



## CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1249

**Citations Affected:** IC 5-2-22-1; IC 5-14-3-4; IC 7.1-1-3-13.5; IC 8-3-1-20.5; IC 9-13-2; IC 9-30; IC 14-15; IC 20-19-3-27.5; IC 20-26-5-42; IC 22-1-1-24; IC 27-10-2-4.5; IC 31-9-2-84.8; IC 31-19-11-1; IC 31-30; IC 31-34; IC 31-37-19-6.5; IC 35-31.5-2; IC 35-33-7; IC 35-40.5-1-1; IC 35-42-2; IC 35-45-10-6; IC 35-46-9; IC 35-47-10-5; IC 36-1-3-15.6.

**Synopsis:** Various criminal law matters. Provides that if a person has one prior OWI conviction, the court shall order that the person be imprisoned for at least 10 days or perform community service, and if a person has two prior OWI convictions, the court shall order that the person be imprisoned for at least 20 days or perform community service. Provides that a person receives good time credit while serving a sentence imposed under this statute (under current law, a person does not receive good time credit). Provides that this statute does not increase the maximum sentence for the offense as provided by either IC 35-50-2 or IC 35-50-3. Specifies that "vehicle", for purposes of the crime of operating while intoxicated, includes a watercraft, and repeals the separate crime of operating a motorboat while intoxicated. Provides that an initial hearing may be waived and allows a person to apply for a specialized driving privilege after an initial hearing. Adds operating while intoxicated due to use of a controlled substance to the habitual traffic violator statute. Requires a law enforcement officer to 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. Specifies that ignition interlock devices may only be used when the underlying offense is operating while intoxicated resulting from the use of alcohol. Specifies that certain provisions do not prevent an otherwise eligible individual from applying for a specialized driving privilege after the initial hearing. Increases the penalty for battery on certain health care employees and school employees. Specifies that the enhancement for battery committed against a department of child services (DCS) employee applies only to those DCS employees whose responsibilities include personally supervising a child or parent, personally providing services to a child or parent, or personally interviewing a child or parent as part of an investigation. Requires the employer of a health care or school employee who is the victim of battery to make a semiannual report to the department of labor concerning workplace batteries. Provides that certain uses of a drone constitute remote aerial harassment. Specifies that a child charged with dangerous possession of a firearm may be tried by a juvenile court under certain circumstances.



Makes dangerous possession of a firearm a Level 5 felony if the child: (1) has a prior conviction for unlawful carrying of a handgun; or (2) possesses the firearm on school property, within 500 feet of a school, or on a school bus. Specifies that certain individuals may not be subject to a county residency requirement, including a public defender (except for the chief public defender), court personnel, and a deputy prosecuting attorney. Prohibits the release of personally identifying information concerning a railroad crew in a public report concerning a railroad fatality. Repeals provisions that require: (1) the department of education to maintain a public data base concerning public school employees who were physically injured on the job by students; and (2) each public school to provide to the department of education information concerning certain public school employees physically injured on the job by a student. **(This conference committee report does the following: (1) Adds a provision from SB 140 specifying that certain uses of a drone constitute remote aerial harassment, but modifies the list of conduct that qualifies as remote aerial harassment. (2) Adds HB 1040 as the bill passed the House, modified to: (A) refer to "health care employees" and "school employees" instead of "vulnerable workers"; and (B) replace the employer reporting provision with the employer reporting requirements passed by the Senate on second reading. (3) Adds the Senate passed version of HB 1025, revised to omit a judicial officer from the list of individuals who may not be subject to a county residency requirement. (4) Adds a provision from SB 140 prohibiting the release of personally identifying information concerning a railroad crew in a public report concerning a railroad fatality. (5) Repeals provisions that require: (A) the department of education to maintain a public data base concerning public school employees who were physically injured on the job by students; and (B) each public school to provide to the department of education information concerning certain public school employees physically injured on the job by a student. (6) Adds SB 251, modified to: (A) remove provisions authorizing the use of a roadside chemical test under certain circumstances; and (B) add a provision requiring a law enforcement officer to offer a blood draw to any person who the officer has reason to believe operated a vehicle that was involved in a fatal accident. (7) Resolves conflicts with HEA 1202-2026, HEA 1360-2026, HEA 1258-2026, SEA 171-2026, and SEA 80-2026.)**

**Effective:** Upon passage; July 1, 2026.



# CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1249 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 5-2-22-1, AS AMENDED BY P.L.161-2018,
- 3 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2026]: Sec. 1. The following definitions apply throughout this
- 5 chapter:
- 6 (1) "Crime of child abuse" means:
- 7 (A) neglect of a dependent (IC 35-46-1-4) if the dependent is
- 8 a child and the offense is committed under:
- 9 (i) IC 35-46-1-4(a)(1);
- 10 (ii) IC 35-46-1-4(a)(2); or
- 11 (iii) IC 35-46-1-4(a)(3);
- 12 (B) child selling (IC 35-46-1-4(d));
- 13 (C) a sex offense (as defined in IC 11-8-8-5.2) committed
- 14 against a child; or
- 15 (D) battery against a child under:
- 16 (i) IC 35-42-2-1(e)(3) (battery on a child);
- 17 (ii) ~~IC 35-42-2-1(g)(5)(B)~~ IC 35-42-2-1(h)(5)(B) (battery
- 18 causing bodily injury to a child);
- 19 (iii) ~~IC 35-42-2-1(j)~~ IC 35-42-2-1(k) (battery causing

- 1                   serious bodily injury to a child); or  
 2                   (iv) ~~IC 35-42-2-1(k)~~ **IC 35-42-2-1(l)** (battery resulting in the  
 3                   death of a child).  
 4                   (2) "Office" refers to the office of judicial administration created  
 5                   ~~under~~ **by** IC 33-24-6-1.  
 6                   (3) "Registry" means the child abuse registry established under  
 7                   section 2 of this chapter.  
 8                   SECTION 2. IC 5-14-3-4, AS AMENDED BY HEA 1360-2026,  
 9                   SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10                   JULY 1, 2026]: Sec. 4. (a) The following public records are excepted  
 11                   from section 3 of this chapter and may not be disclosed by a public  
 12                   agency, unless access to the records is specifically required by a state  
 13                   or federal statute or is ordered by a court under the rules of discovery:  
 14                   (1) Those declared confidential by state statute.  
 15                   (2) Those declared confidential by rule adopted by a public  
 16                   agency under specific authority to classify public records as  
 17                   confidential granted to the public agency by statute.  
 18                   (3) Those required to be kept confidential by federal law.  
 19                   (4) Records containing trade secrets.  
 20                   (5) Confidential financial information obtained, upon request,  
 21                   from a person. However, this does not include information that is  
 22                   filed with or received by a public agency pursuant to state statute.  
 23                   (6) Information concerning research, including actual research  
 24                   documents, conducted under the auspices of a state educational  
 25                   institution, including information:  
 26                   (A) concerning any negotiations made with respect to the  
 27                   research; and  
 28                   (B) received from another party involved in the research.  
 29                   (7) Grade transcripts and license examination scores obtained as  
 30                   part of a licensure process.  
 31                   (8) Those declared confidential by or under rules adopted by the  
 32                   supreme court of Indiana.  
 33                   (9) Patient medical records and charts created by a provider,  
 34                   unless the patient gives written consent under IC 16-39 or as  
 35                   provided under IC 16-41-8.  
 36                   (10) Application information declared confidential by the Indiana  
 37                   economic development corporation under IC 5-28.  
 38                   (11) A photograph, a video recording, or an audio recording of an  
 39                   autopsy, except as provided in IC 36-2-14-10.  
 40                   (12) A Social Security number contained in the records of a  
 41                   public agency.  
 42                   (13) The following information that is part of a foreclosure action  
 43                   subject to IC 32-30-10.5:  
 44                   (A) Contact information for a debtor, as described in  
 45                   IC 32-30-10.5-8(d)(1)(B).  
 46                   (B) Any document submitted to the court as part of the debtor's  
 47                   loss mitigation package under IC 32-30-10.5-10(a)(3).  
 48                   (14) The following information obtained from a call made to a  
 49                   fraud hotline established under IC 36-1-8-8.5:  
 50                   (A) The identity of any individual who makes a call to the

1 fraud hotline.

2 (B) A report, transcript, audio recording, or other information

3 concerning a call to the fraud hotline.

4 However, records described in this subdivision may be disclosed

5 to a law enforcement agency, a private university police

6 department, the attorney general, the inspector general, the state

7 examiner, or a prosecuting attorney.

8 (15) Information described in section 5(c)(3)(B) of this chapter

9 that is contained in a daily log or record described in section 5(c)

10 of this chapter for a victim of a crime or delinquent act who is less

11 than eighteen (18) years of age, unless and to the extent that:

12 (A) a parent, guardian, or custodian of the victim consents in

13 writing to public disclosure of the records; and

14 (B) that parent, guardian, or custodian of the victim has not

15 been charged with or convicted of committing a crime against

16 the victim.

17 However, records described in this subdivision may be disclosed

18 to the department of child services.

19 (b) Except as otherwise provided by subsection (a), the following

20 public records shall be excepted from section 3 of this chapter at the

21 discretion of a public agency:

22 (1) Investigatory records of law enforcement agencies or private

23 university police departments. For purposes of this chapter, a law

24 enforcement recording is not an investigatory record. However,

25 information described in subsection (a)(15) contained in a law

26 enforcement recording is exempt from disclosure, unless and to

27 the extent that a parent, guardian, or custodian of the victim

28 consents in writing to public disclosure of the records. However,

29 a parent, guardian, or custodian charged with or convicted of a

30 crime against the victim may not consent to public disclosure of

31 the records. Law enforcement agencies or private university

32 police departments may share investigatory records with:

33 (A) a person who advocates on behalf of a crime victim,

34 including a victim advocate (as defined in IC 35-37-6-3.5) or

35 a victim service provider (as defined in IC 35-37-6-5), for the

36 purposes of providing services to a victim or describing

37 services that may be available to a victim;

38 (B) a school corporation (as defined by IC 20-18-2-16(a)),

39 charter school (as defined by IC 20-24-1-4), or nonpublic

40 school (as defined by IC 20-18-2-12) for the purpose of

41 enhancing the safety or security of a student or a school

42 facility; and

43 (C) the victim services division of the Indiana criminal justice

44 institute under IC 5-2-6-8, for the purposes of conducting an

45 investigation under IC 5-2-6.1-26;

46 without the law enforcement agency or private university police

47 department losing its discretion to keep those records confidential

48 from other records requesters. However, certain law enforcement

49 records must be made available for inspection and copying as

50 provided in section 5 of this chapter.

- 1 (2) The work product of an attorney representing, pursuant to  
2 state employment or an appointment by a public agency:  
3 (A) a public agency;  
4 (B) the state; or  
5 (C) an individual.
- 6 (3) Test questions, scoring keys, and other examination data used  
7 in administering a licensing examination, examination for  
8 employment, or academic examination before the examination is  
9 given or if it is to be given again.
- 10 (4) Scores of tests if the person is identified by name and has not  
11 consented to the release of the person's scores.
- 12 (5) The following:
- 13 (A) Records relating to negotiations between:  
14 (i) the Indiana economic development corporation;  
15 (ii) the ports of Indiana;  
16 (iii) the Indiana state department of agriculture;  
17 (iv) the Indiana finance authority;  
18 (v) an economic development commission;  
19 (vi) the Indiana White River state park development  
20 commission;  
21 (vii) a local economic development organization that is a  
22 nonprofit corporation established under state law whose  
23 primary purpose is the promotion of industrial or business  
24 development in Indiana, the retention or expansion of  
25 Indiana businesses, or the development of entrepreneurial  
26 activities in Indiana; or  
27 (viii) a governing body of a political subdivision;  
28 with industrial, research, or commercial prospects, if the  
29 records are created while negotiations are in progress.  
30 However, this clause does not apply to records regarding  
31 research that is prohibited under IC 16-34.5-1-2 or any other  
32 law.
- 33 (B) Notwithstanding clause (A), the terms of the final offer of  
34 public financial resources communicated by the Indiana  
35 economic development corporation, the ports of Indiana, the  
36 Indiana finance authority, an economic development  
37 commission, the Indiana White River state park development  
38 commission, or a governing body of a political subdivision to  
39 an industrial, a research, or a commercial prospect shall be  
40 available for inspection and copying under section 3 of this  
41 chapter after negotiations with that prospect have terminated.
- 42 (C) When disclosing a final offer under clause (B), the Indiana  
43 economic development corporation shall certify that the  
44 information being disclosed accurately and completely  
45 represents the terms of the final offer.
- 46 (D) Notwithstanding clause (A), an incentive agreement with  
47 an incentive recipient shall be available for inspection and  
48 copying under section 3 of this chapter after the date the  
49 incentive recipient and the Indiana economic development  
50 corporation execute the incentive agreement regardless of

- 1           whether negotiations are in progress with the recipient after  
2           that date regarding a modification or extension of the incentive  
3           agreement.
- 4           (6) Records that are intra-agency or interagency advisory or  
5           deliberative material, including material developed by a private  
6           contractor under a contract with a public agency, that are  
7           expressions of opinion or are of a speculative nature, and that are  
8           communicated for the purpose of decision making.
- 9           (7) Diaries, journals, or other personal notes serving as the  
10          functional equivalent of a diary or journal.
- 11          (8) Personnel files of public employees and files of applicants for  
12          public employment, except for:
- 13                (A) the name, compensation, job title, business address,  
14                business telephone number, job description, education and  
15                training background, previous work experience, or dates of  
16                first and last employment of present or former officers or  
17                employees of the agency;
- 18                (B) information relating to the status of any formal charges  
19                against the employee; and
- 20                (C) the factual basis for a disciplinary action in which final  
21                action has been taken and that resulted in the employee being  
22                suspended, demoted, or discharged.
- 23          However, all personnel file information shall be made available  
24          to the affected employee or the employee's representative. This  
25          subdivision does not apply to disclosure of personnel information  
26          generally on all employees or for groups of employees without the  
27          request being particularized by employee name.
- 28          (9) Minutes or records of hospital medical staff meetings.
- 29          (10) Administrative or technical information that would  
30          jeopardize a record keeping system, voting system, voter  
31          registration system, or security system.
- 32          (11) Computer programs, computer codes, computer filing  
33          systems, and other software that are owned by the public agency  
34          or entrusted to it and portions of electronic maps entrusted to a  
35          public agency by a utility.
- 36          (12) Records specifically prepared for discussion or developed  
37          during discussion in an executive session under IC 5-14-1.5-6.1.  
38          However, this subdivision does not apply to that information  
39          required to be available for inspection and copying under  
40          subdivision (8).
- 41          (13) The work product of the legislative services agency under  
42          personnel rules approved by the legislative council.
- 43          (14) The work product of individual members and the partisan  
44          staffs of the general assembly.
- 45          (15) The identity of a donor of a gift made to a public agency if:
- 46                (A) the donor requires nondisclosure of the donor's identity as  
47                a condition of making the gift; or
- 48                (B) after the gift is made, the donor or a member of the donor's  
49                family requests nondisclosure.
- 50          (16) Library or archival records:

- 1 (A) which can be used to identify any library patron; or  
 2 (B) deposited with or acquired by a library upon a condition  
 3 that the records be disclosed only:  
 4 (i) to qualified researchers;  
 5 (ii) after the passing of a period of years that is specified in  
 6 the documents under which the deposit or acquisition is  
 7 made; or  
 8 (iii) after the death of persons specified at the time of the  
 9 acquisition or deposit.
- 10 However, nothing in this subdivision shall limit or affect contracts  
 11 entered into by the Indiana state library pursuant to IC 4-1-6-8.
- 12 (17) The identity of any person who contacts the bureau of motor  
 13 vehicles concerning the ability of a driver to operate a motor  
 14 vehicle safely and the medical records and evaluations made by  
 15 the bureau of motor vehicles staff or members of the driver  
 16 licensing medical advisory board regarding the ability of a driver  
 17 to operate a motor vehicle safely. However, upon written request  
 18 to the commissioner of the bureau of motor vehicles, the driver  
 19 must be given copies of the driver's medical records and  
 20 evaluations.
- 21 (18) School safety and security measures, plans, and systems,  
 22 including emergency preparedness plans developed under 511  
 23 IAC 6.1-2-2.5.
- 24 (19) A record or a part of a record, the public disclosure of which  
 25 would have a reasonable likelihood of threatening public safety  
 26 by exposing a vulnerability to terrorist attack. A record described  
 27 under this subdivision includes the following:
- 28 (A) A record assembled, prepared, or maintained to prevent,  
 29 mitigate, or respond to an act of terrorism under IC 35-47-12-1  
 30 (before its repeal), an act of agricultural terrorism under  
 31 IC 35-47-12-2 (before its repeal), or a felony terrorist offense  
 32 (as defined in IC 35-50-2-18).  
 33 (B) Vulnerability assessments.  
 34 (C) Risk planning documents.  
 35 (D) Needs assessments.  
 36 (E) Threat assessments.  
 37 (F) Intelligence assessments.  
 38 (G) Domestic preparedness strategies.  
 39 (H) The location of community drinking water wells and  
 40 surface water intakes.  
 41 (I) The emergency contact information of emergency  
 42 responders and volunteers.  
 43 (J) Infrastructure records that disclose the configuration of  
 44 critical systems such as voting system and voter registration  
 45 system critical infrastructure, and communication, electrical,  
 46 ventilation, water, and wastewater systems.  
 47 (K) Detailed drawings or specifications of structural elements,  
 48 floor plans, and operating, utility, or security systems, whether  
 49 in paper or electronic form, of any building or facility located  
 50 on an airport (as defined in IC 8-21-1-1) that is owned,

1 occupied, leased, or maintained by a public agency, or any part  
 2 of a law enforcement recording that captures information  
 3 about airport security procedures, areas, or systems. A record  
 4 described in this clause may not be released for public  
 5 inspection by any public agency without the prior approval of  
 6 the public agency that owns, occupies, leases, or maintains the  
 7 airport. Both of the following apply to the public agency that  
 8 owns, occupies, leases, or maintains the airport:

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

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

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

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

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

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

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

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

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

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

48 (A) Telephone number.

49 (B) Address.

50 (C) Social Security number.

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

3 (A) Telephone number.

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

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

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

15 (A) contain personal information relating to:

16 (i) a correctional officer (as defined in IC 5-10-10-1.5);

17 (ii) a probation officer;

18 (iii) a community corrections officer;

19 (iv) a law enforcement officer (as defined in  
20 IC 35-31.5-2-185);

21 (v) a judge (as defined in IC 33-38-12-3);

22 (vi) the victim of a crime; or

23 (vii) a family member of a correctional officer, probation  
24 officer, community corrections officer, law enforcement  
25 officer (as defined in IC 35-31.5-2-185), judge (as defined  
26 in IC 33-38-12-3), or victim of a crime; or

27 (B) concern or could affect the security of a jail or correctional  
28 facility.

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

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

40 (A) Name.

41 (B) Address.

42 (C) Telephone number.

43 (D) Electronic mail account address.

44 (25) Criminal intelligence information.

45 (26) The following information contained in a report of unclaimed  
46 property under IC 32-34-1.5-18 or in a claim for unclaimed  
47 property under IC 32-34-1.5-48:

48 (A) Date of birth.

49 (B) Driver's license number.

50 (C) Taxpayer identification number.

- 1 (D) Employer identification number.
- 2 (E) Account number.
- 3 (27) Except as provided in subdivision (19) and sections 5.1 and  
4 5.2 of this chapter, a law enforcement recording. However, before  
5 disclosing the recording, the public agency must comply with the  
6 obscuring requirements of sections 5.1 and 5.2 of this chapter, if  
7 applicable.
- 8 (28) Records relating to negotiations between a state educational  
9 institution and another entity concerning the establishment of a  
10 collaborative relationship or venture to advance the research,  
11 engagement, or educational mission of the state educational  
12 institution, if the records are created while negotiations are in  
13 progress. The terms of the final offer of public financial resources  
14 communicated by the state educational institution to an industrial,  
15 a research, or a commercial prospect shall be available for  
16 inspection and copying under section 3 of this chapter after  
17 negotiations with that prospect have terminated. However, this  
18 subdivision does not apply to records regarding research  
19 prohibited under IC 16-34.5-1-2 or any other law.
- 20 (c) Nothing contained in subsection (b) shall limit or affect the right  
21 of a person to inspect and copy a public record required or directed to  
22 be made by any statute or by any rule of a public agency.
- 23 (d) Notwithstanding any other law, a public record that is classified  
24 as confidential, other than a record concerning:
- 25 (1) an adoption or patient medical records; or  
26 (2) a birth or stillbirth;
- 27 shall be made available for inspection and copying seventy-five (75)  
28 years after the creation of that record. A registration or certificate of a  
29 birth or stillbirth shall be made available in accordance with  
30 IC 16-37-1-7.5.
- 31 (e) A public agency may deny a request under this chapter for a  
32 record if the request:
- 33 (1) is made by a person that is a party to pending or ongoing  
34 litigation; and  
35 (2) is duplicative of a discovery request made by the person in the  
36 pending or ongoing litigation.
- 37 (f) Only the content of a public record may form the basis for the  
38 adoption by any public agency of a rule or procedure creating an  
39 exception from disclosure under this section.
- 40 (g) Except as provided by law, a public agency may not adopt a rule  
41 or procedure that creates an exception from disclosure under this  
42 section based upon whether a public record is stored or accessed using  
43 paper, electronic media, magnetic media, optical media, or other  
44 information storage technology.
- 45 (h) Except as provided by law, a public agency may not adopt a rule  
46 or procedure nor impose any costs or liabilities that impede or restrict  
47 the reproduction or dissemination of any public record.
- 48 (i) Notwithstanding subsection (d) and section 7 of this chapter:
- 49 (1) public records subject to IC 5-15 may be destroyed only in  
50 accordance with record retention schedules under IC 5-15; or

1 (2) public records not subject to IC 5-15 may be destroyed in the  
2 ordinary course of business.

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

9 SECTION 4. IC 8-3-1-20.5 IS ADDED TO THE INDIANA CODE  
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2026]: Sec. 20.5. (a) As used in this section, "personally  
12 identifying information" means the following information that  
13 identifies an individual:

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

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

23 (b) **Personally identifying information of railroad crew**  
24 **members must be redacted from any public report involving a**  
25 **railroad fatality.**

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

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

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

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

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

- 49 (1) an alcohol related or drug related crime under Acts 1939, c.48,  
50 s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or  
51 IC 9-11-2 (repealed July 1, 1991); or

- 1 (2) a crime under IC 9-30-5-1 through IC 9-30-5-9; **or**  
 2 **(3) a crime under IC 35-46-9 (before its repeal), IC 14-1-5**  
 3 **(before its repeal), or IC 14-15-8-8 (before its repeal).**

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

- 10 (1) A device moved by human power.  
 11 (2) A device that runs only on rails or tracks.  
 12 (3) A wheelchair.  
 13 (4) An electric foot scooter.  
 14 (b) For purposes of IC 9-17, the term includes the following:  
 15 (1) Off-road vehicles.  
 16 (2) Manufactured homes or mobile homes that are:  
 17 (A) personal property not held for resale; and  
 18 (B) not attached to real estate by a permanent foundation.  
 19 (3) Watercraft.

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

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

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

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

45 ~~if the person has one (1) previous conviction of operating while~~  
 46 ~~intoxicated.~~

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

- 50 (1) order:

- 1 (A) that the person be imprisoned for at least ~~ten (10)~~ **twenty**  
 2 **(20)** days; or  
 3 (B) the person to perform at least four hundred eighty (480)  
 4 hours of community restitution or service; and  
 5 (2) order the person to receive an assessment of the person's  
 6 degree of alcohol and drug abuse and, if appropriate, to  
 7 successfully complete an alcohol or drug abuse treatment  
 8 program, including an alcohol deterrent program if the person  
 9 suffers from alcohol abuse.  
 10 ~~if the person has at least two (2) previous convictions of operating~~  
 11 ~~while intoxicated.~~  
 12 (c) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, a sentence  
 13 imposed under this section may not be suspended. The court may  
 14 require that the person serve the term of imprisonment in an  
 15 appropriate facility at whatever time or intervals (consecutive or  
 16 intermittent) determined appropriate by the court. However:  
 17 (1) at least forty-eight (48) hours of the sentence must be served  
 18 consecutively; and  
 19 (2) the entire sentence must be served within six (6) months after  
 20 the date of sentencing.  
 21 ~~(d) Notwithstanding IC 35-50-6, A person does not~~ earn good time  
 22 credit (as defined in IC 35-50-6-0.5) while serving a sentence imposed  
 23 under this section.  
 24 **(e) This section does not increase the maximum sentence for the**  
 25 **offense as provided by either IC 35-50-2 or IC 35-50-3.**  
 26 SECTION 8. IC 9-30-6-6, AS AMENDED BY P.L.174-2021,  
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2026]: Sec. 6. (a) A physician, a person trained in retrieving  
 29 contraband or obtaining bodily substance samples and acting under the  
 30 direction of or under a protocol prepared by a physician, or a licensed  
 31 health care professional acting within the professional's scope of  
 32 practice and under the direction of or under a protocol prepared by a  
 33 physician, who:  
 34 (1) obtains a blood, urine, or other bodily substance sample from  
 35 a person, regardless of whether the sample is taken for diagnostic  
 36 purposes or at the request of a law enforcement officer under this  
 37 section;  
 38 (2) performs a chemical test on blood, urine, or other bodily  
 39 substance obtained from a person; or  
 40 (3) searches for or retrieves contraband from the body cavity of an  
 41 individual;  
 42 shall deliver the sample or contraband or disclose the results of the test  
 43 to a law enforcement officer who requests the sample, contraband, or  
 44 results as a part of a criminal investigation. Samples, contraband, and  
 45 test results shall be provided to a law enforcement officer even if the  
 46 person has not consented to or otherwise authorized their release.  
 47 (b) A physician, a licensed health care professional, a hospital, or an  
 48 agent of a physician or hospital is not civilly or criminally liable for any  
 49 of the following:  
 50 (1) Disclosing test results in accordance with this section.

- 1 (2) Delivering contraband, or a blood, urine, or other bodily  
2 substance sample in accordance with this section.
- 3 (3) Searching for or retrieving contraband or obtaining a blood,  
4 urine, or other bodily substance sample in accordance with this  
5 section.
- 6 (4) Disclosing to the prosecuting attorney or the deputy  
7 prosecuting attorney for use at or testifying at the criminal trial of  
8 the person as to facts observed or opinions formed.
- 9 (5) Failing to treat a person from whom contraband is retrieved or  
10 a blood, urine, or other bodily substance sample is obtained at the  
11 request of a law enforcement officer if the person declines  
12 treatment.
- 13 (6) Injury to a person arising from the performance of duties in  
14 good faith under this section. However, immunity does not apply  
15 if the physician, licensed health care professional, hospital, or  
16 agent of a physician or hospital acts with gross negligence or  
17 willful or wanton misconduct.
- 18 (c) For the purposes of a criminal proceeding:
- 19 (1) the privileges arising from a patient-physician relationship do  
20 not apply to the contraband, samples, test results, or testimony  
21 described in this section; and
- 22 (2) contraband, samples, test results, and testimony may be  
23 admitted in a proceeding in accordance with the applicable rules  
24 of evidence.
- 25 (d) The exceptions to the patient-physician relationship specified in  
26 subsection (c) do not affect those relationships in a proceeding that is  
27 not a criminal proceeding.
- 28 (e) The contraband, test results, and samples obtained by a law  
29 enforcement officer under subsection (a) may be disclosed only to a  
30 prosecuting attorney or a deputy prosecuting attorney for use as  
31 evidence in a criminal proceeding.
- 32 (f) This section does not require a physician or a person under the  
33 direction of a physician to perform a chemical test or to retrieve  
34 contraband.
- 35 (g) If the person:
- 36 (1) from whom the contraband is to be retrieved or the bodily  
37 substance sample is to be obtained under this section does not  
38 consent; and
- 39 (2) resists the retrieval of the contraband or the taking of a  
40 sample;
- 41 the law enforcement officer may use reasonable force to assist a  
42 individual, who must be authorized under this section to retrieve  
43 contraband or obtain a sample, in the retrieval of the contraband or the  
44 taking of the sample.
- 45 (h) The person authorized under this section to retrieve contraband  
46 or obtain a bodily substance sample shall take the sample or retrieve  
47 the contraband in a medically accepted manner.
- 48 (i) This subsection does not apply to contraband retrieved or a  
49 bodily substance sample taken at a licensed hospital (as defined in  
50 IC 16-18-2-179(a) and IC 16-18-2-179(b)). A law enforcement officer

1 may transport the person to a place where the contraband may be  
 2 retrieved or the sample may be obtained by any of the following  
 3 persons who are trained in retrieving contraband or obtaining bodily  
 4 substance samples and who have been engaged to retrieve contraband  
 5 or obtain samples under this section:

6 (1) A physician holding an unlimited license to practice medicine  
 7 or osteopathy.

8 (2) A registered nurse.

9 (3) A licensed practical nurse.

10 (4) An advanced emergency medical technician (as defined in  
 11 IC 16-18-2-6.5).

12 (5) A paramedic (as defined in IC 16-18-2-266).

13 (6) Except as provided in subsections (j) through (k), any other  
 14 person qualified through training, experience, or education to  
 15 retrieve contraband or obtain a bodily substance sample.

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

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

25 (1) the officer obtained a bodily substance sample from an  
 26 individual as part of the officer's official duties as a law  
 27 enforcement officer; and

28 (2) the:

29 (A) person consents to the officer obtaining a bodily substance  
 30 sample; or

31 (B) obtaining of the bodily substance sample is authorized by  
 32 a search warrant.

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

37 (1) A law enforcement officer requests that the sample be  
 38 obtained.

39 (2) The law enforcement officer has certified in writing the  
 40 following:

41 (A) That the officer has probable cause to believe the person  
 42 from whom the sample is to be obtained has violated  
 43 IC 9-30-5-4, IC 9-30-5-5, IC 35-46-9-6(b)(2) (**before its**  
 44 **repeal**), or IC 35-46-9-6(c) (**before its repeal**).

45 (B) That the offense resulting in a criminal investigation  
 46 described in subsection (a) occurred not more than three (3)  
 47 hours before the time the sample is requested.

48 (C) That exigent circumstances exist that create pressing  
 49 health, safety, or law enforcement needs that would take  
 50 priority over a warrant application.

- 1 (3) Not more than the use of reasonable force is necessary to  
 2 obtain the sample.
- 3 SECTION 9. IC 9-30-6-8, AS AMENDED BY HEA 1202-2026,  
 4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2026]: Sec. 8. (a) Except as provided in IC 9-30-16-1(g),  
 6 whenever a judicial officer has determined that there was probable  
 7 cause to believe that a person has violated IC 9-30-5, IC 35-46-9  
 8 **(before its repeal)**, or IC 14-15-8 (before its repeal), the clerk of the  
 9 court shall forward, in a form and manner prescribed by the bureau:  
 10 (1) a paper copy of the affidavit, or an electronic substitute; or  
 11 (2) a bureau certificate as described in section 16 of this chapter;  
 12 to the bureau at the conclusion of the initial hearing **held** under  
 13 subsection (c), **IC 35-33-7-1, or if the initial hearing was waived,**  
 14 **upon notice of waiver of the initial hearing.**
- 15 (b) The probable cause affidavit required under section 7(b)(2) of  
 16 this chapter must do the following:  
 17 (1) Set forth the grounds for the arresting officer's belief that there  
 18 was probable cause that the arrested person was operating a  
 19 vehicle in violation of IC 9-30-5 or a motorboat in violation of  
 20 IC 35-46-9 **(before its repeal)** or IC 14-15-8 (before its repeal).  
 21 (2) State that the person was arrested for a violation of IC 9-30-5  
 22 or operating a motorboat in violation of IC 35-46-9 **(before its**  
 23 **repeal)** or IC 14-15-8 (before its repeal).  
 24 (3) State whether the person:  
 25 (A) refused to submit to a chemical test when offered; or  
 26 (B) submitted to a chemical test that resulted in prima facie  
 27 evidence that the person was intoxicated.  
 28 (4) Be sworn to by the arresting officer.
- 29 (c) Except as provided in subsection (d), if it is determined under  
 30 subsection (a) that there was probable cause to believe that a person  
 31 has violated IC 9-30-5, IC 35-46-9 **(before its repeal)**, or IC 14-15-8  
 32 (before its repeal), at the initial hearing of the matter held under  
 33 IC 35-33-7-1 the court shall recommend immediate suspension of the  
 34 person's driving privileges to take effect on the date the order is  
 35 entered, and forward to the bureau a copy of the order recommending  
 36 immediate suspension of driving privileges.
- 37 (d) If it is determined under subsection (a) that there is probable  
 38 cause to believe that a person violated ~~IC 9-30-5~~, **IC 9-30-5-1(a) or**  
 39 **IC 9-30-5-1(b)**, the court may, as an alternative to any suspension of  
 40 the person's driving privileges under subsection (c), issue an order  
 41 recommending that the person be prohibited from operating a motor  
 42 vehicle unless the motor vehicle is equipped with a functioning  
 43 registered ignition interlock device under IC 9-30-8. This subsection  
 44 applies even if the probable cause affidavit in subsection (b) states that  
 45 the person:  
 46 (1) refused to submit to a chemical test; **or**  
 47 (2) submitted to a chemical test that resulted in prima facie  
 48 evidence that the person was intoxicated; **or**  
 49 **(3) was also charged under IC 9-30-5-2.**
- 50 The order remains in effect until the bureau is notified by a court that

1 the criminal charges against the person have been resolved. When the  
 2 court issues an order under this subsection, no administrative  
 3 suspension is imposed by the bureau and no suspension is noted on the  
 4 person's driving record.

5 (e) A person commits a Class B infraction if the person:

- 6 (1) operates a motor vehicle without a functioning registered  
 7 ignition interlock device; and
- 8 (2) is prohibited from operating a motor vehicle unless the motor  
 9 vehicle is equipped with a functioning registered ignition  
 10 interlock device under subsection (d).

11 (f) A person commits a Class B misdemeanor if the person:

- 12 (1) operates a motor vehicle without a functioning registered  
 13 ignition interlock device; and
- 14 (2) knows the person is prohibited from operating a motor vehicle  
 15 unless the motor vehicle is equipped with a functioning registered  
 16 ignition interlock device under subsection (d).

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

- 23 (1) the results of a portable breath test indicate the presence of  
 24 alcohol;
- 25 (2) the results of a portable breath test do not indicate the  
 26 presence of alcohol but the law enforcement officer has probable  
 27 cause to believe the person is under the influence of a controlled  
 28 substance or another drug; or
- 29 (3) the person refuses to submit to a portable breath test;

30 the law enforcement officer shall offer a chemical test to the person.

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

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

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

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

- 46 (1) Reckless homicide resulting from the operation of a motor  
 47 vehicle.
- 48 (2) Voluntary or involuntary manslaughter resulting from the  
 49 operation of a motor vehicle.
- 50 (3) Failure of the operator of a motor vehicle involved in an

- 1 accident resulting in death or injury to any person to stop at the  
 2 scene of the accident and give the required information and  
 3 assistance.
- 4 (4) Operation of a vehicle while intoxicated resulting in death.
- 5 (5) Before July 1, 1997, operation of a vehicle with at least  
 6 ten-hundredths percent (0.10%) alcohol in the blood resulting in  
 7 death.
- 8 (6) After June 30, 1997, and before July 1, 2001, operation of a  
 9 vehicle with an alcohol concentration equivalent to at least  
 10 ten-hundredths (0.10) gram of alcohol per:
- 11 (A) one hundred (100) milliliters of the blood; or  
 12 (B) two hundred ten (210) liters of the breath;  
 13 resulting in death.
- 14 (7) After June 30, 2001, operation of a vehicle with an alcohol  
 15 concentration equivalent to at least eight-hundredths (0.08) gram  
 16 of alcohol per:
- 17 (A) one hundred (100) milliliters of the blood; or  
 18 (B) two hundred ten (210) liters of the breath;  
 19 resulting in death.
- 20 **(8) After June 30, 2001, operation of a motor vehicle with a**  
 21 **schedule I or schedule II controlled substance in the blood**  
 22 **resulting in death.**
- 23 (b) A person who has accumulated at least three (3) judgments  
 24 within a ten (10) year period for any of the following violations,  
 25 singularly or in combination, and not arising out of the same incident,  
 26 is a habitual violator:
- 27 (1) Operation of a vehicle while intoxicated.
- 28 (2) Before July 1, 1997, operation of a vehicle with at least  
 29 ten-hundredths percent (0.10%) alcohol in the blood.
- 30 (3) After June 30, 1997, and before July 1, 2001, operation of a  
 31 vehicle with an alcohol concentration equivalent to at least  
 32 ten-hundredths (0.10) gram of alcohol per:
- 33 (A) one hundred (100) milliliters of the blood; or  
 34 (B) two hundred ten (210) liters of the breath.
- 35 (4) After June 30, 2001, operation of a vehicle with an alcohol  
 36 concentration equivalent to at least eight-hundredths (0.08) gram  
 37 of alcohol per:
- 38 (A) one hundred (100) milliliters of the blood; or  
 39 (B) two hundred ten (210) liters of the breath.
- 40 (5) Reckless driving.
- 41 (6) Criminal recklessness as a felony involving the operation of  
 42 a motor vehicle.
- 43 (7) Drag racing or engaging in a speed contest in violation of law.
- 44 (8) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46  
 45 (repealed July 1, 1991), IC 9-26-1-1(1) (repealed January 1,  
 46 2015), IC 9-26-1-1(2) (repealed January 1, 2015), IC 9-26-1-2(1)  
 47 (repealed January 1, 2015), IC 9-26-1-2(2) (repealed January 1,  
 48 2015), IC 9-26-1-3 (repealed January 1, 2015), IC 9-26-1-4  
 49 (repealed January 1, 2015), or IC 9-26-1-1.1.
- 50 (9) Resisting law enforcement with a vehicle under:  
 51 (A) IC 35-44.1-3-1(c)(1);

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

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

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

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

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

- 18 (1) a violation enumerated in subsection (a);  
 19 (2) a violation enumerated in subsection (b);  
 20 (3) operating a motor vehicle while the person's license to do so  
 21 has been suspended or revoked as a result of the person's  
 22 conviction of an offense under IC 9-1-4-52 (repealed July 1,  
 23 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or  
 24 IC 9-24-19-3; or  
 25 (4) operating a motor vehicle without ever having obtained a  
 26 license to do so.

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

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

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

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

- 42 (1) A person who has never been an Indiana resident.  
 43 (2) A person seeking specialized driving privileges with respect  
 44 to a suspension based on the person's refusal to submit to a  
 45 chemical test offered under IC 9-30-6 or IC 9-30-7. However, a  
 46 court may grant this person driving privileges under  
 47 IC 9-30-6-8(d).  
 48 (3) A person whose driving privileges have been suspended or  
 49 revoked under IC 9-24-10-7(b)(2)(A).  
 50 (4) A person whose driving privileges have been suspended under

- 1 IC 9-21-8-52(e) or IC 9-21-12-1(b).
- 2 (b) This chapter applies to the following:
- 3 (1) A person who held a driver's license (issued under IC 9-24-3),
- 4 or a commercial driver's, a public passenger chauffeur's, or a
- 5 chauffeur's license at the time of:
- 6 (A) the criminal conviction for which the operation of a motor
- 7 vehicle is an element of the offense;
- 8 (B) any criminal conviction for an offense under IC 9-30-5,
- 9 IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its
- 10 repeal); or
- 11 (C) committing the infraction of exceeding a worksite speed
- 12 limit for the second time in one (1) year under IC 9-21-5-11(f).
- 13 (2) A person who:
- 14 (A) has never held a valid Indiana driver's license or does not
- 15 currently hold a valid Indiana learner's permit; and
- 16 (B) was an Indiana resident when the driving privileges for
- 17 which the person is seeking specialized driving privileges
- 18 were suspended.
- 19 (c) Except as specifically provided in this chapter, a court may
- 20 suspend the driving privileges of a person convicted of any of the
- 21 following offenses for a period up to the maximum allowable period of
- 22 incarceration under the penalty for the offense:
- 23 (1) Any criminal conviction in which the operation of a motor
- 24 vehicle is an element of the offense.
- 25 (2) Any criminal conviction for an offense under IC 9-30-5,
- 26 IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its repeal).
- 27 (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1
- 28 that involves the use of a vehicle.
- 29 (d) Except as provided in section 3.5 of this chapter, a suspension
- 30 of driving privileges under this chapter may begin before the
- 31 conviction. Multiple suspensions of driving privileges ordered by a
- 32 court that are part of the same episode of criminal conduct shall be
- 33 served concurrently. A court may grant credit time for any suspension
- 34 that began before the conviction, except as prohibited by section
- 35 ~~6(a)(2)~~ **6(a)** of this chapter.
- 36 (e) If a person has had an ignition interlock device installed as a
- 37 condition of specialized driving privileges or under IC 9-30-6-8(d), the
- 38 period of the installation shall be credited as part of the suspension of
- 39 driving privileges.
- 40 (f) This subsection applies to a person described in subsection
- 41 (b)(2). A court shall, as a condition of granting specialized driving
- 42 privileges to the person, require the person to apply for and obtain an
- 43 Indiana driver's license.
- 44 (g) If a person indicates to the court at an initial hearing (as
- 45 described in IC 35-33-7) that the person intends to file a petition for a
- 46 specialized driving privileges hearing with that court under section 3
- 47 or 4 of this chapter, the following apply:
- 48 (1) The court shall:
- 49 (A) stay the suspension of the person's driving privileges at the
- 50 initial hearing and shall not submit the probable cause

- 1 affidavit related to the person's offense to the bureau; and  
 2 (B) set the matter for a specialized driving privileges hearing  
 3 not later than thirty (30) days after the initial hearing.  
 4 (2) If the person does not file a petition for a specialized driving  
 5 privileges hearing not later than ten (10) days after the date of the  
 6 initial hearing, the court shall lift the stay of the suspension of the  
 7 person's driving privileges and shall submit the probable cause  
 8 affidavit related to the person's offense to the bureau for  
 9 automatic suspension.  
 10 (3) If the person files a petition for a specialized driving privileges  
 11 hearing not later than ten (10) days after the initial hearing, the  
 12 stay of the suspension of the person's driving privileges continues  
 13 until the matter is heard and a determination is made by the court  
 14 at the specialized driving privileges hearing.  
 15 (4) If the specialized driving privileges hearing is continued due  
 16 to:  
 17 (A) a congestion of the court calendar;  
 18 (B) the prosecuting attorney's motion for a continuance; or  
 19 (C) the person's motion for a continuance with no objection by  
 20 the prosecuting attorney;  
 21 the stay of the suspension of the person's driving privileges  
 22 continues until addressed at the next hearing.  
 23 (5) If the person moves for a continuance of the specialized  
 24 driving privileges hearing and the court grants the continuance  
 25 over the prosecuting attorney's objection, the court shall lift the  
 26 stay of the suspension of the person's driving privileges and shall  
 27 submit the probable cause affidavit related to the person's offense  
 28 to the bureau for automatic suspension.

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

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

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

48 SECTION 14. IC 14-15-11-14, AS AMENDED BY P.L.217-2014,  
 49 SECTION 182, IS AMENDED TO READ AS FOLLOWS  
 50 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A court may suspend or

1 revoke the driver's license of a person upon the conviction of the  
 2 person of a crime based on a violation of IC 14-15-3, IC 14-15-8  
 3 (before its repeal), IC 35-46-9 (**before its repeal**), or IC 14-15-12.

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

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

15 (b) If, in the opinion of the court, an individual referred to in  
 16 subsection (a) should be deprived of the privilege of operating a  
 17 vehicle or motorboat, the court shall recommend the suspension of the  
 18 Indiana driver's license issued to the individual for a fixed period. The  
 19 period of the suspension shall be established by the court but may not  
 20 exceed one (1) year.

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

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

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

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

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

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

43 (c) The point study committee appointed by the commissioner under  
 44 140 IAC 1-4.5-3, in consultation with the department, shall determine  
 45 the number of points assessed under subsection (a) for each type of  
 46 criminal violation of IC 14-15-3, IC 14-15-8 (before its repeal),  
 47 IC 35-46-9 (**before its repeal**), or IC 14-15-12 based on the evaluation  
 48 by the committee of the danger to human life, human physical safety,  
 49 and property posed by the violation.

50 SECTION 17. IC 14-15-12-5, AS AMENDED BY P.L.40-2012,

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

6 SECTION 18. IC 14-15-13-2, AS AMENDED BY P.L.40-2012,  
7 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 2. The requirements and prohibitions set forth in  
9 this chapter are in addition to the requirements and prohibitions set  
10 forth in IC 14-15-2, IC 14-15-3, IC 14-15-4, 14-15-8 (before its repeal),  
11 IC 35-46-9 **(before its repeal)**, and IC 14-15-12.

12 SECTION 19. IC 20-19-3-27.5 IS REPEALED [EFFECTIVE JULY  
13 1, 2026]. ~~Sec. 27.5. The department shall establish and maintain on the~~  
14 ~~department's website a public data base of information provided by~~  
15 ~~each public school in accordance with IC 20-26-5-42 concerning~~  
16 ~~employees of each public school who were physically injured while on~~  
17 ~~the job by students of the public school.~~

18 SECTION 20. IC 20-26-5-42 IS REPEALED [EFFECTIVE JULY  
19 1, 2026]. ~~Sec. 42. (a) This section applies to the following:~~

20 ~~(1) A public school, including a charter school;~~

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

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

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

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

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

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

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

37 SECTION 21. IC 22-1-1-24 IS ADDED TO THE INDIANA CODE  
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
39 1, 2026]: **Sec. 24. (a) The following definitions apply throughout**  
40 **this section:**

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

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

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

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

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

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

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

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

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

- 8 (1) The name of the employer.  
9 (2) The city and county in which a workplace battery was  
10 committed.  
11 (3) The time period covered by the report (January 1 to June  
12 30 or July 1 to December 31).  
13 (4) The number of workplace batteries that were committed  
14 during the reporting period.  
15 (5) The job title of each health care employee or school  
16 employee who was the victim of the workplace battery.  
17 (6) The date of each workplace battery.  
18 (7) The address and specific location (such as "hospital  
19 emergency room" or "school parking lot") where the  
20 workplace battery occurred. However, if the battery occurred  
21 at the health care employee's or school employee's home, the  
22 report may not include the address.  
23 (8) The circumstances surrounding the workplace battery and  
24 any resulting injury, including the following, if known:  
25 (A) The gender of the victim.  
26 (B) The specific manner in which the workplace battery  
27 was committed (such as by striking, biting, pushing,  
28 kicking, use of an object, or use of a weapon).  
29 (C) Whether the victim required hospitalization.  
30 (D) If a weapon or other object was used to commit the  
31 workplace battery, the type of weapon or object.  
32 (E) Whether law enforcement was contacted or responded  
33 to the workplace battery.  
34 (F) Whether criminal charges were filed against the  
35 perpetrator.

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

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

42 SECTION 22. IC 27-10-2-4.5, AS AMENDED BY HEA  
43 1258-2026, SECTION 15, IS AMENDED TO READ AS FOLLOWS  
44 [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) The following definitions  
45 apply throughout this section:

- 46 (1) "Charitable bail organization" means a business entity, or a  
47 nonprofit organization under:  
48 (A) the Internal Revenue Code; or  
49 (B) Indiana law;  
50 that exists for the purpose of paying cash bail for another person.  
51 However, the term does not include a person who pays cash bail

- 1 for three (3) or fewer defendants in any one hundred eighty (180)  
 2 day period, or a person who pays bail for a relative (as defined in  
 3 ~~IC 35-42-2-1(b))~~. **IC 35-42-2-1(a)**.
- 4 (2) "Crime of violence" has the meaning set forth in  
 5 IC 35-31.5-2-79.
- 6 (b) The commissioner may certify a charitable bail organization if  
 7 the charitable bail organization:
- 8 (1) is a business entity, or a nonprofit organization under:  
 9 (A) the Internal Revenue Code; or  
 10 (B) Indiana law;
- 11 (2) is currently registered to do business in Indiana;  
 12 (3) is located in Indiana; and  
 13 (4) exists for the purpose of depositing cash bail for an indigent  
 14 defendant who:  
 15 (A) is not charged with a crime of violence; or  
 16 (B) if charged with a felony, does not have a prior conviction  
 17 for a crime of violence.
- 18 (c) A person may apply for certification under this section in  
 19 accordance with rules adopted under this section.
- 20 (d) The commissioner shall certify a person as a charitable bail  
 21 organization if the:
- 22 (1) person pays an application fee of three hundred dollars  
 23 (\$300);  
 24 (2) person meets the requirements of this section; and  
 25 (3) person, including an officer or director of the person, has not  
 26 engaged in conduct that:  
 27 (A) constitutes fraud, dishonesty, or deception;  
 28 (B) constitutes malfeasance, misfeasance, or nonfeasance in  
 29 dealing with money; or  
 30 (C) resulted in the suspension or revocation of a previous  
 31 certification.
- 32 (e) A charitable bail certification is valid for two (2) years from the  
 33 date of issuance and may be renewed upon payment of a renewal fee  
 34 of three hundred dollars (\$300). If a person applies for renewal before  
 35 the expiration of the existing certification, the existing certification  
 36 remains valid until the commissioner renews the certification, or until  
 37 five (5) days after the commissioner denies the application for renewal.  
 38 A person is entitled to renewal unless the commissioner denies the  
 39 application for renewal under subsection (f).
- 40 (f) The commissioner shall deny, suspend, revoke, or refuse to  
 41 renew certification for any of the following causes:
- 42 (1) Any cause for which issuance of the certification could have  
 43 been refused had it then existed and been known to the  
 44 commissioner.  
 45 (2) Violation of any laws of this state in the course of dealings  
 46 under the certification.  
 47 (3) Material misstatement, misrepresentation, or fraud in  
 48 obtaining the certification.  
 49 (4) Misappropriation, conversion, or unlawful withholding of  
 50 money belonging to donors or others and received in the conduct

- 1 of business under the certification.  
 2 (5) Fraudulent or dishonest practices in the conduct of business  
 3 under the certification.  
 4 (6) Willful failure to comply with or willful violation of any  
 5 proper order or rule of the commissioner.  
 6 (7) When, in the judgment of the commissioner, the certificate  
 7 holder has, in the conduct of affairs under the certification,  
 8 demonstrated:
- 9 (A) incompetency or untrustworthiness;
  - 10 (B) conduct or practices rendering the certificate holder unfit
  - 11 to carry on charitable bail activities or making the certificate
  - 12 holder's continuance detrimental to the public interest; or
  - 13 (C) that the certificate holder is no longer in good faith
  - 14 carrying on as a charitable bail organization;
- 15 and for these reasons is found by the commissioner to be a source  
 16 of detriment, injury, or loss to the public.  
 17 (8) The listing of the name of the applicant or certificate holder on  
 18 the most recent tax warrant list supplied to the commissioner by  
 19 the department of state revenue.
- 20 (g) A charitable bail organization must comply with all of the  
 21 following:
- 22 (1) If the charitable bail organization pays, or intends to pay, bail
  - 23 for more than three (3) individuals in any one hundred eighty
  - 24 (180) day period, the charitable bail organization must be certified
  - 25 by the commissioner under this section before soliciting or
  - 26 accepting donations for bail for another person, and before
  - 27 depositing money for bail for another person.
  - 28 (2) A charitable bail organization may not pay bail for a defendant
  - 29 who:
    - 30 (A) is charged with a crime of violence; or
    - 31 (B) is charged with a felony and has a prior conviction for a
    - 32 crime of violence.  - 33 (3) A charitable bail organization may not execute a surety bond
  - 34 for a defendant.
  - 35 (4) A charitable bail organization shall, before paying bail for an
  - 36 individual, execute an agreement described in IC 35-33-8-3.2
  - 37 allowing the court to retain all or a part of the bail to pay publicly
  - 38 paid costs of representation and fines, costs, fees, and restitution
  - 39 that the court may order the defendant to pay if the defendant is
  - 40 convicted.
  - 41 (5) A charitable bail organization may not charge a premium or
  - 42 receive any consideration for acting as a charitable bail
  - 43 organization.
- 44 (h) All fees collected under this section must be deposited in the  
 45 bail bond enforcement and administration fund created by  
 46 IC 27-10-5-1.
- 47 (i) Any authorized employee of a charitable bail organization may
  - 48 only deposit cash bail to the court.
  - 49 (j) If an individual fails to appear, the bail shall be forfeited in the
  - 50 manner described in IC 35-33-8-7 and the court shall take the steps

1 described in IC 35-33-8-8.

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

- 6 (1) Murder (IC 35-42-1-1).
- 7 (2) Causing suicide (IC 35-42-1-2).
- 8 (3) Assisting suicide (IC 35-42-1-2.5).
- 9 (4) Voluntary manslaughter (IC 35-42-1-3).
- 10 (5) Involuntary manslaughter (IC 35-42-1-4).
- 11 (6) Reckless homicide (IC 35-42-1-5).
- 12 (7) Feticide (IC 35-42-1-6).
- 13 (8) Battery (IC 35-42-2-1) within the past five (5) years.
- 14 (9) Domestic battery (IC 35-42-2-1.3).
- 15 (10) Aggravated battery (IC 35-42-2-1.5).
- 16 (11) Criminal recklessness (IC 35-42-2-2) within the past five (5)  
17 years.
- 18 (12) Strangulation (IC 35-42-2-9).
- 19 (13) Kidnapping (IC 35-42-3-2).
- 20 (14) Criminal confinement (IC 35-42-3-3) within the past five (5)  
21 years.
- 22 (15) Human and sexual trafficking (IC 35-42-3.5).
- 23 (16) A felony sex offense under IC 35-42-4.
- 24 (17) Arson (IC 35-43-1-1) within the past five (5) years.
- 25 (18) Incest (IC 35-46-1-3).
- 26 (19) Neglect of a dependent (IC 35-46-1-4(a) and  
27 IC 35-46-1-4(b)).
- 28 (20) Child selling (IC 35-46-1-4(d)).
- 29 (21) Reckless supervision (IC 35-46-1-4.1).
- 30 (22) Nonsupport of a dependent child (IC 35-46-1-5) within the  
31 past five (5) years.
- 32 (23) Operating a motorboat while intoxicated (IC 35-46-9-6)  
33 **(before its repeal)** within the past five (5) years.
- 34 (24) A felony involving a weapon under IC 35-47 within the past  
35 five (5) years.
- 36 (25) A felony relating to controlled substances under IC 35-48-4  
37 within the past five (5) years.
- 38 (26) An offense relating to material or a performance that is  
39 harmful to minors or obscene under IC 35-49-3.
- 40 (27) A felony under IC 9-30-5 within the past five (5) years.
- 41 (28) A felony related to the health or safety of a child (as defined  
42 in IC 31-9-2-13(h)) or an endangered adult (as defined in  
43 IC 12-10-3-2).

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

- 48 (1) the adoption requested is in the best interest of the child;
- 49 (2) the petitioner or petitioners for adoption are of sufficient  
50 ability to rear the child and furnish suitable support and

- 1 education;
- 2 (3) the report of the investigation and recommendation under
- 3 IC 31-19-8-5 has been filed;
- 4 (4) the attorney or agency arranging an adoption has filed with the
- 5 court an affidavit prepared by the Indiana department of health
- 6 under IC 31-19-5-16 indicating whether a man is entitled to notice
- 7 of the adoption because the man has registered with the putative
- 8 father registry in accordance with IC 31-19-5;
- 9 (5) proper notice arising under subdivision (4), if notice is
- 10 necessary, of the adoption has been given;
- 11 (6) the attorney or agency has filed with the court an affidavit
- 12 prepared by the Indiana department of health under:
- 13 (A) IC 31-19-6 indicating whether a record of a paternity
- 14 determination; or
- 15 (B) IC 16-37-2-2(g) indicating whether a paternity affidavit
- 16 executed under IC 16-37-2-2.1;
- 17 has been filed in relation to the child;
- 18 (7) proper consent, if consent is necessary, to the adoption has
- 19 been given;
- 20 (8) the petitioner for adoption is not prohibited from adopting the
- 21 child as the result of an inappropriate criminal history described
- 22 in subsection (c) or (d); and
- 23 (9) the person, licensed child placing agency, or local office that
- 24 has placed the child for adoption has provided the documents and
- 25 other information required under IC 31-19-17 to the prospective
- 26 adoptive parents;
- 27 the court shall grant the petition for adoption and enter an adoption
- 28 decree.
- 29 (b) A court may not grant an adoption unless the Indiana department
- 30 of health's affidavit under IC 31-19-5-16 is filed with the court as
- 31 provided under subsection (a)(4).
- 32 (c) A juvenile adjudication for an act listed in IC 31-9-2-84.8 that
- 33 would be a felony if committed by an adult, a conviction of a
- 34 misdemeanor related to the health and safety of a child, or a conviction
- 35 of a felony not listed in IC 31-9-2-84.8 by a petitioner for adoption or
- 36 household member is a permissible basis for the court to deny the
- 37 petition for adoption. In addition, the court may not grant an adoption
- 38 if a petitioner for adoption has been convicted of a nonwaivable offense
- 39 under IC 31-9-2-84.8. However, the court is not prohibited from
- 40 granting an adoption based upon a felony conviction for:
- 41 (1) a felony under IC 9-30-5;
- 42 (2) battery (IC 35-42-2-1);
- 43 (3) criminal recklessness (IC 35-42-2-2) as a felony;
- 44 (4) criminal confinement (IC 35-42-3-3);
- 45 (5) arson (IC 35-43-1-1);
- 46 (6) nonsupport of a dependent child (IC 35-46-1-5);
- 47 (7) operating a motorboat while intoxicated (IC 35-46-9-6)
- 48 **(before its repeal)** as a felony;
- 49 (8) a felony involving a weapon under IC 35-47; or
- 50 (9) a felony relating to controlled substances under IC 35-48-4;

1 if the date of the conviction did not occur within the immediately  
2 preceding five (5) year period.

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

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

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

12 (1) IC 35-41-5-1(a) (attempted murder);

13 (2) IC 35-42-1-1 (murder);

14 (3) IC 35-42-3-2 (kidnapping);

15 (4) IC 35-42-4-1 (rape);

16 (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);

17 (6) IC 35-42-5-1 (robbery) if:

18 (A) the robbery was committed while armed with a deadly  
19 weapon; or

20 (B) the robbery results in bodily injury or serious bodily  
21 injury;

22 (7) IC 35-42-5-2 (carjacking) (before its repeal);

23 (8) IC 35-47-10 (children and firearms), if charged as a felony,

24 **unless:**

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

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

30 **(C) the child has not more than one (1) prior conviction or**  
31 **adjudication under IC 35-47-10-5 or IC 35-47-2-1.5; and**

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

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

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

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

43 (c) If:

44 (1) an individual described in subsection (a) is charged with one  
45 (1) or more offenses listed in subsection (a);

46 (2) all the charges under subsection (a)(1) through (a)(8) resulted  
47 in an acquittal or were dismissed; and

48 (3) the individual pleads guilty to or is convicted of any offense  
49 other than an offense listed in subsection (a)(1) through (a)(8);

50 the court having adult criminal jurisdiction may withhold judgment and  
51 transfer jurisdiction to the juvenile court for adjudication and

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

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

15 (1) committed while the person was a child; and

16 (2) that could have been waived under IC 31-30-3.

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

21 SECTION 26. IC 31-30-3-5, AS AMENDED BY P.L.148-2024,  
 22 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2026]: Sec. 5. Except for those cases in which the juvenile  
 24 court has no jurisdiction in accordance with IC 31-30-1-4, the court  
 25 shall, upon motion of the prosecuting attorney and after full  
 26 investigation and hearing, waive jurisdiction if it finds that:

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

29 (A) a Level 1 felony, Level 2 felony, Level 3 felony, or Level  
 30 4 felony, except a felony defined by IC 35-48-4;

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

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

34 or

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

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

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

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

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

46 SECTION 27. IC 31-34-4-2, AS AMENDED BY SEA 171-2026,  
 47 SECTION 6, AND BY SEA 80-2026, SECTION 204, IS AMENDED  
 48 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If  
 49 a child alleged to be a child in need of services is taken into custody  
 50 under an order of the court under this chapter and the court orders

1 out-of-home placement, the department is responsible for that  
2 placement and care and must consider placing the child with a:

- 3 (1) suitable and willing relative; or  
4 (2) de facto custodian;

5 before considering any other out-of-home placement.

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

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

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

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

- 19 (1) committed an act resulting in a substantiated report of child  
20 abuse or neglect; or  
21 (2) been convicted of a nonwaivable offense, as defined in  
22 IC 31-9-2.1-168 or had a juvenile adjudication for an act that  
23 would be a nonwaivable offense, as defined in IC 31-9-2.1-168 if  
24 committed by an adult.

25 (f) The department is not required to conduct a criminal history  
26 check under subsection (d) if the department makes an out-of-home  
27 placement to an entity or a facility that is not a residence (as defined in  
28 IC 3-5-2.1-90) or that is licensed by the state.

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

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

1 of abuse or neglect described in subdivision (1) is not relevant to  
 2 the person's present ability to care for a child, and the placement  
 3 is in the best interest of the child.

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

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

10 (1) The length of time since the person committed the offense,  
 11 delinquent act, or abuse or neglect.

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

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

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

18 (1) The caregiver is interested in providing permanence for the  
 19 child if reunification efforts ultimately fail.

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

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

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

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

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

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

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

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

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

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

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

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

46 SECTION 28. IC 31-34-20-1.5, AS AMENDED BY P.L.186-2025,  
 47 SECTION 161, IS AMENDED TO READ AS FOLLOWS  
 48 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Except as provided in  
 49 subsection (d), the juvenile court may not enter a dispositional decree  
 50 approving or ordering placement of a child in another home under

1 section 1(a)(3) of this chapter or awarding wardship to the department  
 2 that will place the child in another home under section 1(a)(4) of this  
 3 chapter if a person who is currently residing in the home in which the  
 4 child would be placed under section 1(a)(3) or 1(a)(4) of this chapter  
 5 has committed an act resulting in a substantiated report of child abuse  
 6 or neglect, has a juvenile adjudication for an act that would be a  
 7 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 8 adult, or has a conviction for a nonwaivable offense, as defined in  
 9 IC 31-9-2-84.8.

10 (b) The department or caseworker who prepared the predispositional  
 11 report shall conduct a criminal history check (as defined in  
 12 IC 31-9-2-22.5) to determine if a person described in subsection (a) has  
 13 committed an act resulting in a substantiated report of child abuse or  
 14 neglect, has a juvenile adjudication for an act that would be a  
 15 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 16 adult, or has a conviction for a nonwaivable offense, as defined in  
 17 IC 31-9-2-84.8. However, the department or caseworker is not required  
 18 to conduct a criminal history check under this section if criminal  
 19 history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes  
 20 whether a person described in subsection (a) has committed an act  
 21 resulting in a substantiated report of child abuse or neglect, has a  
 22 juvenile adjudication for an act that would be a nonwaivable offense,  
 23 as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
 24 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

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

27 (1) the department or caseworker is considering only an  
 28 out-of-home placement to an entity or a facility that:

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

30 (B) is licensed by the state; or

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

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

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

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

40 (B) been convicted of:

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

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

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

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

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

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

47 **(before its repeal)** as a felony;

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

49 (viii) a felony relating to controlled substances under

50 IC 35-48-4; or

- 1 (ix) a felony under IC 9-30-5;  
 2 if the conviction did not occur within the past five (5) years; or  
 3 (C) had a juvenile adjudication for a nonwaivable offense, as  
 4 defined in IC 31-9-2-84.8 that, if committed by an adult,  
 5 would be a felony; and  
 6 (2) the person's commission of the offense, delinquent act, or act  
 7 of abuse or neglect described in subdivision (1) is not relevant to  
 8 the person's present ability to care for a child, and placing a child  
 9 in another home or awarding wardship to the department is in the  
 10 best interest of the child.

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

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

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

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

36 (b) Before requesting juvenile court approval of a permanency plan,  
 37 the department shall conduct a criminal history check (as defined in  
 38 IC 31-9-2-22.5) to determine if a person described in subsection (a) has  
 39 committed an act resulting in a substantiated report of child abuse or  
 40 neglect, has a juvenile adjudication for an act that would be a  
 41 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 42 adult, or has a conviction for a nonwaivable offense, as defined in  
 43 IC 31-9-2-84.8. However, the department is not required to conduct a  
 44 criminal history check under this section if criminal history information  
 45 under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes  
 46 whether a person described in subsection (a) has committed an act  
 47 resulting in a substantiated report of child abuse or neglect, has a  
 48 juvenile adjudication for an act that would be a nonwaivable offense,  
 49 as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
 50 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

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

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

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

11 (B) Placement of the child for adoption.

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

14 (i) an adult sibling;

15 (ii) a grandparent;

16 (iii) an aunt;

17 (iv) an uncle;

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

19 (vi) another relative;

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

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

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

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

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

36 (2) A time schedule for implementing the applicable provisions  
37 of the permanency plan.

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

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

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

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

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

48 (B) been convicted of:

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

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

- 1 (iii) criminal confinement (IC 35-42-3-3) as a felony;  
 2 (iv) arson (IC 35-43-1-1) as a felony;  
 3 (v) nonsupport of a dependent child (IC 35-46-1-5);  
 4 (vi) operating a motorboat while intoxicated (IC 35-46-9-6)  
 5 **(before its repeal)** as a felony;  
 6 (vii) a felony involving a weapon under IC 35-47;  
 7 (viii) a felony relating to controlled substances under  
 8 IC 35-48-4; or  
 9 (ix) a felony under IC 9-30-5;

10 if the conviction did not occur within the past five (5) years; or  
 11 (C) had a juvenile adjudication for a nonwaivable offense, as  
 12 defined in IC 31-9-2-84.8 that, if committed by an adult,  
 13 would be a felony; and

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

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

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

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

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

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

32 SECTION 30. IC 31-37-19-6.5, AS AMENDED BY P.L.186-2025,  
 33 SECTION 163, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) Except as provided in  
 35 subsection (d), the juvenile court may not enter a dispositional decree  
 36 approving placement of a child in another home under section 1(a)(3)  
 37 or 6(b)(2)(D) of this chapter or awarding wardship to a person or  
 38 facility that results in a placement with a person under section 1(a)(4)  
 39 or 6(b)(2)(E) of this chapter if a person who is currently residing in the  
 40 home in which the child would be placed under section 1(a)(3), 1(a)(4),  
 41 6(b)(2)(D), or 6(b)(2)(E) of this chapter has committed an act resulting  
 42 in a substantiated report of child abuse or neglect, has a juvenile  
 43 adjudication for an act that would be a nonwaivable offense, as defined  
 44 in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a  
 45 nonwaivable offense, as defined in IC 31-9-2-84.8.

46 (b) The juvenile probation officer who prepared the predispositional  
 47 report shall conduct a criminal history check (as defined in  
 48 IC 31-9-2-22.5) to determine if a person described in subsection (a) has  
 49 committed an act resulting in a substantiated report of child abuse or  
 50 neglect, has a juvenile adjudication for an act that would be a

1 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 2 adult, or has a conviction for a nonwaivable offense, as defined in  
 3 IC 31-9-2-84.8. However, the probation officer is not required to  
 4 conduct a criminal history check under this section if criminal history  
 5 information obtained under IC 31-37-17-6.1 establishes whether a  
 6 person described in subsection (a) has committed an act resulting in a  
 7 substantiated report of child abuse or neglect, has a juvenile  
 8 adjudication for an act that would be a nonwaivable offense, as defined  
 9 in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a  
 10 nonwaivable offense, as defined in IC 31-9-2-84.8.

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

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

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

16 (B) is licensed by the state; or

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

19 (d) The juvenile court may enter a dispositional decree approving  
 20 placement of a child in another home under section 1(a)(3) or  
 21 6(b)(2)(D) of this chapter or awarding wardship to a person or facility  
 22 that results in a placement with a person under section 1(a)(4) or  
 23 6(b)(2)(E) of this chapter if:

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

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

27 (B) been convicted of:

28 (i) a felony under IC 9-30-5;

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

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

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

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

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

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

35 **(before its repeal)** as a felony;

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

37 (ix) a felony relating to controlled substances under  
 38 IC 35-48-4;

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

40 (C) had a juvenile adjudication for a nonwaivable offense, as  
 41 defined in IC 31-9-2-84.8 that, if committed by an adult,  
 42 would be a felony; and

43 (2) the person's commission of the offense, delinquent act, or act  
 44 of abuse or neglect described in subdivision (1) is not relevant to  
 45 the person's present ability to care for a child, and placing the  
 46 child in another home is in the best interest of the child.

47 However, a court may not enter a dispositional decree placing a child  
 48 in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or  
 49 awarding wardship to a person or facility under this subsection if a  
 50 person with whom the child is or will be placed has been convicted of

1 a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not  
2 specifically excluded under subdivision (1)(B).

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

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

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

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

11 SECTION 31. IC 35-31.5-2-37.5 IS REPEALED [EFFECTIVE  
12 JULY 1, 2026]. ~~Sec. 37.5: "Chemical test", for purposes of IC 35-46-9;~~  
13 ~~has the meaning set forth in IC 35-46-9-1.~~

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

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

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

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

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

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

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

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

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

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

- 1 (A) twenty (20) days if the person is charged with a felony; or  
 2 (B) ten (10) days if the person is charged only with one (1) or  
 3 more misdemeanors;  
 4 after this initial hearing because there are deadlines for filing  
 5 motions and raising defenses, and if those deadlines are missed,  
 6 the legal issues and defenses that could have been raised will be  
 7 waived;  
 8 (2) that the person has a right to assigned counsel at no expense  
 9 to the person if the person is indigent;  
 10 (3) that the person has a right to a speedy trial;  
 11 (4) of the amount and conditions of bail;  
 12 (5) of the person's privilege against self-incrimination;  
 13 (6) of the nature of the charge against the person;  
 14 (7) that a preliminary plea of not guilty is being entered for the  
 15 person and the preliminary plea of not guilty will become a formal  
 16 plea of not guilty:  
 17 (A) twenty (20) days after the completion of the initial  
 18 hearing; or  
 19 (B) ten (10) days after the completion of the initial hearing if  
 20 the person is charged only with one (1) or more  
 21 misdemeanors;  
 22 unless the defendant enters a different plea; and  
 23 (8) that the person may request to petition for a specialized  
 24 driving privileges hearing if the person is charged with:  
 25 (A) any offense in which the operation of a motor vehicle is an  
 26 element of the offense;  
 27 (B) any offense under IC 9-30-5, IC 35-46-9 (**before its**  
 28 **repeal**), or IC 14-15-8 (before its repeal); or  
 29 (C) any offense under IC 35-42-1, IC 35-42-2, or  
 30 IC 35-44.1-3-1 that involves the use of a vehicle.  
 31 In addition, the judge shall direct the prosecuting attorney to give the  
 32 defendant or the defendant's attorney a copy of any formal felony  
 33 charges filed or ready to be filed. The judge shall, upon request of the  
 34 defendant, direct the prosecuting attorney to give the defendant or the  
 35 defendant's attorney a copy of any formal misdemeanor charges filed  
 36 or ready to be filed.  
 37 (b) This subsection applies to a pregnant woman charged with a  
 38 drug crime. If the woman is otherwise qualified, including meeting any  
 39 requirements under IC 33-23-16-13(3)(A), if applicable, the judge may,  
 40 after consulting with the prosecuting attorney, refer the woman to the  
 41 forensic diversion program (IC 11-12-3.7) or a drug court (IC  
 42 33-23-16).  
 43 SECTION 41. IC 35-40.5-1-1, AS AMENDED BY P.L.32-2021,  
 44 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 45 JULY 1, 2026]: Sec. 1. The following definitions apply throughout this  
 46 article:  
 47 (1) "Law enforcement officer" means any of the following:  
 48 (A) A law enforcement officer (as defined in  
 49 IC 35-31.5-2-185).  
 50 (B) A state educational institution police officer appointed

- 1 under IC 21-39-4.  
 2 (C) A school corporation police officer appointed under  
 3 IC 20-26-16.  
 4 (D) A school resource officer (as defined in IC 20-26-18.2-1).  
 5 (E) A police officer of a private postsecondary educational  
 6 institution whose governing board has appointed the police  
 7 officer under IC 21-17-5-2.
- 8 (2) "Provider" has the meaning set forth in IC 16-21-8-0.2.  
 9 (3) "Relative" has the meaning set forth in ~~IC 35-42-2-1(b)~~.  
 10 **IC 35-42-2-1(a).**  
 11 (4) "Sexual assault forensic evidence" means the results collected  
 12 from a forensic medical examination of a victim by a provider.  
 13 (5) "State sexual assault response team" means the statewide  
 14 sexual assault response team coordinated by the Indiana  
 15 prosecuting attorneys council and the Indiana criminal justice  
 16 institute.  
 17 (6) "Victim" means an individual:  
 18 (A) who is a victim of sexual assault (as defined in  
 19 IC 5-26.5-1-8); or  
 20 (B) who:  
 21 (i) is a relative of or a person who has had a close personal  
 22 relationship with the individual described under clause (A);  
 23 and  
 24 (ii) is designated by the individual described under clause  
 25 (A) as a representative.  
 26 The term does not include an individual who is accused of  
 27 committing an act of sexual assault (as defined in IC 5-26.5-1-8)  
 28 against the individual described under clause (A).  
 29 (7) "Victim advocate" has the meaning set forth in IC 35-37-6-3.5.  
 30 (8) "Victim service provider" has the meaning set forth in  
 31 IC 35-37-6-5.
- 32 SECTION 42. IC 35-42-2-0.5, AS ADDED BY P.L.65-2016,  
 33 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2026]: Sec. 0.5. "Relative", for purposes of ~~IC 35-42-2-1~~;  
 35 **section 1 of this chapter**, has the meaning set forth in ~~IC 35-42-2-1(b)~~.  
 36 **section 1(a) of this chapter.**
- 37 SECTION 43. IC 35-42-2-1, AS AMENDED BY P.L.148-2024,  
 38 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2026]: Sec. 1. (a) ~~As used in this section, "public safety~~  
 40 ~~official" means:~~  
 41 ~~(1) a law enforcement officer, including an alcoholic beverage~~  
 42 ~~enforcement officer;~~  
 43 ~~(2) an employee of a penal facility or a juvenile detention facility~~  
 44 ~~(as defined in IC 31-9-2-71);~~  
 45 ~~(3) an employee of the department of correction;~~  
 46 ~~(4) a probation officer;~~  
 47 ~~(5) a parole officer;~~  
 48 ~~(6) a community corrections worker;~~  
 49 ~~(7) a home detention officer;~~  
 50 ~~(8) a department of child services employee;~~

- 1 (9) a firefighter;
- 2 (10) an emergency medical services provider;
- 3 (11) a judicial officer;
- 4 (12) a bailiff of any court; or
- 5 (13) a special deputy (as described in IC 36-8-10-10.6).
- 6 (b) As used in this section, "relative" means an individual related by
- 7 blood, half-blood, adoption, marriage, or remarriage, including:
- 8 (1) a spouse;
- 9 (2) a parent or stepparent;
- 10 (3) a child or stepchild;
- 11 (4) a grandchild or stepgrandchild;
- 12 (5) a grandparent or stepgrandparent;
- 13 (6) a brother, sister, stepbrother, or stepsister;
- 14 (7) a niece or nephew;
- 15 (8) an aunt or uncle;
- 16 (9) a daughter-in-law or son-in-law;
- 17 (10) a mother-in-law or father-in-law; or
- 18 (11) a first cousin.
- 19 (a) The following definitions apply throughout this section:
- 20 (1) "Health care employee" means an individual whose
- 21 responsibilities involve contact or interaction with a patient,
- 22 and who is employed by, in a contractual relationship with, or
- 23 providing services on behalf of:
- 24 (A) an individual;
- 25 (B) a partnership;
- 26 (C) a professional corporation;
- 27 (D) a facility;
- 28 (E) an institution;
- 29 (F) a hospital; or
- 30 (G) any entity;
- 31 that is licensed, certified, or authorized to administer health
- 32 care in the ordinary course of business or practice of the
- 33 profession.
- 34 (2) "Public safety official" means:
- 35 (A) a law enforcement officer, including an alcoholic
- 36 beverage enforcement officer;
- 37 (B) an employee of a penal facility or a juvenile detention
- 38 facility (as defined in IC 31-9-2-71);
- 39 (C) an employee of the department of correction;
- 40 (D) a probation officer;
- 41 (E) a parole officer;
- 42 (F) a community corrections worker;
- 43 (G) a home detention officer;
- 44 (H) a department of child services employee whose
- 45 responsibilities include:
- 46 (i) personally supervising a child or parent;
- 47 (ii) personally providing services to a child or parent; or
- 48 (iii) personally interviewing a child or parent as part of
- 49 an investigation;
- 50 (I) a firefighter;
- 51 (J) an emergency medical services provider;

- 1           **(K) a judicial officer;**  
2           **(L) a bailiff of any court; or**  
3           **(M) a special deputy (as described in IC 36-8-10-10.6).**  
4           **(3) "Relative" means an individual related by blood,**  
5           **half-blood, adoption, marriage, or remarriage, including:**  
6           **(A) a spouse;**  
7           **(B) a parent or stepparent;**  
8           **(C) a child or stepchild;**  
9           **(D) a grandchild or stepgrandchild;**  
10           **(E) a grandparent or stepgrandparent;**  
11           **(F) a brother, sister, stepbrother, or stepsister;**  
12           **(G) a niece or nephew;**  
13           **(H) an aunt or uncle;**  
14           **(I) a daughter-in-law or son-in-law;**  
15           **(J) a mother-in-law or father-in-law; or**  
16           **(K) a first cousin.**  
17           **(4) "School" means a public school, charter school, or**  
18           **nonpublic school with at least one (1) employee.**  
19           **(5) "School employee" means a person who:**  
20           **(A) is employed by a school or is in a contractual**  
21           **relationship with a school; and**  
22           **(B) has direct and ongoing contact with a student.**  
23           ~~(e)~~ **(b)** Except as provided in subsections ~~(d)~~ **(c)** through ~~(k)~~ **(l)**, a  
24           person who knowingly or intentionally:  
25           (1) touches another person in a rude, insolent, or angry manner;  
26           or  
27           (2) in a rude, insolent, or angry manner places any bodily fluid or  
28           waste on another person;  
29           commits battery, a Class B misdemeanor.  
30           ~~(d)~~ **(c)** The offense described in subsection ~~(e)~~ **(b)(1)** or ~~(e)~~ **(2)**  
31           **(b)(2)** is a Class A misdemeanor if it:  
32           (1) results in bodily injury to any other person; or  
33           (2) is committed against a member of a foster family home (as  
34           defined in IC 35-31.5-2-139.3) by a person who is not a resident  
35           of the foster family home if the person who committed the offense  
36           is a relative of a person who lived in the foster family home at the  
37           time of the offense.  
38           **(d) The offense described in subsection (b)(1) is a Class A**  
39           **misdemeanor if it is committed against a health care employee or**  
40           **school employee:**  
41           **(1) while the health care employee or school employee is**  
42           **acting within the scope of the health care employee's or school**  
43           **employee's employment;**  
44           **(2) while the health care employee or school employee is**  
45           **commuting to or from the health care employee's or school**  
46           **employee's place of employment; or**  
47           **(3) in retaliation for an act taken by the health care employee**  
48           **or school employee within the scope of the health care**  
49           **employee's or school employee's employment;**  
50           **unless the offense is committed by a person detained or committed**  
51           **under IC 12-26.**

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

3 (1) The offense results in moderate bodily injury to any other  
 4 person.

5 (2) The offense is committed against a public safety official while  
 6 the official is engaged in the official's official duty, unless the  
 7 offense is committed by a person detained or committed under  
 8 IC 12-26.

9 (3) The offense is committed against a person less than fourteen  
 10 (14) years of age and is committed by a person at least eighteen  
 11 (18) years of age.

12 (4) The offense is committed against a person of any age who has  
 13 a mental or physical disability and is committed by a person  
 14 having the care of the person with the mental or physical  
 15 disability, whether the care is assumed voluntarily or because of  
 16 a legal obligation.

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

19 (6) The offense:

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

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

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

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

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

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

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

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

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

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

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

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

51 (4) The person has a previous conviction for a battery or

- 1 strangulation offense included in this chapter against the same  
 2 victim.  
 3 (5) The offense results in bodily injury to one (1) or more of the  
 4 following:
- 5 (A) A public safety official while the official is engaged in the  
 6 official's official duties, unless the offense is committed by a  
 7 person detained or committed under IC 12-26.
  - 8 (B) A person less than fourteen (14) years of age if the offense  
 9 is committed by a person at least eighteen (18) years of age.
  - 10 (C) A person who has a mental or physical disability if the  
 11 offense is committed by an individual having care of the  
 12 person with the disability, regardless of whether the care is  
 13 assumed voluntarily or because of a legal obligation.
  - 14 (D) An endangered adult (as defined in IC 12-10-3-2).
- 15 ~~(h)~~ **(i)** The offense described in subsection ~~(e)(2)~~ **(b)(2)** is a Level  
 16 5 felony if:
- 17 (1) the person knew or recklessly failed to know that the bodily  
 18 fluid or waste placed on another person was infected with  
 19 hepatitis, tuberculosis, or human immunodeficiency virus; and
  - 20 (2) the person placed the bodily fluid or waste on a public safety  
 21 official, unless the offense is committed by a person detained or  
 22 committed under IC 12-26.
- 23 ~~(i)~~ **(j)** The offense described in subsection ~~(e)(1)~~ **(b)(1)** or ~~(e)(2)~~  
 24 **(b)(2)** is a Level 4 felony if it results in serious bodily injury to an  
 25 endangered adult (as defined in IC 12-10-3-2).
- 26 ~~(j)~~ **(k)** The offense described in subsection ~~(e)(1)~~ **(b)(1)** or ~~(e)(2)~~  
 27 **(b)(2)** is a Level 3 felony if it results in serious bodily injury to a person  
 28 less than fourteen (14) years of age if the offense is committed by a  
 29 person at least eighteen (18) years of age.
- 30 ~~(k)~~ **(l)** The offense described in subsection ~~(e)(1)~~ **(b)(1)** or ~~(e)(2)~~  
 31 **(b)(2)** is a Level 2 felony if it results in the death of one (1) or more of  
 32 the following:
- 33 (1) A person less than fourteen (14) years of age if the offense is  
 34 committed by a person at least eighteen (18) years of age.
  - 35 (2) An endangered adult (as defined in IC 12-10-3-2).
- 36 SECTION 44. IC 35-45-10-6, AS ADDED BY P.L.107-2017,  
 37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2026]: Sec. 6. **(a)** A person who:
- 39 **(1)** operates an unmanned aerial vehicle in a manner that is  
 40 intended to subject another person to harassment;
  - 41 **(2) operates an unmanned aerial vehicle over the property of**  
 42 **another person:**
    - 43 **(A) without the consent of the other person; and**
    - 44 **(B) with the intent to:**
      - 45 **(i) harass, disturb, or injure an individual or animal; or**
      - 46 **(ii) damage or disturb a crop;**
    - 47 **on the other person's property;**
  - 48 **(3) knowingly or intentionally disperses any substance from**  
 49 **an unmanned aerial vehicle onto the property of another**  
 50 **person without the consent of the other person; or**

1           **(4) recklessly, knowingly, or intentionally operates an**  
 2           **unmanned aerial vehicle:**

3                 **(A) over the property of another person; and**

4                 **(B) without the consent of the other person;**

5           **in a manner that interferes with or endangers another**  
 6           **aircraft or unmanned aerial vehicle;**

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

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

12                 **(1) the result of a mechanical or electronic failure; or**

13                 **(2) necessary to avoid a greater harm.**

14           **(c) It is a defense to a prosecution under subsection (a)(3) that:**

15                 **(1) the substance came onto the property of a person owning**  
 16                 **or occupying adjacent property as the result of unintentional**  
 17                 **overspray; and**

18                 **(2) the person took reasonable good faith precautions to**  
 19                 **minimize the amount of overspray.**

20           SECTION 45. IC 35-46-9 IS REPEALED [EFFECTIVE JULY 1,  
 21           2026]. (Operating a Motorboat While Intoxicated).

22           SECTION 46. IC 35-47-10-5, AS AMENDED BY P.L.148-2024,  
 23           SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24           JULY 1, 2026]: Sec. 5. (a) A child who knowingly, intentionally, or  
 25           recklessly possesses a firearm for any purpose other than a purpose  
 26           described in section 1 of this chapter commits dangerous possession of  
 27           a firearm, a Class A misdemeanor. However, the offense is a Level 5  
 28           felony if:

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

32                         **(A) this section; or**

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

34                 **(2) the offense is committed:**

35                         **(A) on or in school property;**

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

37                         **(C) on a school bus.**

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

40                 (1) is ineligible for any reason to purchase or otherwise receive  
 41                 from a dealer a firearm; or

42                 (2) intends to use the firearm to commit a crime;

43           commits a Level 5 felony. However, the offense is a Level 3 felony if  
 44           the other child uses the firearm to commit murder (IC 35-42-1-1).

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

49                 **(1) A public defender.**

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

- 1           **(3) Court personnel.**
- 2           **(4) A deputy prosecuting attorney.**
- 3           **(5) An employee of a prosecuting attorney's office.**
- 4           **(6) An emergency medical services provider (as defined in**
- 5           **IC 16-41-10-1).**
- 6           **(7) An employee of an agency or department that employs an**
- 7           **emergency medical services provider.**
- 8           **(b) This section does not apply to a chief public defender.**
- 9           **SECTION 49. An emergency is declared for this act.**  
              (Reference is to EHB 1249 as printed February 13, 2026.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1249**

**S**igned by:

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Representative Zimmerman  
Chairperson

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Senator Freeman

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Representative Gore

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Senator Taylor G

**House Conferees**

**Senate Conferees**