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HOUSE BILL No. 1250

Proposed Changes to introduced printing by AM125001

DIGEST OF PROPOSED AMENDMENT

Victim rights. Provides that a victim has the right to be informed, upon request, about the progress of the criminal case involving the victim.

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
11 which 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.

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

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

20 (2) discharges a serious violent felon;

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

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

7 **(1) The sheriff of the:**

8 **(A) receiving county; and**
 9 **(B) county where the offense was committed.**

10 **(2) The prosecuting attorney exercising jurisdiction in the:**

11 **(A) receiving county; and**

12 **(B) county where the offense was committed.**

13 **(3) The chief of police of the:**

14 **(A) receiving municipality; and**

15 **(B) municipality where the offense was committed.**

16 SECTION 2. IC 35-38-1-2, AS AMENDED BY P.L.168-2014,

17 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

18 JULY 1, 2026]: Sec. 2. (a) As used in this chapter, "victim
 19 representative" means a person designated by a sentencing court who
 20 is:

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

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

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

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

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

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

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

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

40 (c) If:

41 (1) the state in the manner prescribed by IC 35-34-1-2.5 sought
 42 an increased penalty by alleging that the person was previously



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

21 [SECTION 4. IC 35-40-5-4.5 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: Sec. 4.5. A victim has the right to be
24 informed, upon request, about the progress of the criminal case
25 involving the victim.

26 1 SECTION ~~4~~5. IC 35-40-6-4, AS AMENDED BY
27 P.L.244-2019, SECTION 14, IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A prosecuting
29 attorney or a victim assistance program shall do the following:

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

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

33 with a defendant's constitutional rights, and
34 (B) there has not been a court order restricting, limiting, or
35 prohibiting attendance at the criminal proceedings.

35 prohibiting attendance at the criminal proceedings.

36 (2) Timely notify a victim of all criminal justice hearings and

37 proceedings that are scheduled for a criminal matter in which the

38 victim was involved.

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

40 has been rescheduled or canceled.
41 (4) Obtain an interpreter or translator, if necessary, to advise a
42 victim of the right to speak to a victim in another language.

42 victim of the rights granted to a victim under the law.



6 (A) Victim compensation funds.

7 (B) Victim assistance resources.

8 (C) Legal resources.

9 (D) Mental health services.

10 (E) Social services.

11 (F) Health resources.

12 (G) Rehabilitative services.

13 (H) Financial assistance services

14 (I) Crisis intervention services.

15 (J) Transportation and child care services to promote the
16 participation of a victim or a member of the victim's
17 immediate family in the criminal proceedings.

27 the victim was convicted or acquitted, or
28 (B) the charges were dismissed against the defendant
29 accused of committing the offense against the victim.
30 (9) In a county having a victim-offender reconciliation program

(9) in a county having a victim-offender reconciliation program (VORP), provide an opportunity for a victim, if the accused person or the offender agrees, to:

33 (A) meet with the accused person or the offender in a safe,
34 controlled environment;
35 (B) give to the accused person or the offender, either orally,

35 (B) give to the accused person or the offender, either orally
36 or in writing, a summary of the financial, emotional, and
37 physical effects of the offense on the victim and the victim's
38 family; and

39 (C) negotiate a restitution agreement to be submitted to the
40 sentencing court for damages incurred by the victim as a
41 result of the offense.

42 (10) Assist a victim in preparing verified documentation

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1 necessary to obtain a restitution order under IC 35-50-5-3.
2 (11) Inform a victim (or the spouse or an immediate family
3 member of a deceased victim) of the victim's right to a copy of
4 the trial transcript, and assist the victim, spouse, or immediate
5 family member in obtaining a transcript as described in
6 IC 35-40-5-8.5.
7 (12) Advise a victim of other rights granted to a victim under the
8 law.
9 (13) Assist a local law enforcement authority in notifying a
10 victim (or the spouse or an immediate family member of a
11 deceased victim) under IC 11-8-8-23 of an offender's name
12 change.
13 (14) **Inform a victim in writing of the automated victim**
14 **notification system established under IC 11-8-7-2.**
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