

PRINTING CODE. Deletions appear in ~~this style type~~. Insertions appear in this style type. Typeface changes are shown in ~~this style type~~ or in this style type.

## HOUSE BILL No. 1248

Proposed Changes to January 14, 2026 printing by AM124802

### DIGEST OF PROPOSED AMENDMENT

Statute. Specifies the manner of forwarding DNA information.

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-2-27.4 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]:  
4 **Chapter 27.4. Advanced DNA Testing for Cold Cases**  
5 **Sec. 1. This chapter applies to law enforcement investigations**  
6 **or county coroner investigations concerning the following:**  
7 (1) Homicide (IC 35-42-1).  
8 (2) A sex offense (as defined by IC 11-8-8-5.2).  
9 (3) High risk missing persons (as defined in IC 5-2-17-1).  
10 **Sec. 2. As used in this chapter, "advanced DNA testing"**  
11 **includes:**  
12 (1) DNA forensics;  
13 (2) DNA analytics; or  
14 (3) genetic genealogy.  
15 **Sec. 3. As used in this chapter, "cold case" means either:**  
16 (1) a law enforcement investigation that:  
17 (A) has been open for more than five (5) years; and  
18 (B) has no pending charges; or  
19 (2) a county coroner investigation concerning the  
20 identification of unknown victims.  
21 **Sec. 4. As used in this chapter, "DNA profile" has the meaning**

HB 1248—LS 6736/DI 151



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 set forth in IC 10-13-6-4.

2 Sec. 5. As used in this chapter, "eligible family member"  
3 means:

4 (1) an individual related to the victim by blood, half-blood,  
5 adoption, marriage, or remarriage, including:

- 6 (A) a spouse;  
7 (B) a parent or stepparent;  
8 (C) a child or stepchild;  
9 (D) a grandchild or stepgrandchild;  
10 (E) a grandparent or stepgrandparent;  
11 (F) a brother, sister, stepbrother, or stepsister;  
12 (G) a niece or nephew;  
13 (H) an aunt or uncle;  
14 (I) a daughter-in-law or son-in-law;  
15 (J) a mother-in-law or father-in-law; or  
16 (K) a first cousin; or

17 (2) an individual who cohabits or formerly cohabited with  
18 the victim.

19 Sec. 6. As used in this chapter, "law enforcement agency" has  
20 the meaning set forth in IC 35-47-15-2.

21 Sec. 7. As used in this chapter, "qualified entity" means an  
22 entity that meets all of the following requirements:

23 (A) The entity:

- 24 (i) is exempt from federal income taxation under  
25 Section 501(c)(3) of the Internal Revenue Code; and  
26 (ii) has as its purpose, in whole or in part, to assist  
27 in solving crimes through a partnership between the  
28 community and a law enforcement agency.

29 (B) The entity has been in existence for at least five (5)  
30 years.

31 (C) The entity has:

- 32 (i) a certificate of existence on file with the  
33 secretary of state; and  
34 (ii) a determination letter from the Internal  
35 Revenue Service.

36 (D) The entity has funding, or a demonstrated ability to  
37 raise funding, to cover the cost of advanced DNA testing  
38 under this chapter.

39 (E) The entity agrees to cover all costs associated with  
40 advanced DNA testing without use of state funding,  
41 including costs incurred by the state police laboratory in  
42 performing advanced DNA testing.

HB 1248—LS 6736/DI 151



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 (F) The entity has entered into a memorandum of  
 2 understanding with a law enforcement agency under  
 3 section 10 of this chapter.

4 Sec. 8. As used in this chapter, "testing laboratory" means a  
 5 laboratory that:

- 6 (1) conducts advanced DNA testing; and  
 7 (2) adheres to the standards described in IC 10-13-6-14.

8 Sec. 9. As used in this chapter, "victim" means:

- 9 (1) a person who has suffered direct harm as a result of a  
 10 crime; or  
 11 (2) a high risk missing person (as defined in IC 5-2-17-1).

12 Sec. 10. (a) A law enforcement agency may enter into a  
 13 memorandum of understanding with an entity for purposes of  
 14 funding advanced DNA testing for cold cases under this chapter if  
 15 the law enforcement agency finds the entity meets all of the  
 16 requirements under section 8(A) through 8(E) of this chapter.

17 (b) A law enforcement agency may cancel or suspend the  
 18 memorandum of understanding if the law enforcement agency has  
 19 reason to believe that the entity no longer meets all of the  
 20 requirements under section 8(A) through 8(E) of this chapter.

21 Sec. 11. The following individuals may submit a request to a  
 22 qualified entity to determine eligibility for advanced DNA testing:

- 23 (1) The victim of a cold case.  
 24 (2) An eligible family member of a cold case victim.  
 25 (3) A county coroner.  
 26 (4) A law enforcement agency that has entered into a  
 27 memorandum of understanding with a qualified entity.

28 Sec. 12. A qualified entity shall determine eligibility for  
 29 advanced DNA testing based on the following:

- 30 (1) The order in which the request is received.  
 31 (2) The date of the crime.  
 32 (3) The availability of funds.  
 33 (4) Any other relevant criteria as determined by the qualified  
 34 entity.

35 Sec. 13. Upon a determination of eligibility under section 12 of  
 36 this chapter, the qualified entity shall notify the investigating law  
 37 enforcement agency of the determination of eligibility.

38 Sec. 14. Upon notice of eligibility under section 13 of this  
 39 chapter, the investigating law enforcement agency and a testing  
 40 laboratory shall collaborate to determine:

- 41 (1) the amount of DNA evidence available for testing; and  
 42 (2) the most appropriate advanced DNA testing options.

HB 1248—LS 6736/DI 151



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1           Sec. 15. A testing laboratory that conducts advanced DNA  
2 testing shall collect, preserve, and maintain the appropriate chain  
3 of custody of any evidence.

4           Sec. 16. The investigating law enforcement agency shall  
5 transmit any information concerning a DNA profile to the state  
6 police department ~~<for inclusion in the Indiana DNA data base and~~  
7 ~~the combined DNA index system (as defined in IC 10-13-6-1)>~~ [\[in](#)  
8 [accordance with IC 10-13-6-14\]](#).

9           Sec. 17. Nothing in this chapter shall prohibit a law  
10 enforcement agency from transferring DNA evidence to a testing  
11 laboratory for advanced DNA testing at the law enforcement  
12 agency's own expense.

M  
a  
r  
k  
u  
p

HB 1248—LS 6736/DI 151



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY