



February 13, 2026

ENGROSSED HOUSE BILL No. 1249

DIGEST OF HB 1249 (Updated February 10, 2026 1:05 pm - DI 106)

Citations Affected: IC 31-30; IC 35-47.

Synopsis: Juvenile court jurisdiction. Specifies that a child charged with dangerous possession of a firearm may be tried by a juvenile court under certain circumstances. Makes dangerous possession of a firearm a Level 5 felony if the child: (1) has a prior conviction for unlawful carrying of a handgun; or (2) possesses the firearm on school property, within 500 feet of a school, or on a school bus.

Effective: July 1, 2026.

Zimmerman, Bascom

(SENATE SPONSOR — FREEMAN)

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

January 14, 2026, reported — Do Pass.

January 20, 2026, read second time, ordered engrossed.

January 21, 2026, engrossed.

January 28, 2026, read third time, passed. Yeas 74, nays 18.

SENATE ACTION

February 2, 2026, read first time and referred to Committee on Corrections and Criminal Law.

February 12, 2026, amended, reported favorably — Do Pass.

EH 1249—LS 6693/DI 144



February 13, 2026

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

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

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

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

ENGROSSED HOUSE BILL No. 1249

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

1 SECTION 1. IC 31-30-1-4, AS AMENDED BY P.L.218-2025,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 4. (a) The juvenile court does not have jurisdiction
4 over an individual for an alleged violation of:
5 (1) IC 35-41-5-1(a) (attempted murder);
6 (2) IC 35-42-1-1 (murder);
7 (3) IC 35-42-3-2 (kidnapping);
8 (4) IC 35-42-4-1 (rape);
9 (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);
10 (6) IC 35-42-5-1 (robbery) if:
11 (A) the robbery was committed while armed with a deadly
12 weapon; or
13 (B) the robbery results in bodily injury or serious bodily
14 injury;
15 (7) IC 35-42-5-2 (carjacking) (before its repeal);
16 (8) IC 35-47-10 (children and firearms), if charged as a felony,
17 **unless:**

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- 1 **(A) the child is charged with a felony under**
 2 **IC 35-47-10-5(a)(1) and not any other provision under**
 3 **IC 35-47-10;**
 4 **(B) the felony charged under IC 35-47-10-5(a)(1) is the**
 5 **only felony charge pending against the child;**
 6 **(C) the child has not more than one (1) prior conviction or**
 7 **adjudication under IC 35-47-10-5 or IC 35-47-2-1; and**
 8 **(D) if the child has a prior conviction under IC 35-47-10-5**
 9 **or IC 35-47-2-1, the conviction is a misdemeanor; or**
 10 (9) any offense that may be joined under IC 35-34-1-9(a)(2) with
 11 any crime listed in this subsection;
 12 if the individual was at least sixteen (16) years of age but less than
 13 eighteen (18) years of age at the time of the alleged violation.
 14 (b) Once an individual described in subsection (a) has been charged
 15 with any offense listed in subsection (a), the court having adult
 16 criminal jurisdiction shall retain jurisdiction over the case if the
 17 individual pleads guilty to or is convicted of any offense listed in
 18 subsection (a)(1) through (a)(8).
 19 (c) If:
 20 (1) an individual described in subsection (a) is charged with one
 21 (1) or more offenses listed in subsection (a);
 22 (2) all the charges under subsection (a)(1) through (a)(8) resulted
 23 in an acquittal or were dismissed; and
 24 (3) the individual pleads guilty to or is convicted of any offense
 25 other than an offense listed in subsection (a)(1) through (a)(8);
 26 the court having adult criminal jurisdiction may withhold judgment and
 27 transfer jurisdiction to the juvenile court for adjudication and
 28 disposition. In determining whether to transfer jurisdiction to the
 29 juvenile court for adjudication and disposition, the court having adult
 30 criminal jurisdiction shall consider whether there are appropriate
 31 services available in the juvenile justice system, whether the child is
 32 amenable to rehabilitation under the juvenile justice system, and
 33 whether it is in the best interests of the safety and welfare of the
 34 community that the child be transferred to juvenile court. All orders
 35 concerning release conditions remain in effect until a juvenile court
 36 detention hearing, which must be held not later than forty-eight (48)
 37 hours, excluding Saturdays, Sundays, and legal holidays, after the order
 38 of transfer of jurisdiction.
 39 (d) A court having adult criminal jurisdiction, and not a juvenile
 40 court, has jurisdiction over a person who is at least twenty-one (21)
 41 years of age for an alleged offense:
 42 (1) committed while the person was a child; and



1 (2) that could have been waived under IC 31-30-3.
 2 This subsection applies to a criminal proceeding for an alleged offense
 3 regardless of whether the offense was committed before, on, or after
 4 July 1, 2023, or the juvenile becomes twenty-one (21) years of age
 5 before, on, or after July 1, 2023.

6 SECTION 2. IC 31-30-3-5, AS AMENDED BY P.L.148-2024,
 7 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]: Sec. 5. Except for those cases in which the juvenile
 9 court has no jurisdiction in accordance with IC 31-30-1-4, the court
 10 shall, upon motion of the prosecuting attorney and after full
 11 investigation and hearing, waive jurisdiction if it finds that:

12 (1) the child is charged with an act that, if committed by an adult,
 13 would be:

14 (A) a Level 1 felony, Level 2 felony, Level 3 felony, or Level
 15 4 felony, except a felony defined by IC 35-48-4;

16 (B) involuntary manslaughter as a Level 5 felony under
 17 IC 35-42-1-4;

18 (C) reckless homicide as a Level 5 felony under IC 35-42-1-5;

19 or

20 (D) unlawful carrying of a handgun as a felony under
 21 IC 35-47-2-1.5; or

22 **(E) dangerous possession of a firearm as a felony under**
 23 **IC 35-47-10;**

24 (2) there is probable cause to believe that the child has committed
 25 the act; and

26 (3) the child was at least sixteen (16) years of age when the act
 27 charged was allegedly committed;

28 unless it would be in the best interests of the child and of the safety and
 29 welfare of the community for the child to remain within the juvenile
 30 justice system.

31 SECTION 3. IC 35-47-10-5, AS AMENDED BY P.L.148-2024,
 32 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2026]: Sec. 5. (a) A child who knowingly, intentionally, or
 34 recklessly possesses a firearm for any purpose other than a purpose
 35 described in section 1 of this chapter commits dangerous possession of
 36 a firearm, a Class A misdemeanor. However, the offense is a Level 5
 37 felony if:

38 (1) the child has a prior conviction ~~under this section~~ or has been
 39 adjudicated a delinquent for an act that would be an offense
 40 under:

41 (A) this section; or

42 (B) IC 35-47-2-1.5; or



1 **(2) the offense is committed:**
2 **(A) on or in school property;**
3 **(B) within five hundred (500) feet of school property; or**
4 **(C) on a school bus.**
5 (b) A child who knowingly or intentionally provides a firearm to
6 another child whom the child knows:
7 (1) is ineligible for any reason to purchase or otherwise receive
8 from a dealer a firearm; or
9 (2) intends to use the firearm to commit a crime;
10 commits a Level 5 felony. However, the offense is a Level 3 felony if
11 the other child uses the firearm to commit murder (IC 35-42-1-1).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1249, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1249 as introduced.)

MCNAMARA

Committee Vote: Yeas 9, Nays 4

COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1249, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 16 through 17.

Page 2, line 1, reset in roman "(8)".

Page 2, line 1, delete "(9)".

Page 2, line 1, delete "felony;" and insert "felony, **unless:**

(A) the child is charged with a felony under IC 35-47-10-5(a)(1) and not any other provision under IC 35-47-10;

(B) the felony charged under IC 35-47-10-5(a)(1) is the only felony charge pending against the child;

(C) the child has not more than one (1) prior conviction or adjudication under IC 35-47-10-5 or IC 35-47-2-1; and

(D) if the child has a prior conviction under IC 35-47-10-5 or IC 35-47-2-1, the conviction is a misdemeanor;".

Page 2, line 3, reset in roman "(9)".

Page 2, line 3, delete "(10)".

Page 2, line 11, reset in roman "(a)(8)".

Page 2, line 11, delete "(a)(9)".

Page 2, line 15, reset in roman "(a)(8)".

Page 2, line 15, delete "(a)(9)".

Page 2, line 18, reset in roman "(a)(8);".

Page 2, line 19, delete "**(a)(9);**".

Page 2, delete line 42, begin a new paragraph and insert:

"SECTION 2. IC 31-30-3-5, AS AMENDED BY P.L.148-2024,



SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. Except for those cases in which the juvenile court has no jurisdiction in accordance with IC 31-30-1-4, the court shall, upon motion of the prosecuting attorney and after full investigation and hearing, waive jurisdiction if it finds that:

(1) the child is charged with an act that, if committed by an adult, would be:

(A) a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, except a felony defined by IC 35-48-4;

(B) involuntary manslaughter as a Level 5 felony under IC 35-42-1-4;

(C) reckless homicide as a Level 5 felony under IC 35-42-1-5;

or

(D) unlawful carrying of a handgun as a felony under IC 35-47-2-1.5; or

(E) dangerous possession of a firearm as a felony under IC 35-47-10;

(2) there is probable cause to believe that the child has committed the act; and

(3) the child was at least sixteen (16) years of age when the act charged was allegedly committed;

unless it would be in the best interests of the child and of the safety and welfare of the community for the child to remain within the juvenile justice system.

SECTION 3. IC 35-47-10-5, AS AMENDED BY P.L.148-2024, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) A child who knowingly, intentionally, or recklessly possesses a firearm for any purpose other than a purpose described in section 1 of this chapter commits dangerous possession of a firearm, a Class A misdemeanor. However, the offense is a Level 5 felony if:

(1) the child has a prior conviction ~~under this section~~ or has been adjudicated a delinquent for an act that would be an offense under:

(A) this section; or

(B) IC 35-47-2-1.5; or

(2) the offense is committed:

(A) on or in school property;

(B) within five hundred (500) feet of school property; or

(C) on a school bus.

(b) A child who knowingly or intentionally provides a firearm to another child whom the child knows:



(1) is ineligible for any reason to purchase or otherwise receive from a dealer a firearm; or
(2) intends to use the firearm to commit a crime;
commits a Level 5 felony. However, the offense is a Level 3 felony if the other child uses the firearm to commit murder (IC 35-42-1-1)."

Delete page 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1249 as printed January 14, 2026.)

FREEMAN, Chairperson

Committee Vote: Yeas 9, Nays 0.

