

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. 1249

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:

SECTION 1. IC 5-2-22-1, AS AMENDED BY P.L.161-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Crime of child abuse" means:
 - (A) neglect of a dependent (IC 35-46-1-4) if the dependent is a child and the offense is committed under:
 - (i) IC 35-46-1-4(a)(1);
 - (ii) IC 35-46-1-4(a)(2); or
 - (iii) IC 35-46-1-4(a)(3);
 - (B) child selling (IC 35-46-1-4(d));
 - (C) a sex offense (as defined in IC 11-8-8-5.2) committed against a child; or
 - (D) battery against a child under:
 - (i) IC 35-42-2-1(e)(3) (battery on a child);
 - (ii) ~~IC 35-42-2-1(g)(5)(B)~~ **IC 35-42-2-1(h)(5)(B)** (battery causing bodily injury to a child);
 - (iii) ~~IC 35-42-2-1(j)~~ **IC 35-42-2-1(k)** (battery causing serious bodily injury to a child); or
 - (iv) ~~IC 35-42-2-1(k)~~ **IC 35-42-2-1(l)** (battery resulting in the death of a child).



(2) "Office" refers to the office of judicial administration created ~~under~~ by IC 33-24-6-1.

(3) "Registry" means the child abuse registry established under section 2 of this chapter.

SECTION 2. IC 5-14-3-4, AS AMENDED BY HEA 1360-2026, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

- (1) Those declared confidential by state statute.
- (2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.
- (3) Those required to be kept confidential by federal law.
- (4) Records containing trade secrets.
- (5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.
- (6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:
 - (A) concerning any negotiations made with respect to the research; and
 - (B) received from another party involved in the research.
- (7) Grade transcripts and license examination scores obtained as part of a licensure process.
- (8) Those declared confidential by or under rules adopted by the supreme court of Indiana.
- (9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.
- (10) Application information declared confidential by the Indiana economic development corporation under IC 5-28.
- (11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.
- (12) A Social Security number contained in the records of a public agency.
- (13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:
 - (A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).



(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(15) Information described in section 5(c)(3)(B) of this chapter that is contained in a daily log or record described in section 5(c) of this chapter for a victim of a crime or delinquent act who is less than eighteen (18) years of age, unless and to the extent that:

(A) a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records; and

(B) that parent, guardian, or custodian of the victim has not been charged with or convicted of committing a crime against the victim.

However, records described in this subdivision may be disclosed to the department of child services.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. However, information described in subsection (a)(15) contained in a law enforcement recording is exempt from disclosure, unless and to the extent that a parent, guardian, or custodian of the victim consents in writing to public disclosure of the records. However, a parent, guardian, or custodian charged with or convicted of a crime against the victim may not consent to public disclosure of the records. Law enforcement agencies or private university police departments may share investigatory records with:

(A) a person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim;



(B) a school corporation (as defined by IC 20-18-2-16(a)), charter school (as defined by IC 20-24-1-4), or nonpublic school (as defined by IC 20-18-2-12) for the purpose of enhancing the safety or security of a student or a school facility; and

(C) the victim services division of the Indiana criminal justice institute under IC 5-2-6-8, for the purposes of conducting an investigation under IC 5-2-6.1-26;

without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:

(A) a public agency;

(B) the state; or

(C) an individual.

(3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.

(4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.

(5) The following:

(A) Records relating to negotiations between:

(i) the Indiana economic development corporation;

(ii) the ports of Indiana;

(iii) the Indiana state department of agriculture;

(iv) the Indiana finance authority;

(v) an economic development commission;

(vi) the Indiana White River state park development commission;

(vii) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or

(viii) a governing body of a political subdivision;

with industrial, research, or commercial prospects, if the records are created while negotiations are in progress.



However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, the Indiana White River state park development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being



suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

(A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or

(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor



vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes the following:

(A) A record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18).

(B) Vulnerability assessments.

(C) Risk planning documents.

(D) Needs assessments.

(E) Threat assessments.

(F) Intelligence assessments.

(G) Domestic preparedness strategies.

(H) The location of community drinking water wells and surface water intakes.

(I) The emergency contact information of emergency responders and volunteers.

(J) Infrastructure records that disclose the configuration of critical systems such as voting system and voter registration system critical infrastructure, and communication, electrical, ventilation, water, and wastewater systems.

(K) Detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. A record described in this clause may not be released for public inspection by any public agency without the prior approval of



the public agency that owns, occupies, leases, or maintains the airport. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:

(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.

(ii) The public agency must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".

(L) The home address, home telephone number, and emergency contact information for any:

(i) emergency management worker (as defined in IC 10-14-3-3);

(ii) public safety officer (as defined in IC 35-47-4.5-3);

(iii) emergency medical responder (as defined in IC 16-18-2-109.8); or

(iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

(M) Information relating to security measures or precautions used to secure the statewide 911 system under IC 36-8-16.7.

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18) has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):



- (A) Telephone number.
- (B) Address.
- (C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

- (A) Telephone number.
- (B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender, an agent, or a relative of an offender that:

- (A) contain personal information relating to:
 - (i) a correctional officer (as defined in IC 5-10-10-1.5);
 - (ii) a probation officer;
 - (iii) a community corrections officer;
 - (iv) a law enforcement officer (as defined in IC 35-31.5-2-185);
 - (v) a judge (as defined in IC 33-38-12-3);
 - (vi) the victim of a crime; or
 - (vii) a family member of a correctional officer, probation officer, community corrections officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or
- (B) concern or could affect the security of a jail or correctional facility.

For purposes of this subdivision, "agent" means a person who is authorized by an offender to act on behalf of, or at the direction of, the offender, and "relative" has the meaning set forth in ~~IC 35-42-2-1(b)~~. **IC 35-42-2-1(a)**. However, the term "agent" does not include an attorney in good standing admitted to the practice of law in Indiana.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:



- (A) Name.
- (B) Address.
- (C) Telephone number.
- (D) Electronic mail account address.
- (25) Criminal intelligence information.
- (26) The following information contained in a report of unclaimed property under IC 32-34-1.5-18 or in a claim for unclaimed property under IC 32-34-1.5-48:
 - (A) Date of birth.
 - (B) Driver's license number.
 - (C) Taxpayer identification number.
 - (D) Employer identification number.
 - (E) Account number.
- (27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.
- (28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.
- (c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.
- (d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning:
 - (1) an adoption or patient medical records; or
 - (2) a birth or stillbirth;
 shall be made available for inspection and copying seventy-five (75) years after the creation of that record. A registration or certificate of a birth or stillbirth shall be made available in accordance with IC 16-37-1-7.5.
- (e) A public agency may deny a request under this chapter for a



record if the request:

- (1) is made by a person that is a party to pending or ongoing litigation; and
- (2) is duplicative of a discovery request made by the person in the pending or ongoing litigation.

(f) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(g) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(h) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(i) Notwithstanding subsection (d) and section 7 of this chapter:

- (1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or
- (2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business.

SECTION 3. IC 7.1-1-3-13.5, AS AMENDED BY P.L.142-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. "Conviction for operating while intoxicated" means a conviction (as defined in IC 9-13-2-38) for a crime under IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6 (**before its repeal**), or IC 14-15-8 (before its repeal).

SECTION 4. IC 8-3-1-20.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 20.5. (a) As used in this section, "personally identifying information" means the following information that identifies an individual:**

- (1) Name.**
- (2) Driver's license number.**
- (3) Address (other than the ZIP code).**
- (4) Date of birth.**
- (5) Electronic mail address.**
- (6) Telephone number.**

The term does not include information about vehicular accidents, driving or equipment related violations, and driver's license or registration status.

(b) Personally identifying information of railroad crew



members must be redacted from any public report involving a railroad fatality.

(c) Any law enforcement agency or other person who possesses a report involving a railroad fatality shall maintain the report in a manner that ensures the confidentiality of the railroad crew's personally identifying information.

(d) An unredacted copy of a report involving a railroad fatality must be accessible at all reasonable times:

- (1) to the host or employing railroad;
- (2) by a court order;
- (3) to a person specifically authorized by a court order to obtain the information if access to the information is necessary in the performance of the duties of the person; and
- (4) to:
 - (A) law enforcement officers;
 - (B) the attorney general;
 - (C) the attorney general's deputies and assistants;
 - (D) the department; and
 - (E) the department's staff;

if access to the information is necessary in the performance of the duties of a person described in clauses (A) through (E).

SECTION 5. IC 9-13-2-130, AS AMENDED BY P.L.142-2020, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction for:

- (1) an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); ~~or~~
- (2) a crime under IC 9-30-5-1 through IC 9-30-5-9; **or**
- (3) **a crime under IC 35-46-9 (before its repeal), IC 14-1-5 (before its repeal), or IC 14-15-8-8 (before its repeal).**

SECTION 6. IC 9-13-2-196, AS AMENDED BY P.L.164-2020, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

- (1) A device moved by human power.
 - (2) A device that runs only on rails or tracks.
 - (3) A wheelchair.
 - (4) An electric foot scooter.
- (b) For purposes of IC 9-17, the term includes the following:



- (1) Off-road vehicles.
- (2) Manufactured homes or mobile homes that are:
 - (A) personal property not held for resale; and
 - (B) not attached to real estate by a permanent foundation.
- (3) Watercraft.

(c) For purposes of IC 9-22 (except IC 9-22-6) and IC 9-32, the term refers to a vehicle or watercraft of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-14.

(d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land, ~~or air, or water~~. The term does not include an electric personal assistive mobility device.

SECTION 7. IC 9-30-5-15, AS AMENDED BY P.L.217-2017, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) ~~In addition to any criminal penalty imposed for an offense under this chapter, the court shall:~~ **If a person has one (1) previous conviction of operating while intoxicated, the court shall:**

- (1) order:
 - (A) that the person be imprisoned for at least ~~five (5)~~ **ten (10)** days; or
 - (B) the person to perform at least two hundred forty (240) hours of community restitution or service; and
- (2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse.

~~if the person has one (1) previous conviction of operating while intoxicated:~~

(b) ~~In addition to any criminal penalty imposed for an offense under this chapter, the court shall:~~ **If a person has at least two (2) previous convictions of operating while intoxicated, the court shall:**

- (1) order:
 - (A) that the person be imprisoned for at least ~~ten (10)~~ **twenty (20)** days; or
 - (B) the person to perform at least four hundred eighty (480) hours of community restitution or service; and
- (2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to



successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse.

~~if the person has at least two (2) previous convictions of operating while intoxicated.~~

(c) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, a sentence imposed under this section may not be suspended. The court may require that the person serve the term of imprisonment in an appropriate facility at whatever time or intervals (consecutive or intermittent) determined appropriate by the court. However:

- (1) at least forty-eight (48) hours of the sentence must be served consecutively; and
- (2) the entire sentence must be served within six (6) months after the date of sentencing.

~~(d) Notwithstanding IC 35-50-6, A person does not earn good time credit (as defined in IC 35-50-6-0.5) while serving a sentence imposed under this section.~~

(e) This section does not increase the maximum sentence for the offense as provided by either IC 35-50-2 or IC 35-50-3.

SECTION 8. IC 9-30-6-6, AS AMENDED BY P.L.174-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A physician, a person trained in retrieving contraband or obtaining bodily substance samples and acting under the direction of or under a protocol prepared by a physician, or a licensed health care professional acting within the professional's scope of practice and under the direction of or under a protocol prepared by a physician, who:

- (1) obtains a blood, urine, or other bodily substance sample from a person, regardless of whether the sample is taken for diagnostic purposes or at the request of a law enforcement officer under this section;
- (2) performs a chemical test on blood, urine, or other bodily substance obtained from a person; or
- (3) searches for or retrieves contraband from the body cavity of an individual;

shall deliver the sample or contraband or disclose the results of the test to a law enforcement officer who requests the sample, contraband, or results as a part of a criminal investigation. Samples, contraband, and test results shall be provided to a law enforcement officer even if the person has not consented to or otherwise authorized their release.

(b) A physician, a licensed health care professional, a hospital, or an agent of a physician or hospital is not civilly or criminally liable for any



of the following:

- (1) Disclosing test results in accordance with this section.
 - (2) Delivering contraband, or a blood, urine, or other bodily substance sample in accordance with this section.
 - (3) Searching for or retrieving contraband or obtaining a blood, urine, or other bodily substance sample in accordance with this section.
 - (4) Disclosing to the prosecuting attorney or the deputy prosecuting attorney for use at or testifying at the criminal trial of the person as to facts observed or opinions formed.
 - (5) Failing to treat a person from whom contraband is retrieved or a blood, urine, or other bodily substance sample is obtained at the request of a law enforcement officer if the person declines treatment.
 - (6) Injury to a person arising from the performance of duties in good faith under this section. However, immunity does not apply if the physician, licensed health care professional, hospital, or agent of a physician or hospital acts with gross negligence or willful or wanton misconduct.
- (c) For the purposes of a criminal proceeding:
- (1) the privileges arising from a patient-physician relationship do not apply to the contraband, samples, test results, or testimony described in this section; and
 - (2) contraband, samples, test results, and testimony may be admitted in a proceeding in accordance with the applicable rules of evidence.
- (d) The exceptions to the patient-physician relationship specified in subsection (c) do not affect those relationships in a proceeding that is not a criminal proceeding.
- (e) The contraband, test results, and samples obtained by a law enforcement officer under subsection (a) may be disclosed only to a prosecuting attorney or a deputy prosecuting attorney for use as evidence in a criminal proceeding.
- (f) This section does not require a physician or a person under the direction of a physician to perform a chemical test or to retrieve contraband.
- (g) If the person:
- (1) from whom the contraband is to be retrieved or the bodily substance sample is to be obtained under this section does not consent; and
 - (2) resists the retrieval of the contraband or the taking of a sample;



the law enforcement officer may use reasonable force to assist an individual, who must be authorized under this section to retrieve contraband or obtain a sample, in the retrieval of the contraband or the taking of the sample.

(h) The person authorized under this section to retrieve contraband or obtain a bodily substance sample shall take the sample or retrieve the contraband in a medically accepted manner.

(i) This subsection does not apply to contraband retrieved or a bodily substance sample taken at a licensed hospital (as defined in IC 16-18-2-179(a) and IC 16-18-2-179(b)). A law enforcement officer may transport the person to a place where the contraband may be retrieved or the sample may be obtained by any of the following persons who are trained in retrieving contraband or obtaining bodily substance samples and who have been engaged to retrieve contraband or obtain samples under this section:

- (1) A physician holding an unlimited license to practice medicine or osteopathy.
- (2) A registered nurse.
- (3) A licensed practical nurse.
- (4) An advanced emergency medical technician (as defined in IC 16-18-2-6.5).
- (5) A paramedic (as defined in IC 16-18-2-266).
- (6) Except as provided in subsections (j) through (k), any other person qualified through training, experience, or education to retrieve contraband or obtain a bodily substance sample.

(j) A law enforcement officer may not retrieve contraband or obtain a bodily substance sample under this section if the contraband is to be retrieved or the sample is to be obtained from another law enforcement officer as a result of the other law enforcement officer's involvement in an accident or alleged crime.

(k) A law enforcement officer who is otherwise qualified to obtain a bodily substance sample under this section may obtain a bodily substance sample from a person involved in an accident or alleged crime who is not a law enforcement officer only if:

- (1) the officer obtained a bodily substance sample from an individual as part of the officer's official duties as a law enforcement officer; and
- (2) the:
 - (A) person consents to the officer obtaining a bodily substance sample; or
 - (B) obtaining of the bodily substance sample is authorized by a search warrant.



(l) A physician or a person trained in obtaining bodily samples who is acting under the direction of or under a protocol prepared by a physician shall obtain a blood sample if the following conditions are satisfied:

- (1) A law enforcement officer requests that the sample be obtained.
- (2) The law enforcement officer has certified in writing the following:
 - (A) That the officer has probable cause to believe the person from whom the sample is to be obtained has violated IC 9-30-5-4, IC 9-30-5-5, IC 35-46-9-6(b)(2) **(before its repeal)**, or IC 35-46-9-6(c) **(before its repeal)**.
 - (B) That the offense resulting in a criminal investigation described in subsection (a) occurred not more than three (3) hours before the time the sample is requested.
 - (C) That exigent circumstances exist that create pressing health, safety, or law enforcement needs that would take priority over a warrant application.
- (3) Not more than the use of reasonable force is necessary to obtain the sample.

SECTION 9. IC 9-30-6-8, AS AMENDED BY HEA 1202-2026, SECTION 7, 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 **(before its repeal)**, 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 **held** under subsection (c), **IC 35-33-7-1, or if the initial hearing was waived, upon notice of waiver of the initial hearing.**

(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 IC 35-46-9 **(before its repeal)** 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 **(before its repeal)** 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 (**before its repeal**), 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~~, **IC 9-30-5-1(a) or IC 9-30-5-1(b)**, 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 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; **or**
- (3) was also charged under IC 9-30-5-2.**

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 registered ignition interlock device; and
- (2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning 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 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 registered ignition interlock device under subsection (d).



SECTION 10. IC 9-30-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person who the officer has reason to believe operated a vehicle that was involved in a ~~fatal accident~~ or an accident involving serious bodily injury. If:

- (1) the results of a portable breath test indicate the presence of alcohol;
 - (2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or
 - (3) the person refuses to submit to a portable breath test;
- the law enforcement officer shall offer a chemical test to the person.

(b) A law enforcement officer shall offer a chemical test that includes a blood test to any person who the officer has reason to believe operated a vehicle that was involved in a fatal accident.

~~(b)~~ (c) A law enforcement officer may offer a person more than one (1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious bodily injury.

~~(c)~~ (d) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person.

SECTION 11. IC 9-30-10-4, AS AMENDED BY P.L.218-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person who has accumulated at least two (2) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator:

- (1) Reckless homicide resulting from the operation of a motor vehicle.
- (2) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle.
- (3) Failure of the operator of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance.
- (4) Operation of a vehicle while intoxicated resulting in death.
- (5) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood resulting in death.
- (6) After June 30, 1997, and before July 1, 2001, operation of a



vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:

- (A) one hundred (100) milliliters of the blood; or
- (B) two hundred ten (210) liters of the breath;

resulting in death.

(7) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

- (A) one hundred (100) milliliters of the blood; or
- (B) two hundred ten (210) liters of the breath;

resulting in death.

(8) After June 30, 2001, operation of a motor vehicle with a schedule I or schedule II controlled substance in the blood resulting in death.

(b) A person who has accumulated at least three (3) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator:

- (1) Operation of a vehicle while intoxicated.
- (2) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood.
- (3) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:
 - (A) one hundred (100) milliliters of the blood; or
 - (B) two hundred ten (210) liters of the breath.
- (4) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:
 - (A) one hundred (100) milliliters of the blood; or
 - (B) two hundred ten (210) liters of the breath.
- (5) Reckless driving.
- (6) Criminal recklessness as a felony involving the operation of a motor vehicle.
- (7) Drag racing or engaging in a speed contest in violation of law.
- (8) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46 (repealed July 1, 1991), IC 9-26-1-1(1) (repealed January 1, 2015), IC 9-26-1-1(2) (repealed January 1, 2015), IC 9-26-1-2(1) (repealed January 1, 2015), IC 9-26-1-2(2) (repealed January 1, 2015), IC 9-26-1-3 (repealed January 1, 2015), IC 9-26-1-4 (repealed January 1, 2015), or IC 9-26-1-1.1.
- (9) Resisting law enforcement with a vehicle under:



- (A) IC 35-44.1-3-1(c)(1);
- (B) IC 35-44.1-3-1(c)(2)(C);
- (C) IC 35-44.1-3-1(c)(3);
- (D) IC 35-44.1-3-1(c)(4); or
- (E) IC 35-44.1-3-1(c)(5).

(10) Any felony under this title or any felony in which the operation of a motor vehicle is an element of the offense.

(11) After June 30, 2001, operation of a motor vehicle with a schedule I or schedule II controlled substance in the blood.

A judgment for a violation enumerated in subsection (a) shall be added to the violations described in this subsection for the purposes of this subsection.

(c) A person who has accumulated at least ten (10) judgments within a ten (10) year period for any traffic violation, except a parking or an equipment violation, of the type required to be reported to the bureau, singularly or in combination, and not arising out of the same incident, is a habitual violator. However, at least one (1) of the judgments must be for:

- (1) a violation enumerated in subsection (a);
- (2) a violation enumerated in subsection (b);
- (3) operating a motor vehicle while the person's license to do so has been suspended or revoked as a result of the person's conviction of an offense under IC 9-1-4-52 (repealed July 1, 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3; or
- (4) operating a motor vehicle without ever having obtained a license to do so.

A judgment for a violation enumerated in subsection (a) or (b) shall be added to the judgments described in this subsection for the purposes of this subsection.

(d) For purposes of this section, a judgment includes a judgment in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of the offenses described in subsections (a), (b), and (c).

(e) For purposes of this section, the offense date is used when determining the number of judgments accumulated within a ten (10) year period.

SECTION 12. IC 9-30-16-1, AS AMENDED BY P.L.111-2021, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in subsection (b), the following are ineligible for specialized driving privileges under this chapter:



- (1) A person who has never been an Indiana resident.
- (2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7. However, a court may grant this person driving privileges under IC 9-30-6-8(d).
- (3) A person whose driving privileges have been suspended or revoked under IC 9-24-10-7(b)(2)(A).
- (4) A person whose driving privileges have been suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b).
- (b) This chapter applies to the following:
 - (1) A person who held a driver's license (issued under IC 9-24-3), or a commercial driver's, a public passenger chauffeur's, or a chauffeur's license at the time of:
 - (A) the criminal conviction for which the operation of a motor vehicle is an element of the offense;
 - (B) any criminal conviction for an offense under IC 9-30-5, IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its repeal); or
 - (C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f).
 - (2) A person who:
 - (A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and
 - (B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended.
- (c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense:
 - (1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense.
 - (2) Any criminal conviction for an offense under IC 9-30-5, IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its repeal).
 - (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.
- (d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be served concurrently. A court may grant credit time for any suspension



that began before the conviction, except as prohibited by section ~~6(a)(2)~~ **6(a)** of this chapter.

(e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges.

(f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for and obtain an Indiana driver's license.

(g) If a person indicates to the court at an initial hearing (as described in IC 35-33-7) that the person intends to file a petition for a specialized driving privileges hearing with that court under section 3 or 4 of this chapter, the following apply:

(1) The court shall:

(A) stay the suspension of the person's driving privileges at the initial hearing and shall not submit the probable cause affidavit related to the person's offense to the bureau; and

(B) set the matter for a specialized driving privileges hearing not later than thirty (30) days after the initial hearing.

(2) If the person does not file a petition for a specialized driving privileges hearing not later than ten (10) days after the date of the initial hearing, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

(3) If the person files a petition for a specialized driving privileges hearing not later than ten (10) days after the initial hearing, the stay of the suspension of the person's driving privileges continues until the matter is heard and a determination is made by the court at the specialized driving privileges hearing.

(4) If the specialized driving privileges hearing is continued due to:

(A) a congestion of the court calendar;

(B) the prosecuting attorney's motion for a continuance; or

(C) the person's motion for a continuance with no objection by the prosecuting attorney;

the stay of the suspension of the person's driving privileges continues until addressed at the next hearing.

(5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance over the prosecuting attorney's objection, the court shall lift the



stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

Nothing in this subsection prevents an otherwise eligible individual from applying for a specialized driving privilege after the initial hearing.

SECTION 13. IC 14-15-4-4, AS AMENDED BY P.L.195-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A person who knowingly or intentionally violates section 1, 2, or 3 of this chapter commits a Class C misdemeanor. However, the offense is:

- (1) a Class A misdemeanor if the accident or collision results in an injury to a person;
- (2) a Level 6 felony if:
 - (A) the accident or collision results in serious bodily injury to a person; or
 - (B) within the five (5) years preceding the commission of the offense, the person had a previous conviction of any of the offenses listed in IC 9-30-10-4(a), IC 35-46-9-6 (**before its repeal**), or IC 14-15-8-8 (before its repeal); or
- (3) a Level 5 felony if the accident or collision results in the death of a person.

SECTION 14. IC 14-15-11-14, AS AMENDED BY P.L.217-2014, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A court may suspend or revoke the driver's license of a person upon the conviction of the person of a crime based on a violation of IC 14-15-3, IC 14-15-8 (before its repeal), IC 35-46-9 (**before its repeal**), or IC 14-15-12.

(b) In suspending or revoking a driver's license under this section, the court shall notify the bureau of the driver's license suspension or revocation, and the bureau shall follow the procedure set forth in IC 9-30-4.

SECTION 15. IC 14-15-11-15, AS AMENDED BY P.L.40-2012, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) A court in which an individual is convicted of a crime based on a violation of IC 14-15-3, IC 35-46-9 (**before its repeal**), IC 14-15-8 (before its repeal), or IC 14-15-12 relating to the operation of a motorboat shall forward a certified abstract of the record of the conviction to the bureau.

(b) If, in the opinion of the court, an individual referred to in subsection (a) should be deprived of the privilege of operating a vehicle or motorboat, the court shall recommend the suspension of the



Indiana driver's license issued to the individual for a fixed period. The period of the suspension shall be established by the court but may not exceed one (1) year.

(c) Upon receiving the recommendation of the court under subsection (b), the bureau shall suspend the individual's license for the period recommended by the court.

(d) A certified abstract forwarded to the bureau under subsection (a):

- (1) must be in the form prescribed by the bureau; and
- (2) shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract.

SECTION 16. IC 14-15-11-17, AS AMENDED BY P.L.40-2012, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) For purposes of the point system for Indiana traffic convictions operated by the bureau under 140 IAC 1-4.5, the bureau shall assess points against a person who commits a crime by operating a motorboat in violation of:

- (1) IC 14-15-3;
- (2) IC 35-46-9 **(before its repeal)** ~~(or or IC 14-15-8 before its repeal)~~; or
- (3) IC 14-15-12.

(b) The bureau shall assess points against a person under this section for each crime referred to in subsection (a) that is committed by the person.

(c) The point study committee appointed by the commissioner under 140 IAC 1-4.5-3, in consultation with the department, shall determine the number of points assessed under subsection (a) for each type of criminal violation of IC 14-15-3, IC 14-15-8 (before its repeal), IC 35-46-9 **(before its repeal)**, or IC 14-15-12 based on the evaluation by the committee of the danger to human life, human physical safety, and property posed by the violation.

SECTION 17. IC 14-15-12-5, AS AMENDED BY P.L.40-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. The requirements and prohibitions set forth in this chapter concerning personal watercraft are in addition to the requirements and prohibitions set forth in IC 14-15-3, IC 35-46-9 **(before its repeal)**, and IC 14-15-8 (before its repeal).

SECTION 18. IC 14-15-13-2, AS AMENDED BY P.L.40-2012, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The requirements and prohibitions set forth in this chapter are in addition to the requirements and prohibitions set



forth in IC 14-15-2, IC 14-15-3, IC 14-15-4, 14-15-8 (before its repeal), IC 35-46-9 (before its repeal), and IC 14-15-12.

SECTION 19. IC 20-19-3-27.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 27.5: The department shall establish and maintain on the department's website a public data base of information provided by each public school in accordance with IC 20-26-5-42 concerning employees of each public school who were physically injured while on the job by students of the public school.

SECTION 20. IC 20-26-5-42 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 42: (a) This section applies to the following:

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

(2) Physical injuries that occur after June 30, 2023.

(b) Each public school shall provide to the department, in a manner prescribed by the department, information concerning an employee of the public school who was physically injured while on the job by a student of the public school if the injury:

(1) is required to be reported to the public school's worker's compensation carrier;

(2) causes the employee to miss all or part of one (1) or more work days; or

(3) is required to be reported to the public school pursuant to the public school's reporting policy.

(c) A public school may not provide information under subsection (b) that identifies the employee or the student.

(d) Nothing in this section shall be construed to prohibit a public school from providing identifying information otherwise required by law or rule.

SECTION 21. IC 22-1-1-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) The following definitions apply throughout this section:

(1) "Health care employee" has the meaning set forth in IC 35-42-2-1.

(2) "School employee" has the meaning set forth in IC 35-42-2-1.

(3) "Workplace battery" means a battery described in IC 35-42-2-1(d) or IC 35-42-2-1(g).

(b) The employer of a health care employee or school employee shall make a workplace battery report as described in subsection (c) to the commissioner if a health care employee or school employee is the victim of workplace battery.

(c) Beginning July 1, 2027, the employer shall make the



workplace battery report required under subsection (b) each year before:

- (1) August 1, for the period from January 1 to June 30; and
- (2) February 1, for the period from July 1 to December 31.

The report shall be made on a form provided by the commissioner.

(d) The workplace battery report must include the following information:

- (1) The name of the employer.
- (2) The city and county in which a workplace battery was committed.
- (3) The time period covered by the report (January 1 to June 30 or July 1 to December 31).
- (4) The number of workplace batteries that were committed during the reporting period.
- (5) The job title of each health care employee or school employee who was the victim of the workplace battery.
- (6) The date of each workplace battery.
- (7) The address and specific location (such as "hospital emergency room" or "school parking lot") where the workplace battery occurred. However, if the battery occurred at the health care employee's or school employee's home, the report may not include the address.
- (8) The circumstances surrounding the workplace battery and any resulting injury, including the following, if known:
 - (A) The gender of the victim.
 - (B) The specific manner in which the workplace battery was committed (such as by striking, biting, pushing, kicking, use of an object, or use of a weapon).
 - (C) Whether the victim required hospitalization.
 - (D) If a weapon or other object was used to commit the workplace battery, the type of weapon or object.
 - (E) Whether law enforcement was contacted or responded to the workplace battery.
 - (F) Whether criminal charges were filed against the perpetrator.

For a workplace battery that does not occur on the employer's premises, the employer shall provide as much information as is known to the employer.

(e) The employer shall make the report required under this section regardless of whether a person is criminally charged with the workplace battery.

SECTION 22. IC 27-10-2-4.5, AS AMENDED BY HEA



1258-2026, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) The following definitions apply throughout this section:

(1) "Charitable bail organization" means a business entity, or a nonprofit organization under:

- (A) the Internal Revenue Code; or
- (B) Indiana law;

that exists for the purpose of paying cash bail for another person. However, the term does not include a person who pays cash bail for three (3) or fewer defendants in any one hundred eighty (180) day period, or a person who pays bail for a relative (as defined in ~~IC 35-42-2-1(b)~~). **IC 35-42-2-1(a)**.

(2) "Crime of violence" has the meaning set forth in IC 35-31.5-2-79.

(b) The commissioner may certify a charitable bail organization if the charitable bail organization:

(1) is a business entity, or a nonprofit organization under:

- (A) the Internal Revenue Code; or
- (B) Indiana law;

(2) is currently registered to do business in Indiana;

(3) is located in Indiana; and

(4) exists for the purpose of depositing cash bail for an indigent defendant who:

- (A) is not charged with a crime of violence; or
- (B) if charged with a felony, does not have a prior conviction for a crime of violence.

(c) A person may apply for certification under this section in accordance with rules adopted under this section.

(d) The commissioner shall certify a person as a charitable bail organization if the:

(1) person pays an application fee of three hundred dollars (\$300);

(2) person meets the requirements of this section; and

(3) person, including an officer or director of the person, has not engaged in conduct that:

- (A) constitutes fraud, dishonesty, or deception;
- (B) constitutes malfeasance, misfeasance, or nonfeasance in dealing with money; or
- (C) resulted in the suspension or revocation of a previous certification.

(e) A charitable bail certification is valid for two (2) years from the date of issuance and may be renewed upon payment of a renewal fee



of three hundred dollars (\$300). If a person applies for renewal before the expiration of the existing certification, the existing certification remains valid until the commissioner renews the certification, or until five (5) days after the commissioner denies the application for renewal. A person is entitled to renewal unless the commissioner denies the application for renewal under subsection (f).

(f) The commissioner shall deny, suspend, revoke, or refuse to renew certification for any of the following causes:

(1) Any cause for which issuance of the certification could have been refused had it then existed and been known to the commissioner.

(2) Violation of any laws of this state in the course of dealings under the certification.

(3) Material misstatement, misrepresentation, or fraud in obtaining the certification.

(4) Misappropriation, conversion, or unlawful withholding of money belonging to donors or others and received in the conduct of business under the certification.

(5) Fraudulent or dishonest practices in the conduct of business under the certification.

(6) Willful failure to comply with or willful violation of any proper order or rule of the commissioner.

(7) When, in the judgment of the commissioner, the certificate holder has, in the conduct of affairs under the certification, demonstrated:

(A) incompetency or untrustworthiness;

(B) conduct or practices rendering the certificate holder unfit to carry on charitable bail activities or making the certificate holder's continuance detrimental to the public interest; or

(C) that the certificate holder is no longer in good faith carrying on as a charitable bail organization;

and for these reasons is found by the commissioner to be a source of detriment, injury, or loss to the public.

(8) The listing of the name of the applicant or certificate holder on the most recent tax warrant list supplied to the commissioner by the department of state revenue.

(g) A charitable bail organization must comply with all of the following:

(1) If the charitable bail organization pays, or intends to pay, bail for more than three (3) individuals in any one hundred eighty (180) day period, the charitable bail organization must be certified by the commissioner under this section before soliciting or



accepting donations for bail for another person, and before depositing money for bail for another person.

(2) A charitable bail organization may not pay bail for a defendant who:

(A) is charged with a crime of violence; or

(B) is charged with a felony and has a prior conviction for a crime of violence.

(3) A charitable bail organization may not execute a surety bond for a defendant.

(4) A charitable bail organization shall, before paying bail for an individual, execute an agreement described in IC 35-33-8-3.2 allowing the court to retain all or a part of the bail to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted.

(5) A charitable bail organization may not charge a premium or receive any consideration for acting as a charitable bail organization.

(h) All fees collected under this section must be deposited in the bail bond enforcement and administration fund created by IC 27-10-5-1.

(i) Any authorized employee of a charitable bail organization may only deposit cash bail to the court.

(j) If an individual fails to appear, the bail shall be forfeited in the manner described in IC 35-33-8-7 and the court shall take the steps described in IC 35-33-8-8.

SECTION 23. IC 31-9-2-84.8, AS AMENDED BY P.L.142-2020, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 84.8. "Nonwaivable offense", for purposes of this title, means a conviction of any of the following felonies:

(1) Murder (IC 35-42-1-1).

(2) Causing suicide (IC 35-42-1-2).

(3) Assisting suicide (IC 35-42-1-2.5).

(4) Voluntary manslaughter (IC 35-42-1-3).

(5) Involuntary manslaughter (IC 35-42-1-4).

(6) Reckless homicide (IC 35-42-1-5).

(7) Feticide (IC 35-42-1-6).

(8) Battery (IC 35-42-2-1) within the past five (5) years.

(9) Domestic battery (IC 35-42-2-1.3).

(10) Aggravated battery (IC 35-42-2-1.5).

(11) Criminal recklessness (IC 35-42-2-2) within the past five (5) years.



- (12) Strangulation (IC 35-42-2-9).
- (13) Kidnapping (IC 35-42-3-2).
- (14) Criminal confinement (IC 35-42-3-3) within the past five (5) years.
- (15) Human and sexual trafficking (IC 35-42-3.5).
- (16) A felony sex offense under IC 35-42-4.
- (17) Arson (IC 35-43-1-1) within the past five (5) years.
- (18) Incest (IC 35-46-1-3).
- (19) Neglect of a dependent (IC 35-46-1-4(a) and IC 35-46-1-4(b)).
- (20) Child selling (IC 35-46-1-4(d)).
- (21) Reckless supervision (IC 35-46-1-4.1).
- (22) Nonsupport of a dependent child (IC 35-46-1-5) within the past five (5) years.
- (23) Operating a motorboat while intoxicated (IC 35-46-9-6) **(before its repeal)** within the past five (5) years.
- (24) A felony involving a weapon under IC 35-47 within the past five (5) years.
- (25) A felony relating to controlled substances under IC 35-48-4 within the past five (5) years.
- (26) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.
- (27) A felony under IC 9-30-5 within the past five (5) years.
- (28) A felony related to the health or safety of a child (as defined in IC 31-9-2-13(h)) or an endangered adult (as defined in IC 12-10-3-2).

SECTION 24. IC 31-19-11-1, AS AMENDED BY P.L.56-2023, SECTION 282, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Whenever the court has heard the evidence and finds that:

- (1) the adoption requested is in the best interest of the child;
- (2) the petitioner or petitioners for adoption are of sufficient ability to rear the child and furnish suitable support and education;
- (3) the report of the investigation and recommendation under IC 31-19-8-5 has been filed;
- (4) the attorney or agency arranging an adoption has filed with the court an affidavit prepared by the Indiana department of health under IC 31-19-5-16 indicating whether a man is entitled to notice of the adoption because the man has registered with the putative father registry in accordance with IC 31-19-5;
- (5) proper notice arising under subdivision (4), if notice is



necessary, of the adoption has been given;

(6) the attorney or agency has filed with the court an affidavit prepared by the Indiana department of health under:

(A) IC 31-19-6 indicating whether a record of a paternity determination; or

(B) IC 16-37-2-2(g) indicating whether a paternity affidavit executed under IC 16-37-2-2.1;

has been filed in relation to the child;

(7) proper consent, if consent is necessary, to the adoption has been given;

(8) the petitioner for adoption is not prohibited from adopting the child as the result of an inappropriate criminal history described in subsection (c) or (d); and

(9) the person, licensed child placing agency, or local office that has placed the child for adoption has provided the documents and other information required under IC 31-19-17 to the prospective adoptive parents;

the court shall grant the petition for adoption and enter an adoption decree.

(b) A court may not grant an adoption unless the Indiana department of health's affidavit under IC 31-19-5-16 is filed with the court as provided under subsection (a)(4).

(c) A juvenile adjudication for an act listed in IC 31-9-2-84.8 that would be a felony if committed by an adult, a conviction of a misdemeanor related to the health and safety of a child, or a conviction of a felony not listed in IC 31-9-2-84.8 by a petitioner for adoption or household member is a permissible basis for the court to deny the petition for adoption. In addition, the court may not grant an adoption if a petitioner for adoption has been convicted of a nonwaivable offense under IC 31-9-2-84.8. However, the court is not prohibited from granting an adoption based upon a felony conviction for:

(1) a felony under IC 9-30-5;

(2) battery (IC 35-42-2-1);

(3) criminal recklessness (IC 35-42-2-2) as a felony;

(4) criminal confinement (IC 35-42-3-3);

(5) arson (IC 35-43-1-1);

(6) nonsupport of a dependent child (IC 35-46-1-5);

(7) operating a motorboat while intoxicated (IC 35-46-9-6)

(before its repeal) as a felony;

(8) a felony involving a weapon under IC 35-47; or

(9) a felony relating to controlled substances under IC 35-48-4;

if the date of the conviction did not occur within the immediately



preceding five (5) year period.

(d) A court may not grant an adoption if the petitioner is a sex or violent offender (as defined in IC 11-8-8-5) or a sexually violent predator (as defined in IC 35-38-1-7.5).

(e) In addition to this section, section 1.1 of this chapter applies when one (1) or more petitioners is a person with a disability.

SECTION 25. IC 31-30-1-4, AS AMENDED BY P.L.218-2025, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The juvenile court does not have jurisdiction over an individual for an alleged violation of:

- (1) IC 35-41-5-1(a) (attempted murder);
- (2) IC 35-42-1-1 (murder);
- (3) IC 35-42-3-2 (kidnapping);
- (4) IC 35-42-4-1 (rape);
- (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);
- (6) IC 35-42-5-1 (robbery) if:
 - (A) the robbery was committed while armed with a deadly weapon; or
 - (B) the robbery results in bodily injury or serious bodily injury;
- (7) IC 35-42-5-2 (carjacking) (before its repeal);
- (8) IC 35-47-10 (children and firearms), if charged as a 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 35-47-2-1.5; and

(D) if the child has a prior conviction under IC 35-47-10-5 or IC 35-47-2-1.5, the conviction is a misdemeanor; or

- (9) any offense that may be joined under IC 35-34-1-9(a)(2) with any crime listed in this subsection;

if the individual was at least sixteen (16) years of age but less than eighteen (18) years of age at the time of the alleged violation.

(b) Once an individual described in subsection (a) has been charged with any offense listed in subsection (a), the court having adult criminal jurisdiction shall retain jurisdiction over the case if the individual pleads guilty to or is convicted of any offense listed in subsection (a)(1) through (a)(8).

(c) If:



- (1) an individual described in subsection (a) is charged with one (1) or more offenses listed in subsection (a);
- (2) all the charges under subsection (a)(1) through (a)(8) resulted in an acquittal or were dismissed; and
- (3) the individual pleads guilty to or is convicted of any offense other than an offense listed in subsection (a)(1) through (a)(8);

the court having adult criminal jurisdiction may withhold judgment and transfer jurisdiction to the juvenile court for adjudication and disposition. In determining whether to transfer jurisdiction to the juvenile court for adjudication and disposition, the court having adult criminal jurisdiction shall consider whether there are appropriate services available in the juvenile justice system, whether the child is amenable to rehabilitation under the juvenile justice system, and whether it is in the best interests of the safety and welfare of the community that the child be transferred to juvenile court. All orders concerning release conditions remain in effect until a juvenile court detention hearing, which must be held not later than forty-eight (48) hours, excluding Saturdays, Sundays, and legal holidays, after the order of transfer of jurisdiction.

(d) A court having adult criminal jurisdiction, and not a juvenile court, has jurisdiction over a person who is at least twenty-one (21) years of age for an alleged offense:

- (1) committed while the person was a child; and
- (2) that could have been waived under IC 31-30-3.

This subsection applies to a criminal proceeding for an alleged offense regardless of whether the offense was committed before, on, or after July 1, 2023, or the juvenile becomes twenty-one (21) years of age before, on, or after July 1, 2023.

SECTION 26. 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 27. IC 31-34-4-2, AS AMENDED BY SEA 171-2026, SECTION 6, AND BY SEA 80-2026, SECTION 204, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If a child alleged to be a child in need of services is taken into custody under an order of the court under this chapter and the court orders out-of-home placement, the department is responsible for that placement and care and must consider placing the child with a:

(1) suitable and willing relative; or

(2) de facto custodian;

before considering any other out-of-home placement.

(b) The department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before the department places a child in need of services with a relative or a de facto custodian, the department shall complete an evaluation based on a home visit of the relative's home.

(d) Except as provided in subsection (f), before placing a child in need of services in an out-of-home placement, the department shall conduct a criminal history check of each person who is currently residing in the location designated as the out-of-home placement.

(e) Except as provided in subsection (g), the department may not make an out-of-home placement if a person described in subsection (d) has:

(1) committed an act resulting in a substantiated report of child abuse or neglect; or

(2) been convicted of a nonwaivable offense, as defined in IC 31-9-2.1-168 or had a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2.1-168 if committed by an adult.

(f) The department is not required to conduct a criminal history check under subsection (d) if the department makes an out-of-home



placement to an entity or a facility that is not a residence (as defined in IC 3-5-2.1-90) or that is licensed by the state.

(g) A court may order or the department may approve an out-of-home placement if:

- (1) a person described in subsection (d) has:
 - (A) committed an act resulting in a substantiated report of child abuse or neglect;
 - (B) been convicted of:
 - (i) battery (IC 35-42-2-1);
 - (ii) criminal recklessness (IC 35-42-2-2) as a felony;
 - (iii) criminal confinement (IC 35-42-3-3) as a felony;
 - (iv) arson (IC 35-43-1-1) as a felony;
 - (v) nonsupport of a dependent child (IC 35-46-1-5);
 - (vi) operating a motorboat while intoxicated (IC 35-46-9-6) **(before its repeal)** as a felony;
 - (vii) a felony involving a weapon under IC 35-47;
 - (viii) a felony relating to controlled substances under IC 35-48-4; or
 - (ix) a felony under IC 9-30-5;
 if the conviction did not occur within the past five (5) years; or
 - (C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2.1-168 that, if committed by an adult, would be a felony; and
- (2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and the placement is in the best interest of the child.

However, a court or the department shall not make an out-of-home placement if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2.1-168 that is not specifically excluded under subdivision (1)(B).

(h) In considering the placement under subsection (g), the court or the department shall consider the following:

- (1) The length of time since the person committed the offense, delinquent act, or abuse or neglect.
- (2) The severity of the offense, delinquent act, or abuse or neglect.
- (3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

(i) In considering any out-of-home placement, the department shall consider the following to determine whether a particular out-of-home placement is in the child's best interest:

- (1) The caregiver is interested in providing permanence for the



child if reunification efforts ultimately fail.

(2) The expressed wishes of the child's birth parent and the child, if applicable, unless the wishes are contrary to law, child safety, or stability.

(3) The relationship of the caregiver with the child and the child's family.

(4) The proximity of the placement home to the birth parents' home and the child's current school or school district.

(5) The strengths and parenting style of the caregiver in relation to the child's behavior and needs.

(6) The caregiver's willingness to interact with the birth family, unless the caregiver has safety concerns.

(7) The caregiver's ability and willingness to accept placement of the child and any of the child's siblings.

(8) If any sibling will be placed separately, the caregiver's ability and willingness to provide or assist in maintaining frequent visitation or other ongoing contact between the child and the child's siblings.

(9) The child's fit with the family with regard to age, gender, and sibling relationships.

(10) If the child has chronic behavioral health needs:

(A) whether the child's behavior will place other children in the home at risk; and

(B) the caregiver's ability to provide the necessary level of supervision to prevent harm to the child or others by the child.

(11) Whether placement in the home would comply with the placement preferences prescribed by federal law.

SECTION 28. IC 31-34-20-1.5, AS AMENDED BY P.L.186-2025, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving or ordering placement of a child in another home under section 1(a)(3) of this chapter or awarding wardship to the department that will place the child in another home under section 1(a)(4) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The department or caseworker who prepared the predispositional



report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department or caseworker is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The department or caseworker is not required to conduct a criminal history check under this section if:

- (1) the department or caseworker is considering only an out-of-home placement to an entity or a facility that:
 - (A) is not a residence (as defined in IC 3-5-2.1-90); or
 - (B) is licensed by the state; or
- (2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) A juvenile court may enter a dispositional decree that approves placement of a child in another home or award wardship to the department that will place the child in a home with a person described in subsection (a) if:

- (1) the person described in subsection (a) has:
 - (A) committed an act resulting in a substantiated report of child abuse or neglect;
 - (B) been convicted of:
 - (i) battery (IC 35-42-2-1);
 - (ii) criminal recklessness (IC 35-42-2-2) as a felony;
 - (iii) criminal confinement (IC 35-42-3-3) as a felony;
 - (iv) arson (IC 35-43-1-1) as a felony;
 - (v) nonsupport of a dependent child (IC 35-46-1-5);
 - (vi) operating a motorboat while intoxicated (IC 35-46-9-6) **(before its repeal)** as a felony;
 - (vii) a felony involving a weapon under IC 35-47;
 - (viii) a felony relating to controlled substances under IC 35-48-4; or
 - (ix) a felony under IC 9-30-5;
- if the conviction did not occur within the past five (5) years; or



- (C) had 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; and
- (2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing a child in another home or awarding wardship to the department is in the best interest of the child.

However, a court may not enter a dispositional decree that approves placement of a child in another home or awards wardship to the department if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

- (1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.
- (2) The severity of the offense, delinquent act, or abuse or neglect.
- (3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 29. IC 31-34-21-7.5, AS AMENDED BY P.L.156-2020, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) Except as provided in subsection (d), the juvenile court may not approve a permanency plan under subsection (c)(1)(C), (c)(1)(D), or (c)(1)(E) if a person who is currently residing with a person described in subsection (c)(1)(C) or (c)(1)(D) or in a residence in which the child would be placed under subsection (c)(1)(E) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) Before requesting juvenile court approval of a permanency plan, the department shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department is not required to conduct a criminal history check under this section if criminal history information



under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) A permanency plan, or plans, if concurrent planning, under this chapter includes the following:

(1) The intended permanent or long term arrangements for care and custody of the child that may include any one (1), or two (2), if concurrent planning, of the following arrangements that the department or the court considers most appropriate and consistent with the best interests of the child:

(A) Return to or continuation of existing custodial care within the home of the child's parent, guardian, or custodian or placement of the child with the child's noncustodial parent.

(B) Placement of the child for adoption.

(C) Placement of the child with a responsible person, including:

(i) an adult sibling;

(ii) a grandparent;

(iii) an aunt;

(iv) an uncle;

(v) a custodial parent of a sibling of the child; or

(vi) another relative;

who is able and willing to act as the child's permanent custodian and carry out the responsibilities required by the permanency plan.

(D) Appointment of a legal guardian. The legal guardian appointed under this section is a caretaker in a judicially created relationship between the child and caretaker that is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child:

(i) Care, custody, and control of the child.

(ii) Decision making concerning the child's upbringing.

(E) A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan.

(2) A time schedule for implementing the applicable provisions



of the permanency plan.

(3) Provisions for temporary or interim arrangements for care and custody of the child, pending completion of implementation of the permanency plan.

(4) Other items required to be included in a case plan under IC 31-34-15 or federal law, consistent with the permanent or long term arrangements described by the permanency plan.

(d) A juvenile court may approve a permanency plan if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6)

(before its repeal) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; or

(ix) a felony under IC 9-30-5;

if the conviction did not occur within the past five (5) years; or

(C) had 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; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and that approval of the permanency plan is in the best interest of the child.

However, a court may not approve a permanency plan if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B), or has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult that is not specifically excluded under subdivision (1)(B).

(e) In making its written finding under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.



(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 30. IC 31-37-19-6.5, AS AMENDED BY P.L.186-2025, SECTION 163, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The juvenile probation officer who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the probation officer is not required to conduct a criminal history check under this section if criminal history information obtained under IC 31-37-17-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The juvenile probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) The juvenile court may enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or



6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if:

- (1) a person described in subsection (a) has:
 - (A) committed an act resulting in a substantiated report of child abuse or neglect;
 - (B) been convicted of:
 - (i) a felony under IC 9-30-5;
 - (ii) battery (IC 35-42-2-1);
 - (iii) criminal recklessness (IC 35-42-2-2) as a felony;
 - (iv) criminal confinement (IC 35-42-3-3) as a felony;
 - (v) arson (IC 35-43-1-1) as a felony;
 - (vi) nonsupport of a dependent child (IC 35-46-1-5);
 - (vii) operating a motorboat while intoxicated (IC 35-46-9-6) **(before its repeal)** as a felony;
 - (viii) a felony involving a weapon under IC 35-47; or
 - (ix) a felony relating to controlled substances under IC 35-48-4;
 - if the conviction did not occur within the past five (5) years; or
 - (C) had 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; and
- (2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing the child in another home is in the best interest of the child.

However, a court may not enter a dispositional decree placing a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility under this subsection if a person with whom the child is or will be placed has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

- (1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.
- (2) The severity of the offense, delinquent act, or abuse or neglect.
- (3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 31. IC 35-31.5-2-37.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 37.5: "Chemical test", for purposes of IC 35-46-9;~~



has the meaning set forth in IC 35-46-9-1.

SECTION 32. IC 35-31.5-2-151.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 151.8. "Health care employee", for purposes of IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1.**

SECTION 33. IC 35-31.5-2-177.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 177.5: "Intoxicated", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-2.~~

SECTION 34. IC 35-31.5-2-206.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 206.5: "Motorboat", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-3.~~

SECTION 35. IC 35-31.5-2-244.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 244.5: "Prima facie evidence of intoxication", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-4.~~

SECTION 36. IC 35-31.5-2-273.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 273.5: "Relevant evidence", for purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-5.~~

SECTION 37. IC 35-31.5-2-282.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 282.9. "School", for purposes of IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1.**

SECTION 38. IC 35-31.5-2-284.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 284.4. "School employee", for purposes of IC 35-42-2-1, has the meaning set forth in IC 35-42-2-1.**

SECTION 39. IC 35-33-7-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. A person charged with a misdemeanor under IC 9-30-5-1 or IC 9-30-5-2 may waive the person's initial hearing.**

SECTION 40. IC 35-33-7-5, AS AMENDED BY P.L.166-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) At the initial hearing of a person, the judicial officer shall inform the person orally or in writing:

(1) that the person has a right to retain counsel and if the person intends to retain counsel the person must do so within:

- (A) twenty (20) days if the person is charged with a felony; or
- (B) ten (10) days if the person is charged only with one (1) or more misdemeanors;

after this initial hearing because there are deadlines for filing



motions and raising defenses, and if those deadlines are missed, the legal issues and defenses that could have been raised will be waived;

(2) that the person has a right to assigned counsel at no expense to the person if the person is indigent;

(3) that the person has a right to a speedy trial;

(4) of the amount and conditions of bail;

(5) of the person's privilege against self-incrimination;

(6) of the nature of the charge against the person;

(7) that a preliminary plea of not guilty is being entered for the person and the preliminary plea of not guilty will become a formal plea of not guilty:

(A) twenty (20) days after the completion of the initial hearing; or

(B) ten (10) days after the completion of the initial hearing if the person is charged only with one (1) or more misdemeanors;

unless the defendant enters a different plea; and

(8) that the person may request to petition for a specialized driving privileges hearing if the person is charged with:

(A) any offense in which the operation of a motor vehicle is an element of the offense;

(B) any offense under IC 9-30-5, IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its repeal); or

(C) any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.

In addition, the judge shall direct the prosecuting attorney to give the defendant or the defendant's attorney a copy of any formal felony charges filed or ready to be filed. The judge shall, upon request of the defendant, direct the prosecuting attorney to give the defendant or the defendant's attorney a copy of any formal misdemeanor charges filed or ready to be filed.

(b) This subsection applies to a pregnant woman charged with a drug crime. If the woman is otherwise qualified, including meeting any requirements under IC 33-23-16-13(3)(A), if applicable, the judge may, after consulting with the prosecuting attorney, refer the woman to the forensic diversion program (IC 11-12-3.7) or a drug court (IC 33-23-16).

SECTION 41. IC 35-40.5-1-1, AS AMENDED BY P.L.32-2021, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The following definitions apply throughout this article:



- (1) "Law enforcement officer" means any of the following:
 - (A) A law enforcement officer (as defined in IC 35-31.5-2-185).
 - (B) A state educational institution police officer appointed under IC 21-39-4.
 - (C) A school corporation police officer appointed under IC 20-26-16.
 - (D) A school resource officer (as defined in IC 20-26-18.2-1).
 - (E) A police officer of a private postsecondary educational institution whose governing board has appointed the police officer under IC 21-17-5-2.
- (2) "Provider" has the meaning set forth in IC 16-21-8-0.2.
- (3) "Relative" has the meaning set forth in ~~IC 35-42-2-1(b)~~; **IC 35-42-2-1(a).**
- (4) "Sexual assault forensic evidence" means the results collected from a forensic medical examination of a victim by a provider.
- (5) "State sexual assault response team" means the statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute.
- (6) "Victim" means an individual:
 - (A) who is a victim of sexual assault (as defined in IC 5-26.5-1-8); or
 - (B) who:
 - (i) is a relative of or a person who has had a close personal relationship with the individual described under clause (A); and
 - (ii) is designated by the individual described under clause (A) as a representative.

The term does not include an individual who is accused of committing an act of sexual assault (as defined in IC 5-26.5-1-8) against the individual described under clause (A).
- (7) "Victim advocate" has the meaning set forth in IC 35-37-6-3.5.
- (8) "Victim service provider" has the meaning set forth in IC 35-37-6-5.

SECTION 42. IC 35-42-2-0.5, AS ADDED BY P.L.65-2016, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. "Relative", for purposes of ~~IC 35-42-2-1~~, **section 1 of this chapter**, has the meaning set forth in ~~IC 35-42-2-1(b)~~; **section 1(a) of this chapter.**

SECTION 43. IC 35-42-2-1, AS AMENDED BY P.L.148-2024, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]: Sec. 1. (a) As used in this section, "public safety official" means:

- (1) a law enforcement officer, including an alcoholic beverage enforcement officer;
- (2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
- (3) an employee of the department of correction;
- (4) a probation officer;
- (5) a parole officer;
- (6) a community corrections worker;
- (7) a home detention officer;
- (8) a department of child services employee;
- (9) a firefighter;
- (10) an emergency medical services provider;
- (11) a judicial officer;
- (12) a bailiff of any court; or
- (13) a special deputy (as described in IC 36-8-10-10.6).

(b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:

- (1) a spouse;
- (2) a parent or stepparent;
- (3) a child or stepchild;
- (4) a grandchild or stepgrandchild;
- (5) a grandparent or stepgrandparent;
- (6) a brother, sister, stepbrother, or stepsister;
- (7) a niece or nephew;
- (8) an aunt or uncle;
- (9) a daughter-in-law or son-in-law;
- (10) a mother-in-law or father-in-law; or
- (11) a first cousin.

(a) The following definitions apply throughout this section:

(1) "Health care employee" means an individual whose responsibilities involve contact or interaction with a patient, and who is employed by, in a contractual relationship with, or providing services on behalf of:

- (A) an individual;
- (B) a partnership;
- (C) a professional corporation;
- (D) a facility;
- (E) an institution;
- (F) a hospital; or
- (G) any entity;



that is licensed, certified, or authorized to administer health care in the ordinary course of business or practice of the profession.

(2) "Public safety official" means:

- (A) a law enforcement officer, including an alcoholic beverage enforcement officer;
- (B) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
- (C) an employee of the department of correction;
- (D) a probation officer;
- (E) a parole officer;
- (F) a community corrections worker;
- (G) a home detention officer;
- (H) a department of child services employee whose responsibilities include:
 - (i) personally supervising a child or parent;
 - (ii) personally providing services to a child or parent; or
 - (iii) personally interviewing a child or parent as part of an investigation;
- (I) a firefighter;
- (J) an emergency medical services provider;
- (K) a judicial officer;
- (L) a bailiff of any court; or
- (M) a special deputy (as described in IC 36-8-10-10.6).

(3) "Relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:

- (A) a spouse;
- (B) a parent or stepparent;
- (C) a child or stepchild;
- (D) a grandchild or stepgrandchild;
- (E) a grandparent or stepgrandparent;
- (F) a brother, sister, stepbrother, or stepsister;
- (G) a niece or nephew;
- (H) an aunt or uncle;
- (I) a daughter-in-law or son-in-law;
- (J) a mother-in-law or father-in-law; or
- (K) a first cousin.

(4) "School" means a public school, charter school, or nonpublic school with at least one (1) employee.

(5) "School employee" means a person who:

- (A) is employed by a school or is in a contractual relationship with a school; and



(B) has direct and ongoing contact with a student.

~~(c)~~ **(b)** Except as provided in subsections ~~(d)~~ **(c)** through ~~(k)~~ **(l)**, a person who knowingly or intentionally:

- (1) touches another person in a rude, insolent, or angry manner; or
- (2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;

commits battery, a Class B misdemeanor.

~~(d)~~ **(c)** The offense described in subsection ~~(c)~~ **(b)(1)** or ~~(c)~~ **(b)(2)** is a Class A misdemeanor if it:

- (1) results in bodily injury to any other person; or
- (2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense.

(d) The offense described in subsection (b)(1) is a Class A misdemeanor if it is committed against a health care employee or school employee:

- (1) while the health care employee or school employee is acting within the scope of the health care employee's or school employee's employment;**
- (2) while the health care employee or school employee is commuting to or from the health care employee's or school employee's place of employment; or**
- (3) in retaliation for an act taken by the health care employee or school employee within the scope of the health care employee's or school employee's employment;**

unless the offense is committed by a person detained or committed under IC 12-26.

~~(e)~~ **(c)** The offense described in subsection ~~(c)~~ **(b)(1)** or ~~(c)~~ **(b)(2)** is a Level 6 felony if one (1) or more of the following apply:

- (1) The offense results in moderate bodily injury to any other person.
- (2) The offense is committed against a public safety official while the official is engaged in the official's official duty, unless the offense is committed by a person detained or committed under IC 12-26.
- (3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
- (4) The offense is committed against a person of any age who has



a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

(6) The offense:

(A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and

(B) results in bodily injury to the member of the foster family.

(f) The offense described in subsection ~~(c)(2)~~ **(b)(2)** is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(g) The offense described in subsection (b)(1) is a Level 6 felony if it results in bodily injury to a health care employee or school employee and is committed against the health care employee or school employee:

(1) while the health care employee or school employee is acting within the scope of the health care employee's or school employee's employment;

(2) while the health care employee or school employee is commuting to or from the health care employee's or school employee's place of employment; or

(3) in retaliation for an act taken by the health care employee or school employee within the scope of the health care employee's or school employee's employment;

unless the offense is committed by a person detained or committed under IC 12-26.

~~(g)~~ **(h)** The offense described in subsection ~~(c)(1)~~ **(b)(1)** or ~~(c)(2)~~ **(b)(2)** is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to another person.

(2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery or strangulation offense included in this chapter against the same victim.

(5) The offense results in bodily injury to one (1) or more of the



following:

(A) A public safety official while the official is engaged in the official's official duties, unless the offense is committed by a person detained or committed under IC 12-26.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

~~(h)~~ **(i)** The offense described in subsection ~~(c)(2)~~ **(b)(2)** is a Level 5 felony if:

(1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and

(2) the person placed the bodily fluid or waste on a public safety official, unless the offense is committed by a person detained or committed under IC 12-26.

~~(i)~~ **(j)** The offense described in subsection ~~(c)(1)~~ **(b)(1)** or ~~(c)(2)~~ **(b)(2)** is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

~~(j)~~ **(k)** The offense described in subsection ~~(c)(1)~~ **(b)(1)** or ~~(c)(2)~~ **(b)(2)** is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

~~(k)~~ **(l)** The offense described in subsection ~~(c)(1)~~ **(b)(1)** or ~~(c)(2)~~ **(b)(2)** is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2).

SECTION 44. IC 35-45-10-6, AS ADDED BY P.L.107-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. **(a)** A person who:

(1) operates an unmanned aerial vehicle in a manner that is intended to subject another person to harassment;

(2) operates an unmanned aerial vehicle over the property of another person:

(A) without the consent of the other person; and

(B) with the intent to:

(i) harass, disturb, or injure an individual or animal; or



- (ii) damage or disturb a crop;
on the other person's property;
- (3) knowingly or intentionally disperses any substance from an unmanned aerial vehicle onto the property of another person without the consent of the other person; or
- (4) recklessly, knowingly, or intentionally operates an unmanned aerial vehicle:
 - (A) over the property of another person; and
 - (B) without the consent of the other person;
 in a manner that interferes with or endangers another aircraft or unmanned aerial vehicle;

commits remote aerial harassment, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section.

(b) It is a defense to a prosecution under this section that the prohibited act was:

- (1) the result of a mechanical or electronic failure; or
- (2) necessary to avoid a greater harm.
- (c) It is a defense to a prosecution under subsection (a)(3) that:
 - (1) the substance came onto the property of a person owning or occupying adjacent property as the result of unintentional overspray; and
 - (2) the person took reasonable good faith precautions to minimize the amount of overspray.

SECTION 45. IC 35-46-9 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Operating a Motorboat While Intoxicated).

SECTION 46. 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).

SECTION 48. IC 36-1-3-15.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15.6. (a) The following may not be subject to a county residency requirement:**

(1) A public defender.

(2) An individual employed by a public defender office or agency.

(3) Court personnel.

(4) A deputy prosecuting attorney.

(5) An employee of a prosecuting attorney's office.

(6) An emergency medical services provider (as defined in IC 16-41-10-1).

(7) An employee of an agency or department that employs an emergency medical services provider.

(b) This section does not apply to a chief public defender.

SECTION 49. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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