

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1202

AN ACT to amend the Indiana Code concerning public safety.

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

SECTION 1. IC 5-2-6-3, AS AMENDED BY P.L.122-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The institute is established to do the following:

- (1) Evaluate state and local programs associated with:
 - (A) the prevention, detection, and solution of criminal offenses;
 - (B) law enforcement; and
 - (C) the administration of criminal and juvenile justice.
- (2) Participate in statewide collaborative efforts to improve all aspects of law enforcement, juvenile justice, and criminal justice in this state.
- (3) Stimulate criminal and juvenile justice research.
- (4) Develop new methods for the prevention and reduction of crime.
- (5) Prepare applications for funds under the Omnibus Act and the Juvenile Justice Act.
- (6) Administer victim and witness assistance funds.
- (7) Administer the traffic safety functions assigned to the institute under IC 9-27-2.
- (8) Compile and analyze information and disseminate the information to persons who make criminal justice decisions in this state.

HEA 1202



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

(10) Identify grants and other funds that can be used by the department of correction to carry out its responsibilities concerning sex or violent offender registration under IC 11-8-8.

~~(11) Administer the application and approval process for designating an area of a consolidated or second class city as a public safety improvement area under IC 36-8-19.5.~~

~~(12) (11)~~ Administer funds for the support of any sexual offense services.

~~(13) (12)~~ Administer funds for the support of domestic violence programs.

~~(14) (13)~~ Administer funds to support assistance to victims of human sexual trafficking offenses as provided in IC 35-42-3.5-4.

~~(15) (14)~~ Administer the domestic violence prevention and treatment fund under IC 5-2-6.7.

~~(16) (15)~~ Administer the family violence and victim assistance fund under IC 5-2-6.8.

~~(17) (16)~~ Monitor and evaluate the status of Indiana's criminal justice system under IC 5-2-6-24.

~~(18) Administer the ignition interlock inspection account established under IC 9-30-8-7.~~

~~(19) (17)~~ Identify any federal, state, or local grants that can be used to assist in the funding and operation of regional holding facilities under IC 11-12-6.5.

~~(20) (18)~~ Coordinate with state and local criminal justice agencies for the collection and transfer of data from sheriffs concerning jail:

(A) populations; and

(B) statistics;

for the purpose of providing jail data to the management performance hub established by IC 4-3-26-8.

~~(21) (19)~~ Establish and administer the Indiana crime guns task force fund under IC 36-8-25.5-8.

~~(22) (20)~~ Establish and administer:

(A) the juvenile diversion and community alternatives grant program fund under IC 31-40-5; and

(B) the juvenile behavioral health competitive grant program fund under IC 31-40-6.

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

HEA 1202



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

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

A driving record may not contain voter registration information.

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

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

- (b) The account consists of the following:
- (1) Funds collected as judgments for violations under this chapter.
 - (2) Appropriations to the account from the general assembly.
 - (3) Grants, gifts, and donations intended for deposit in the account.
 - (4) Interest that accrues from money in the account.

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

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

- (1) purchase child restraint systems; and
- (2) distribute the child restraint systems:

HEA 1202



- (A) without charge; or
- (B) for a minimal charge;

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

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

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

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

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

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

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

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

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

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

- (1) The individual's convictions for any of the following:
 - (A) A moving traffic violation.
 - (B) Operating a vehicle without financial responsibility in violation of IC 9-25.
- (2) Any administrative penalty imposed by the bureau.
- (3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.
- (4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau or sent electronically if the individual has indicated a

HEA 1202



preference for receiving notices from the bureau electronically, and the date of the mailing or sending of the notice.

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

A driving record may not contain voter registration information.

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

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

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

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

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

- (1) a paper copy of the affidavit, or an electronic substitute; or
 - (2) a bureau certificate as described in section 16 of this chapter;
- to the bureau at the conclusion of the initial hearing under subsection (c).

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

- (1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of

HEA 1202



IC 35-46-9 or IC 14-15-8 (before its repeal).

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

(3) State whether the person:

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

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

(4) Be sworn to by the arresting officer.

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

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

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

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

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

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

(1) operates a motor vehicle without a functioning ~~certified~~ **registered** ignition interlock device; and

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

(f) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning ~~certified~~ **registered** ignition interlock device; and



(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning **certified registered** ignition interlock device under subsection (d).

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

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

(A) five (5) days after the date of the notice; or

(B) on the date the court enters an order recommending use of an ignition interlock device;

whichever occurs first.

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

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

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

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

HEA 1202



specifications must require at a minimum that the device meets the following requirements:

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

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

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

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

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

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

- (1) the number of ignition interlock devices certified by the state department of toxicology;
- (2) the number of ignition interlock devices currently installed in Indiana; and
- (3) the number of ignition interlock devices rejected by the state department of toxicology.

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

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

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

HEA 1202



(2) evaluate and study ignition interlock issues. ~~and~~

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

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

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

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

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

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

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

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

SECTION 12. IC 9-30-8-7 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 7. (a) ~~This section applies after June 30, 2017.~~

(b) ~~The Indiana criminal justice institute shall adopt rules under IC 4-22-2 concerning the following:~~

(1) ~~Establishing standards for service centers and inspections.~~

(2) ~~Establishing standards for ignition interlock device technicians.~~

(3) ~~Installation of ignition interlock devices.~~

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

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



interlock devices. Funds collected under this subdivision shall be deposited in the ignition interlock inspection account established under subsection (c).

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

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

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

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

(1) The account consists of:

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

(B) fees paid by the service center; and

(C) appropriations made by the general assembly.

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

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

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

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

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

SECTION 13. IC 9-30-8-8 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 8. The bureau and the Indiana criminal justice institute shall enter into a memorandum of understanding to administer this chapter and IC 9-30-6-8(d).

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

Chapter 8.1. Registration of Ignition Interlock Devices

HEA 1202



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

- (1) "Fail point" means an alcohol concentration of at least two-hundredths (0.02) gram per one hundred (100) milliliters of blood or two hundred ten (210) liters of breath or a higher alcohol concentration prescribed by the originating court.**
- (2) "Lockout" means a period of time when the ignition interlock device does not allow a breath sample to be analyzed or a vehicle's engine to be started.**
- (3) "Material modification" means an addition or reduction in features, software version change, configuration profile change, or alteration in the components, design, or installation or operating instructions of a registered ignition interlock device model.**
- (4) "Random retest" means a breath test required at randomly variable intervals from the operator of a vehicle equipped with an ignition interlock device to ensure that the operator's alcohol concentration remains below the fail point after vehicle start up.**
- (5) "Restricted operator" means a person whose driving privileges are restricted to operating only motor vehicles equipped with a functioning registered ignition interlock device.**
- (6) "Service" means to calibrate, maintain, download data from, inspect for evidence of tampering or circumvention, and report information to the appropriate authorities.**
- (7) "Vendor" means a producer, provider, distributor, or supplier of an ignition interlock device.**
- (8) "Violation reset" means activation of a requirement for service of an ignition interlock device.**

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

- (1) The Model Specifications for Breath Alcohol Ignition Interlock Devices in section III, beginning on page 26862, published by the National Highway Traffic Safety Administration in the Federal Register, Volume 78, Number 089, on May 8, 2013, on pages 26849-26867, including:
 - (A) the General Provisions and Features of Breath Alcohol Ignition Interlock Devices; and**
 - (B) the Performance Requirements in the Conformance Tests 1 through 16 when performed under the General Test Conditions.****



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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Activate a lockout after a violation reset if the ignition interlock device is not serviced by the vendor or provider



within five (5) days of initiation of the violation reset.

(6) Contain an image identification device that:

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

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

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

(ii) upon delivery of a sample during a required random retest;

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

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

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

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

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

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

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

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

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

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

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

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

(8) an agreement to provide, upon the request by the state department of toxicology, a report from an independent accredited laboratory showing that the device meets the



required standards and specifications, and a copy of the accreditation of each laboratory.

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

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

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

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

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

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

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

(e) An order suspending or revoking a registration of an ignition interlock device model shall be issued by the director of the state department of toxicology in accordance with IC 4-21.5-3-6.

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

(1) Suspend the person's driving privileges for at least two (2)



years but not more than four (4) years.

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

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

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

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

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

(2) Impose other appropriate conditions.

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

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

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

(1) operates a motor vehicle without a functioning **certified registered** ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning **certified registered** ignition interlock device under section 5(c) or 7(c) of this chapter.

(b) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning **certified registered** ignition interlock device; and



(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning ~~certified~~ **registered** ignition interlock device under section 5(c) or 7(c) of this chapter.

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

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

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

(d) A school safety specialist shall perform the following duties:

(1) Serve on the county school safety commission with jurisdiction over the school corporation if that individual school safety specialist is chosen by the superintendent of the school corporation with the approval of the governing body. Except as provided in section 12 of this chapter, the school safety specialists of charter schools do not serve on a county school safety commission.

(2) Participate each year in a number of days of school safety training that the ~~department of education~~ **office of school safety** determines necessary under section 13 of this chapter.

(3) With the assistance of the county school safety commission with jurisdiction over the school corporation or charter school, develop, implement, and improve a school safety plan for each school building in the school corporation or charter school.

(4) Coordinate the school safety plans of each school building in the school corporation or charter school as required under this chapter and under rules adopted by the Indiana state board of education.

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

(6) Serve as a liaison for the school corporation or charter school

HEA 1202



regarding school safety matters with the board, the department of homeland security, the department of education, the Indiana criminal justice institute, and other state agencies, as applicable.

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

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

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

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

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

(c) The commissioner shall correct all unsafe, unsanitary, or unhealthy conditions reported by the Indiana department of health or the ~~state fire marshal~~ **department of homeland security** with reasonable promptness. Failure by the department to initiate and continue action to correct unsafe, unsanitary, or unhealthy conditions within thirty (30) days of receiving a report of those conditions from the Indiana department of health or the ~~state fire marshal~~ **department of homeland security** constitutes noncompliance with this subsection. Upon such noncompliance, the commissioner shall submit to the reporting agency and the governor a written statement explaining:

(1) why the reported condition or conditions have not been remedied;

(2) what the estimated cost of remedying the reported condition or conditions would be in terms of construction, renovation, manpower, space, and equipment;

(3) whether the reported condition or conditions can be corrected

HEA 1202



by using facilities of other governmental entities;

(4) whether additional state financing is required and, if so, the estimated amount needed; and

(5) the probable consequences of not remedying each reported unsafe, unsanitary, or unhealthy condition.

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

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

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

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

(b) Prior to the division issuing an initial license to an applicant, 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.

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

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

(2) the department of homeland security shall inspect the child care center.

(d) At least one (1) adult individual who maintains current certification in a course of pediatric cardiopulmonary resuscitation applicable to all age groups of children cared for by the child care center shall be present at all times when a child is in the care of a child care center. Certifications accepted under this subsection must include a live return demonstration of skills.

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

(1) must, not more than ninety (90) days after the individual

HEA 1202



begins employment or volunteer duties, be trained in pediatric cardiopulmonary resuscitation applicable to all age groups of children cared for by the child care center; and
 (2) shall maintain current certification in pediatric first aid applicable to all age groups of children cared for by the child care center.

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

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

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

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

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

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

(f) The division shall:

- (1) upon issuing a probationary license under this section, provide written notice to the licensee that the division will provide the notice required under subdivision (2); and
- (2) not more than seven (7) days after issuing a probationary license under this section, publish notice under IC 5-3-1 and provide written notice to the parent or guardian of each child enrolled in the child care center of the:
 - (A) issuance of the probationary license; and
 - (B) reason for the issuance of the probationary license.

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

- (1) Make annual onsite inspections.
- (2) Keep written records of ~~their the~~ monitoring activities and inspections.

HEA 1202



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

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

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

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

(A) the licensee;

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

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

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

(A) A felony:

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

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

(iii) that is a dangerous felony; or

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

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

(C) A misdemeanor for operating a child care center without a license under section 35 of this chapter, or a substantially similar offense in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.

(D) A misdemeanor for operating a child care home without a license under IC 12-17.2-5-35, or a substantially similar offense in another jurisdiction if the offense is directly or



indirectly related to jeopardizing the health or safety of a child.

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

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

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

(A) child care center without a license under this chapter; or

(B) child care home without a license under IC 12-17.2-5.

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

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

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

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

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

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

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

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

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

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

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

(d) Upon receipt of an initial registration:

(1) the division shall notify the department of homeland security of the filing; and

(2) the department of homeland security shall inspect the unlicensed child care ministry.

SECTION 26. IC 12-17.2-6-5, AS AMENDED BY P.L.187-2021, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

HEA 1202



JULY 1, 2026]: Sec. 5. (a) As used in this section, "primary use of the building" means the occupancy classification that is:

- (1) most closely related to the intended use of the building; and
- (2) determined by the rules of the fire prevention and building safety commission in effect at the time that the child care ministry is first registered.

(b) The ~~state fire marshal~~ **department of homeland security** shall inspect a child care ministry registered under section 2 of this chapter to ensure that the child care ministry complies with the requirements of subsection (c).

(c) Except as provided in the following, a registered child care ministry shall comply with all rules of the fire prevention and building safety commission applicable to the primary use of the building:

- (1) A registered child care ministry with an occupant load of at least fifty (50) shall do either of the following:
 - (A) Install and maintain a fire alarm system in compliance with the rules of the fire prevention and building safety commission.
 - (B) Provide a notice on a form prescribed by the department of homeland security to the parents of each child who attends the ministry stating that the ministry does not have the same level of fire safety protection as a licensed child care center.
- (2) Each registered child care ministry with an occupant load of less than fifty (50) shall do either of the following:
 - (A) Install and maintain in good operating condition at least one (1) battery operated smoke detector in each room and corridor used by the ministry.
 - (B) Provide a notice on a form prescribed by the department of homeland security to the parents of each child who attends the ministry stating that the ministry does not have the same level of fire safety protection as a licensed child care center.
- (3) Each registered child care ministry shall comply with the rules of the fire prevention and building safety commission concerning fire drills.

For purposes of this subsection, occupant load is determined by dividing the total square footage of the area used by the child care ministry by thirty-five (35) and rounding any result that is not a whole number up to the next whole number.

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

HEA 1202



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

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

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

DATE _____

SIGNATURE _____

DIVISION OF FAMILY RESOURCES".

~~THIS UNLICENSED REGISTERED CHILD CARE MINISTRY~~ has been inspected and complies with state law concerning fire safety and life safety.

DATE _____

SIGNATURE _____

DEPARTMENT OF HOMELAND SECURITY".

(b) Upon completion of an inspection by the department of homeland security, a copy of the inspection findings shall be issued to the unlicensed child care ministry. The operator of the unlicensed child care ministry shall maintain a copy of the most recent inspection findings in a conspicuous place in the unlicensed child care ministry.

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

(b) The state fire marshal shall deposit the fees collected under subsection (a) in the fire and building services fund established by ~~IC 22-12-6-1~~.

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

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



- (A) the operator of the child care ministry;
 - (B) an employee of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry; or
 - (C) a volunteer of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry.
- (2) A criminal conviction of the operator of the child care ministry, or an employee or volunteer of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry, of any of the following:
- (A) A felony:
 - (i) related to the health or safety of a child;
 - (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
 - (iii) that is a dangerous felony; or
 - (iv) that is not a felony otherwise described in items (i) through (iii), and less than ten (10) years have elapsed from the date the person was discharged from probation, imprisonment, or parole, whichever discharge date is latest.
 - (B) A misdemeanor related to the health or safety of a child.
 - (C) A misdemeanor for operating a child care ministry without a registration under this chapter, or a substantially similar offense in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.
 - (D) A misdemeanor for operating a child care center without a license under IC 12-17.2-4-35, or a substantially similar offense in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.
 - (E) A misdemeanor for operating a child care home without a license under IC 12-17.2-5-35, or a substantially similar offense in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.
- (3) A determination by the division that the operator of the child care ministry made false statements in the child care ministry's registration application.
- (4) A determination by the division that the operator of the child care ministry made false statements in the records required by the division.
- (5) A determination by the division that the operator of the child care ministry previously operated a:
- (A) child care ministry without a registration under this



chapter;

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

(C) child care home without a license under IC 12-17.2-5.

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

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

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

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

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

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

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

(2) Impose other appropriate conditions.

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

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

(d) If a defendant does not have a prior conviction for an offense under IC 9-30-5, the court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning ~~certified~~ **registered** ignition interlock device under IC 9-30-8 **and IC 9-30-8.1**. An order requiring ~~an~~ **a registered** ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years.

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

(1) operates a motor vehicle without a functioning ~~certified~~

HEA 1202



registered ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning ~~certified~~ **registered** ignition interlock device under section 5(d) of this chapter.

(b) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning ~~certified~~ **registered** ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning ~~certified~~ **registered** ignition interlock device under section 5(d) of this chapter.

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

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

(c) Reports of all inspections must be:

(1) in writing; and

(2) sent to the health facility.

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

SECTION 33. IC 16-31-3-2, AS AMENDED BY P.L.139-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The commission shall establish standards for persons required to be certified or licensed by the commission to provide emergency medical services. To be certified or licensed, a person must meet the following minimum requirements:

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

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

(B) Successfully complete a basic or an inservice course of

HEA 1202



education and training on sudden infant death syndrome that is certified by the commission in conjunction with the state health commissioner.

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

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

- (i) demonstrated to be an effective or promising program; and
- (ii) recommended by the Indiana Suicide Prevention Network Advisory Council.

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

- (i) healthy coping skills to preserve the mental health of persons required to be licensed under this chapter and manage the stress and trauma related to the provision of emergency medical services;
- (ii) recognition of symptoms of posttraumatic stress disorder and signs of suicidal behavior; and
- (iii) information on mental health resources available for persons required to be licensed under this chapter.

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

- (i) commission; or**
- (ii) department of homeland security.**

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

- (A) covered by insurance issued by a company licensed to do business in Indiana in the amounts and under the terms required in rules adopted by the commission; or
- (B) owned by a governmental entity covered under IC 34-13-3.

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



ambulance.

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

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

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

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

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

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

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

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

(5) The tent must be fire retardant.

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

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

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

(9) A retailer that legally operated a tent with a registration in 2005 may continue operation in a tent in 2006 and the following years. A registration under section 11(a) of this chapter is required for operation in 2006 and following years. For purposes of this subdivision, a retailer includes a resident wholesaler who supplied consumer fireworks to an applicant for a tent registration in 2005.

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

(b) A retailer may sell consumer fireworks and items referenced in

HEA 1202



section 8(a) of this chapter from a Class 1 structure (as defined in IC 22-12-1-4) if the Class 1 structure meets the requirements of any of the following subdivisions:

- (1) The structure complied with the rules for a B-2 or M building occupancy classification before July 4, 2003, under the Indiana building code adopted by the fire prevention and building safety commission established under IC 22-12-2-1:
 - (A) in which consumer fireworks were sold or stored on or before July 4, 2003; and
 - (B) in which no subsequent intervening nonfireworks sales or storage use has occurred.
- (2) The structure complied with the rules for a B-2 or M building occupancy classification before July 4, 2003, under the Indiana building code adopted by the fire prevention and building safety commission established under IC 22-12-2-1;
 - (A) in which consumer fireworks were sold or stored on or before July 4, 2003;
 - (B) in a location at which the retailer was registered as a resident wholesaler in 2005; and
 - (C) in which the retailer's primary business is not the sale of consumer fireworks.
- (3) The structure complies with the rules for an H-3 building occupancy classification under the Indiana building code adopted by the fire prevention and building safety commission established under IC 22-12-2-1, or the equivalent occupancy classification adopted by subsequent rules of the fire prevention and building safety commission.
- (4) The structure complies with the rules adopted after July 3, 2003, by the fire prevention and building safety commission established under IC 22-12-2-1 for an M building occupancy classification under the Indiana building code.

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

(c) This subsection does not apply to a structure identified in subsection (b)(1), (b)(2), (b)(3), or (b)(4). A retailer may sell consumer fireworks and items referenced in section 8(a) of this chapter from a structure under the following conditions:

- (1) The structure must be a Class 1 structure in which consumer fireworks are sold and stored.
- (2) The sales site must comply with all applicable local zoning and land use rules.
- (3) The weight of consumer fireworks in the structure may not

HEA 1202



exceed three thousand (3,000) gross pounds of consumer fireworks.

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

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

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

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

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

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

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

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

SECTION 36. IC 22-14-2-11, AS AMENDED BY P.L.187-2021, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The department shall carry out a program to periodically inspect structures and other property. ~~that are used by the state, a county, a city, a town, or a school corporation, including institutions where inmates are involuntarily detained. Inspections shall be conducted under the schedule specified by the department. The~~

HEA 1202



department may exclude a class of buildings or other property from inspection under this section, if the department determines that the public interest will be served without inspection. **Such inspections shall be conducted at a frequency specified by the department. The department may exclude a class of buildings or other property from inspection under this section, if the department determines:**

- (1) that the building or property is subject to inspection for compliance with statewide fire or building safety laws by another entity; or**
- (2) that the public interest will be served without inspection.**

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

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

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

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

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

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

(b) The rules adopted under subsection (a) shall be applied by the

HEA 1202



department ~~and state fire marshal~~ in the licensing and inspection of applicants for a license and licensees under this article.

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

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

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

(e) The department shall license a facility as a secure private facility if the facility:

- (1) meets the minimum standards required under subsection (c);
- (2) provides a continuum of care and services; and
- (3) is licensed under IC 31-27-3.

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

(g) Rules that the fire prevention and building safety commission adopts under IC 22-13-2-2:

- (1) establish the minimum building and fire safety requirements applicable to structures covered by this article; and**
- (2) take precedence over conflicting rules as provided for in IC 22-13-2-3.**

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

SECTION 39. IC 31-27-3-2, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A license may be issued only if the child caring institution is in substantial compliance with food, health, safety, and sanitation standards under rules adopted by the department under IC 31-27-2-4 or in accordance with a variance or waiver approved by the department under IC 31-27-2-8.

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

HEA 1202



under IC 31-27-2-8.

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

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

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

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

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

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

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

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

(1) Make annual onsite inspections.

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

(b) The department of homeland security shall perform periodic inspections of child caring institutions.

SECTION 41. IC 31-27-3-16, AS AMENDED BY P.L.128-2012, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. A licensee shall cooperate with the department ~~the state fire marshal~~, and any other state agency working on behalf of the department in carrying out the activities required by section 15 of this chapter, including permitting the

HEA 1202



department, the ~~state fire marshal~~, **department of homeland security**, and any other state agency working on behalf of the department to conduct announced or unannounced inspections.

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

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

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee.

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

(A) A felony.

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

(C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal).

(D) A misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.

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

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

(5) A determination by the department that:

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

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

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

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

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

HEA 1202



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

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

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

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

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

(3) Evidence of rehabilitation.

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

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

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

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

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

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

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

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

~~(c) The department may issue a waiver or variance regarding a determination by the state fire marshal or the department under~~

HEA 1202



subsections (a) and (b):

(b) Prior to the department issuing an initial license to an applicant, the 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.

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

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

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

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

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

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

(3) the department ~~or the Indiana department of health or the state fire marshal~~ approves the plan.

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

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

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

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

(3) revoke the license.

SECTION 45. IC 31-27-5-16, AS ADDED BY P.L.145-2006, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. **(a) The department ~~and the state fire marshal shall do the following:~~**

~~(1) Make annual onsite inspections.~~

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

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

SECTION 46. IC 31-27-5-17, AS AMENDED BY P.L.128-2012,

HEA 1202



SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. A licensee shall cooperate with the department ~~the state fire marshal~~, and any other state agency working on behalf of the department in carrying out the activities required by section 16 of this chapter, including permitting the department, ~~the state fire marshal~~, **department of homeland security**, or any other state agency working on behalf of the department to conduct announced or unannounced inspections.

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

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

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee.

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

(A) A felony.

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

(C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal).

(D) A misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.

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

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

(5) A determination by the department that:

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

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

(7) A determination by the department that the operator of a group home has failed to comply with an order of the

HEA 1202



department of homeland security.

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

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

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

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

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

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

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

(3) Evidence of rehabilitation.

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

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

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

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

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

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

SECTION 48. IC 35-47.5-4-1, AS AMENDED BY P.L.187-2021, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The department shall carry out a program to ~~periodically~~ inspect places where regulated explosives are manufactured **in accordance with IC 22-14-2-11.**

SECTION 49. IC 35-50-2-12 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 12: The Indiana criminal justice institute shall 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~~

HEA 1202



trial courts in sentencing. The Indiana criminal justice institute shall from time to time publish its findings in the Indiana Register and provide its findings to the legislative services agency and the judicial conference of Indiana.

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

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

(b) This SECTION expires January 1, 2027.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1202

