 Administration in the Federal Register, Volume 78, Number
2 089, on May 8, 2013, on pages 26849-26867, including:

3 (A) the General Provisions and Features of Breath Alcohol
4 Ignition Interlock Devices; and

5 (B) the Performance Requirements in the Conformance
6 Tests 1 through 16 when performed under the General
7 Test Conditions.

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

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

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

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

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

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

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

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

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

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

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



- 1 **(B) The result of a random retest is at or above the fail**
- 2 **point.**
- 3 **(C) There is a disconnection of the ignition interlock device**
- 4 **control head for longer than one (1) minute after vehicle**
- 5 **start-up.**
- 6 **(5) Activate a lockout after a violation reset if the ignition**
- 7 **interlock device is not serviced by the vendor or provider**
- 8 **within five (5) days of initiation of the violation reset.**
- 9 **(6) Contain an image identification device that:**
- 10 **(A) does not distract or impede the vehicle operator from**
- 11 **safe and legal operation of the vehicle;**
- 12 **(B) produces a digital or photographic image of the vehicle**
- 13 **operator:**
- 14 **(i) upon delivery of a sample required for vehicle**
- 15 **start-up; and**
- 16 **(ii) upon delivery of a sample during a required random**
- 17 **retest;**
- 18 **in various lighting conditions, including, but not limited to,**
- 19 **brightness, darkness, and low light conditions;**
- 20 **(C) documents the date and time of a digital or**
- 21 **photographic image produced; and**
- 22 **(D) stores the digital or photographic images and data**
- 23 **produced in the device memory for download by the**
- 24 **vendor or provider.**
- 25 **(7) Have a label affixed warning a person that tampering with**
- 26 **or misusing the device is a crime and may subject that person**
- 27 **to criminal and civil penalties.**
- 28 **Sec. 3. The registration form required in IC 9-30-8-3 shall**
- 29 **include:**
- 30 **(1) the vendor or provider's name, address, telephone**
- 31 **number, and electronic mail address;**
- 32 **(2) the name, telephone number, and electronic mail address**
- 33 **of a contact person authorized to represent the vendor or**
- 34 **provider;**
- 35 **(3) the name and number of the ignition interlock device**
- 36 **model for which registration is sought;**
- 37 **(4) a list of other states in which the same ignition interlock**
- 38 **device model has been approved for use;**
- 39 **(5) a precise set of specifications describing the features of the**
- 40 **ignition interlock device model;**
- 41 **(6) the operator's manual, user's guide, or instructions**
- 42 **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



1 (B) reason for the issuance of the probationary license.
2 SECTION 22. IC 12-17.2-4-15 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. **(a)** The division
4 ~~and the state fire marshal~~ shall do the following:
5 (1) Make annual onsite inspections.
6 (2) Keep written records of ~~their~~ **the** monitoring activities and
7 inspections.
8 **(b) The department of homeland security shall perform**
9 **inspections of child care centers in accordance with IC 22-14-2-11.**
10 SECTION 23. IC 12-17.2-4-16 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. The licensee shall
12 cooperate with the division ~~and the state fire marshal~~ in carrying out
13 these activities, including permitting the division and the ~~state fire~~
14 ~~marshal~~ **department of homeland security** to conduct announced or
15 unannounced inspections.
16 SECTION 24. IC 12-17.2-4-32, AS AMENDED BY P.L.121-2020,
17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 32. (a) The following constitute sufficient grounds
19 for revocation of a license:
20 (1) A determination by the department of child services of child
21 abuse or neglect (as defined in IC 31-9-2-14) by:
22 (A) the licensee;
23 (B) an employee of the licensee who may be present on the
24 premises of the child care center during operating hours of the
25 child care center; or
26 (C) a volunteer of the licensee who may be present on the
27 premises of the child care center during operating hours of the
28 child care center.
29 (2) A criminal conviction of the licensee, or an employee or
30 volunteer of the licensee who may be present on the premises of
31 the child care center during operating hours of the child care
32 center, of any of the following:
33 (A) A felony:
34 (i) related to the health or safety of a child;
35 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
36 (iii) that is a dangerous felony; or
37 (iv) that is not a felony otherwise described in items (i)
38 through (iii), and less than ten (10) years have elapsed from
39 the date the person was discharged from probation,
40 imprisonment, or parole, whichever discharge date is latest.
41 (B) A misdemeanor related to the health or safety of a child.
42 (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.**

8 (e) ~~During an inspection,~~ the state fire marshal shall inspect the
9 structure in which the child care ministry is conducted for fire safety
10 and life safety with respect to the structure's primary use.

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
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 _____

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.~~

41 (b) ~~The state fire marshal shall deposit the fees collected under~~
42 ~~subsection (a) in the fire and building services fund established by~~



- 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



- 1 registration application.
- 2 (4) A determination by the division that the operator of the child
- 3 care ministry made false statements in the records required by the
- 4 division.
- 5 (5) A determination by the division that the operator of the child
- 6 care ministry previously operated a:
- 7 (A) child care ministry without a registration under this
- 8 chapter;
- 9 (B) child care center without a license under IC 12-17.2-4; or
- 10 (C) child care home without a license under IC 12-17.2-5.
- 11 **(6) A determination by the division that the operator of the**
- 12 **child care ministry has failed to comply with an order of the**
- 13 **department of homeland security.**
- 14 (b) Notwithstanding subsection (a)(2), if:
- 15 (1) a registration is revoked due to a criminal conviction of an
- 16 employee or a volunteer of the child care ministry; and
- 17 (2) the division determines that the employee or volunteer has
- 18 been dismissed by the child care ministry;
- 19 the criminal conviction of the former employee or former volunteer
- 20 does not require revocation of the registration.
- 21 SECTION 30. IC 12-23-5-5 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Subject to
- 23 subsection (b), if a court enters an order conditionally deferring charges
- 24 that involve a violation of IC 9-30-5, the court shall do the following:
- 25 (1) Suspend the defendant's driving privileges for at least ninety
- 26 (90) days but not more than two (2) years.
- 27 (2) Impose other appropriate conditions.
- 28 (b) A defendant may be granted probationary driving privileges only
- 29 after the defendant's license has been suspended for at least thirty (30)
- 30 days under IC 9-30-6-9.
- 31 (c) If a defendant has at least one (1) conviction for an offense under
- 32 IC 9-30-5, the order granting probationary driving privileges under
- 33 subsection (b) must, in a county that provides for the installation of ~~an~~
- 34 **a registered** ignition interlock device under IC 9-30-8 **and**
- 35 **IC 9-30-8.1**, prohibit the defendant from operating a motor vehicle
- 36 unless the motor vehicle is equipped with a functioning ~~certified~~
- 37 **registered** ignition interlock device under IC 9-30-8 **and IC 9-30-8.1**.
- 38 (d) If a defendant does not have a prior conviction for an offense
- 39 under IC 9-30-5, the court may, as an alternative to a license
- 40 suspension under subsection (a)(1), issue an order prohibiting the
- 41 defendant from operating a motor vehicle unless the motor vehicle is
- 42 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~~
 2 **registered** ignition interlock device must remain in effect for at least
 3 two (2) years but not more than four (4) years.

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 (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.



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

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

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

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

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

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

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

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

21 (3) Evidence of rehabilitation.

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

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

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

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

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

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

36 SECTION 43. IC 31-27-5-2, AS ADDED BY P.L.145-2006,
 37 SECTION 273, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A license may be issued only
 39 if the group home is in substantial compliance with food, health, safety,
 40 and sanitation standards as determined under rules adopted by the
 41 department under IC 31-27-2-4 or in accordance with a variance or
 42 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]. Sec. 42. 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.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1202 as introduced.)

BARTELS

Committee Vote: Yeas 12, Nays 0

COMMITTEE REPORT

Mr. President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1202, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1202 as printed January 12, 2026.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 0

