

# HOUSE BILL No. 1233

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-31.5-2; IC 35-45-1.

**Synopsis:** Masking offenses. Makes wearing a mask at a public assembly a Class C misdemeanor, and increases the penalty to a Class A misdemeanor for a second or subsequent offense. Increases the penalty for rioting and disorderly conduct to a Level 6 felony if the offense is committed while wearing a mask.

**Effective:** July 1, 2026.

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## **Yocum, Haggard**

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January 5, 2026, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

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

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

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

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

## HOUSE BILL No. 1233

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 35-31.5-2-195.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: Sec. 195.5. "**Mask**", for purposes of  
4 **IC 35-45-1, has the meaning set forth in IC 35-45-1-1.**

5 SECTION 2. IC 35-31.5-2-256.7 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2026]: Sec. 256.7. "**Public assembly**", for  
8 **purposes of IC 35-45-1, has the meaning set forth in IC 35-45-1-1.**

9 SECTION 3. IC 35-45-1-1 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) **As used in The**  
11 **definitions in this section apply throughout this chapter.**

12 (b) "**Mask**" means a covering that obscures or is worn over a  
13 person's nose or mouth. However, the term does not include the  
14 following:

15 (1) A holiday costume, if worn to celebrate the holiday.  
16 (2) A theater costume worn by a person participating in a  
17 theater production.





1       knowingly, or intentionally:

2           (1) engages in fighting or in tumultuous conduct;

3           (2) makes unreasonable noise and continues to do so after being

4           asked to stop; or

5           (3) disrupts a lawful assembly of persons;

6       commits disorderly conduct, a Class B misdemeanor.

7       (b) The offense described in subsection (a) is a Level 6 felony if it:

8           (1) adversely affects airport security; and

9           (2) is committed in an airport (as defined in IC 8-21-1-1) or on the

10           premises of an airport, including in a parking area, a maintenance

11           bay, or an aircraft hangar.

12       (c) The offense described in subsection (a) is a Level 6 felony if it:

13           (1) is committed within five hundred (500) feet of:

14               (A) the location where a burial is being performed;

15               (B) a funeral procession, if the person described in subsection

16               (a) knows that the funeral procession is taking place; or

17               (C) a building in which:

18                   (i) a funeral or memorial service; or

19                   (ii) the viewing of a deceased person;

20               is being conducted; and

21           (2) adversely affects the funeral, burial, viewing, funeral

22           procession, or memorial service.

23       **(d) The offense described in subsection (a) is a Level 6 felony if**

24       **it is committed by a person wearing a mask.**

25       SECTION 6. IC 35-45-1-6 IS ADDED TO THE INDIANA CODE

26       AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

27       1, 2026]: Sec. 6. A person who knowingly or intentionally wears a

28       mask while present at a public assembly commits unlawful

29       masking, a Class C misdemeanor. However, the offense is a Class

30       A misdemeanor if the person has a prior unrelated conviction

31       under this section.

