

HOUSE BILL No. 1232

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-5-6.5; IC 34-13-10.

Synopsis: Schools, funding, and religion. Requires a public school, including a charter school, to teach the Bible as literature. Prohibits a governmental entity from denying benefits to any person on the basis of: (1) Article 1, Section 6 of the Constitution of the State of Indiana; (2) separation of church and state; or (3) the establishment clause; and establishes certain exceptions. Permits a person adversely affected by a violation to file a civil action against the governmental entity. Authorizes a: (1) prevailing plaintiff in a suit brought against a governmental entity; and (2) prevailing party, in a suit brought by a governmental entity; to obtain court costs and reasonable attorney's fees.

Effective: July 1, 2026.

Haggard

January 5, 2026, read first time and referred to Committee on Education.



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

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

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

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

HOUSE BILL No. 1232

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

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

1 SECTION 1. IC 20-30-5-6.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 6.5. (a) As used in this section, "public school" means**
4 **the following:**

5 **(1) A school maintained by a school corporation.**

6 **(2) A charter school.**

7 **(b) A public school must teach the Bible as literature in every**
8 **grade level, from kindergarten to grade 12. The public school must**
9 **provide age appropriate instruction on the history of Israel, the**
10 **moral and ethical teachings of the Old and New Testaments, the**
11 **life of Jesus, the history of the early Christian church, and the**
12 **Bible's influence on Western civilization.**

13 **(c) A public school may not:**

14 **(1) teach the Bible as religious dogma;**

15 **(2) coerce any student to believe or accept the Bible as**
16 **divinely inspired; or**

17 **(3) teach the Bible in any manner that violates the**



establishment clause as interpreted by the Supreme Court of the United States.

(d) A student shall be excused from Bible related instruction upon the written request of the student's parent.

(e) The attorney general, upon request from a public school, shall:

(1) provide advice on best methods for a public school to comply with the requirements of this section; and

(2) defend any public school in a cause of action arising out of the Bible instruction required by this section.

(f) This subsection applies if the attorney general represents a public school as described in subsection (e)(2). If this subsection applies, the state shall pay:

(1) the judgment or settlement amount; and

(2) all costs and litigation expenses;

arising from the action. The attorney general may settle or compromise any claim in an action described in subsection (e)(2).

(g) This subsection applies if the attorney general does not represent a public school as described in subsection (e)(2). If this subsection applies, the state may not pay:

(1) the judgment or settlement amount; or

(2) any costs and litigation expenses;

arising from the action.

SECTION 2. IC 34-13-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 10. Church and State

Sec. 1. As used in this section, "governmental entity" means one (1) or more of the following:

(1) The state.

(2) A state agency (as defined in IC 1-1-15-3).

(3) A political subdivision (as defined in IC 36-1-2-13) or an instrumentality of a political subdivision (as defined in IC 36-1-2-13).

(4) A public school, including a charter school.

(b) The term includes an:

(1) official;

(2) agent; or

(3) employee;

of an entity listed in subsection (a), including the governing body of a public or charter school.

Sec. 2. As used in this chapter, "separation doctrine" means a



doctrines holding that a governmental entity is prohibited from providing a benefit, in whole or in part, to a person on the basis that providing the benefit would violate one (1) or more of the following:

- (1) Separation of church and state.
- (2) Article 1, Section 6 of the Constitution of the State of Indiana.
- (3) A provision of any of the following opinions from the Supreme Court of the United States:
 - (A) *Everson v. Board of Education*, 330 U.S. 1 (1947).
 - (B) *McCullum v. Board of Education*, 333 U.S. 203 (1948).
 - (C) *Engel v. Vitale*, 370 U.S. 421 (1962).
 - (D) *Abington School District v. Schempp*, 374 U.S. 203 (1963).
 - (E) *Epperson v. Arkansas*, 393 U.S. 97 (1968).
 - (F) *Lemon v. Kurtzman*, 403 U.S. 602 (1971).
 - (G) *Stone v. Graham*, 449 U.S. 39 (1980).
 - (H) *Wallace v. Jaffree*, 472 U.S. 38 (1985).
 - (I) *Edwards v. Aguillard*, 482 U.S. 578 (1987).
 - (J) *Lee v. Weisman*, 505 U.S. 577 (1992).
 - (K) *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000).

Sec. 3. Except as provided in section 6 of this chapter, a governmental entity may not refuse to provide a benefit, in whole or in part, to a person on the basis of Article 1, Section 6 of the Constitution of the State of Indiana.

Sec. 4. Except as provided in section 7 of this chapter, a governmental entity may not refuse to provide a benefit, in whole or in part, to a person on the basis of the separation doctrine.

Sec. 5. Except as provided in section 7 of this chapter, a governmental entity may not refuse to provide a benefit, in whole or in part, to a person on the basis of the establishment clause. This section does not apply if the person is the federal government, its officers, or its instrumentalities.

Sec. 6. A governmental entity may refuse to provide a benefit, in whole or in part, to a person on the basis of Article 1, Section 6 of the Constitution of the State of Indiana if the attorney general determines that the Supreme Court of the United States has overruled:

- (1) *Espinoza v. Montana Dept. Of Revenue*, 140 S. Ct. 2246 (2020); and
- (2) *Carson v. Makin*, 142 S. Ct. 1987 (2022).



1 **Sec. 7. A governmental entity may refuse to provide a benefit,**
 2 **in whole or in part, to a person on the basis of the separation**
 3 **doctrine or the establishment clause if refusal to provide the**
 4 **benefit is necessary to comply with:**

5 (1) a judgment or decree entered by a court against that
 6 specific governmental entity; or

7 (2) a ruling from the Supreme Court of the United States or
 8 the United States Court of Appeals for the Seventh Circuit, if
 9 there is no reasonable grounds to distinguish the ruling
 10 factually or legally.

11 **Sec. 8. (a) A person adversely affected by a violation of this**
 12 **chapter may bring a civil action against the governmental entity**
 13 **that violated the chapter.**

14 (b) A prevailing plaintiff is entitled to:

15 (1) declaratory relief;

16 (2) injunctive relief;

17 (3) actual damages; and

18 (4) court costs and reasonable attorney's fees.

19 **Sec. 9. (a) If a governmental entity brings a civil action that**
 20 **relates to the denial of a benefit to a person on the basis of:**

21 (1) Article 1, Section 6 of the Constitution of the State of
 22 Indiana;

23 (2) the separation doctrine; or

24 (3) the establishment clause;

25 the governmental entity, and any attorney who represents the
 26 governmental entity in the litigation, are jointly and severally
 27 liable to the prevailing party for court costs and reasonable
 28 attorney's fees.

29 (b) For purposes of this section, a party is a prevailing party if:

30 (1) a court dismisses a claim or cause of action brought
 31 against the party by a governmental entity under subsection

32 (a), regardless of the reason for the dismissal;

33 (2) a court enters judgment in the party's favor on a claim or
 34 cause of action; or

35 (3) a governmental entity seeking declaratory or injunctive
 36 relief voluntarily dismisses its claim.

37 (c) A prevailing party may recover costs and reasonable
 38 attorney's fees under this section only to the extent that those costs
 39 and attorney's fees were incurred while defending claims or causes
 40 of action on which the party prevailed.

41 (d) Regardless of whether a prevailing party sought to recover
 42 costs or attorney's fees in the underlying action, a prevailing party



1 under this section may bring a civil action to recover costs and
2 attorney's fees against a governmental entity or attorney
3 representing a governmental entity, that sought declaratory or
4 injunctive relief described by subsection (a) not later than two (2)
5 years after the judgment becomes final.

6 (e) It is not a defense to an action brought under subsection (d)
7 that:

8 (1) a prevailing party failed to seek recovery of costs or
9 attorney's fees in the underlying action;

10 (2) the court in the underlying action declined to recognize or
11 enforce this section;

12 (3) the court in the underlying action held that any provisions
13 of this section are invalid, unconstitutional, or preempted by
14 federal law, notwithstanding the doctrine of issue or claim
15 preclusion; or

16 (4) the court is a federal court.

17 (f) Notwithstanding any other law, IC 34-7-7 and IC 34-13-9 do
18 not apply to an action brought under subsection (d).

