

HOUSE BILL No. 1250

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-12-2.5; IC 35-38-1; IC 35-40-6-4.

Synopsis: Notice of release and victim notification. Requires the department of correction to electronically notify, at least seven days in advance, the: (1) county sheriff; (2) prosecuting attorney; and (3) chief of police; of the county or municipality into which the department will release a serious violent felon, and of the county or municipality where the serious violent felon committed the offense. Requires: (1) a court; and (2) the prosecuting attorney or the prosecuting attorney's victim assistance program; to notify a victim of the automated victim assistance notification program.

Effective: July 1, 2026.

O'Brien, McNamara, Bascom

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



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

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

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

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

HOUSE BILL No. 1250

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

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

1 SECTION 1. IC 11-10-12-2.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. (a) The following definitions**
4 **apply throughout this section:**

5 (1) "Receiving county" means the county to which the
6 department will transport, or arrange for the transportation
7 of, a serious violent felon upon the serious violent felon's:

8 (A) release on probation or parole; or

9 (B) discharge.

10 (2) "Receiving municipality" means the municipality to which
11 the department will transport, or arrange for the
12 transportation of, a serious violent felon upon the serious
13 violent felon's:

14 (A) release on probation or parole; or

15 (B) discharge.

16 (3) "Serious violent felon" has the meaning set forth in
17 IC 35-47-4-5.



(b) At least seven (7) days before the department:

(1) releases a serious violent felon on probation or parole; or

(2) discharges a serious violent felon;

the department shall electronically notify the persons described in subsection (c) of the serious violent felon's impending release or discharge.

(c) In accordance with subsection (b), the department shall electronically notify the following officials of a serious violent felon's impending release or discharge:

(1) The sheriff of the:

(A) receiving county; and

(B) county where the offense was committed.

(2) The prosecuting attorney exercising jurisdiction in the:

(A) receiving county; and

(B) county where the offense was committed.

(3) The chief of police of the:

(A) receiving municipality; and

(B) municipality where the offense was committed.

SECTION 2. IC 35-38-1-2, AS AMENDED BY P.L.168-2014, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this chapter, "victim representative" means a person designated by a sentencing court who is:

(1) a spouse, parent, child, sibling, or other relative of; or

(2) a person who has had a close personal relationship with;

the victim of a felony who is deceased, incapacitated, or less than eighteen (18) years of age.

(b) Upon entering a conviction, the court shall set a date for sentencing within thirty (30) days, unless for good cause shown an extension is granted. If a presentence report is not required, the court may sentence the defendant at the time the judgment of conviction is entered. However, the court may not pronounce sentence at that time without:

(1) inquiring as to whether an adjournment is desired by the defendant; ~~and~~

(2) informing the victim, if present, of a victim's right to make a statement concerning the crime and the sentence; ~~and~~

(3) informing the victim, if present, of the automated victim notification system established under IC 11-8-7-2, as required by section 4.5 of this chapter.

When an adjournment is requested, the defendant shall state its purpose and the court may allow a reasonable time for adjournment.



(c) If:

(1) the state in the manner prescribed by IC 35-34-1-2.5 sought an increased penalty by alleging that the person was previously convicted of the offense; and

(2) the person was convicted of the subsequent offense in a jury trial;

the jury shall reconvene for the sentencing hearing. The person shall be sentenced to receive the increased penalty if the jury (or the court, if the trial is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had a previous conviction for the offense.

(d) If the felony is nonsuspendible under IC 35-50-2-2 (before its repeal) or IC 35-50-2-2.2, the judge shall order the defendant, if the defendant has previously been released on bail or recognizance, to be imprisoned in the county or local penal facility pending sentencing.

(e) Upon entering a conviction for a felony, the court shall designate a victim representative if the victim is deceased, incapacitated, or less than eighteen (18) years of age.

SECTION 3. IC 35-38-1-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. The court shall inform the victim at sentencing, if the victim is present, of the automated victim notification system established under IC 11-8-7-2.**

SECTION 4. IC 35-40-6-4, AS AMENDED BY P.L.244-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A prosecuting attorney or a victim assistance program shall do the following:

(1) Inform a victim that the victim may be present at all public stages of the criminal justice process to the extent that:

(A) the victim's presence and statements do not interfere with a defendant's constitutional rights; and

(B) there has not been a court order restricting, limiting, or prohibiting attendance at the criminal proceedings.

(2) Timely notify a victim of all criminal justice hearings and proceedings that are scheduled for a criminal matter in which the victim was involved.

(3) Promptly notify a victim when a criminal court proceeding has been rescheduled or canceled.

(4) Obtain an interpreter or translator, if necessary, to advise a victim of the rights granted to a victim under the law.

(5) Coordinate efforts of local law enforcement agencies that are designed to promptly inform a victim after an offense occurs of



1 the availability of, and the application process for, community
2 services for victims and the families of victims, including
3 information concerning services such as the following:

- 4 (A) Victim compensation funds.
5 (B) Victim assistance resources.
6 (C) Legal resources.
7 (D) Mental health services.
8 (E) Social services.
9 (F) Health resources.
10 (G) Rehabilitative services.
11 (H) Financial assistance services.
12 (I) Crisis intervention services.
13 (J) Transportation and child care services to promote the
14 participation of a victim or a member of the victim's
15 immediate family in the criminal proceedings.
- 16 (6) Inform the victim that the court may order a defendant
17 convicted of the offense involving the victim to pay restitution to
18 the victim under IC 35-50-5-3.
- 19 (7) Upon request of the victim, inform the victim of the terms and
20 conditions of release of the person accused of committing a crime
21 against the victim.
- 22 (8) Upon request of the victim, give the victim notice of the
23 criminal offense for which:
- 24 (A) the defendant accused of committing the offense against
25 the victim was convicted or acquitted; or
26 (B) the charges were dismissed against the defendant accused
27 of committing the offense against the victim.
- 28 (9) In a county having a victim-offender reconciliation program
29 (VORP), provide an opportunity for a victim, if the accused
30 person or the offender agrees, to:
- 31 (A) meet with the accused person or the offender in a safe,
32 controlled environment;
33 (B) give to the accused person or the offender, either orally or
34 in writing, a summary of the financial, emotional, and physical
35 effects of the offense on the victim and the victim's family; and
36 (C) negotiate a restitution agreement to be submitted to the
37 sentencing court for damages incurred by the victim as a result
38 of the offense.
- 39 (10) Assist a victim in preparing verified documentation
40 necessary to obtain a restitution order under IC 35-50-5-3.
- 41 (11) Inform a victim (or the spouse or an immediate family
42 member of a deceased victim) of the victim's right to a copy of the



- 1 trial transcript, and assist the victim, spouse, or immediate family
- 2 member in obtaining a transcript as described in IC 35-40-5-8.5.
- 3 (12) Advise a victim of other rights granted to a victim under the
- 4 law.
- 5 (13) Assist a local law enforcement authority in notifying a victim
- 6 (or the spouse or an immediate family member of a deceased
- 7 victim) under IC 11-8-8-23 of an offender's name change.
- 8 **(14) Inform a victim in writing of the automated victim**
- 9 **notification system established under IC 11-8-7-2.**

