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HOUSE BILL No. 1250

Proposed Changes to introduced printing by AM125002

DIGEST OF PROPOSED AMENDMENT

Documents. Provides that, before hiring a person as a law enforcement officer, a law enforcement hiring department or agency shall request from prior law enforcement employers all documents relating to disciplinary action or internal investigations that involve the person.

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

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(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

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 JC 35-34-1-2.5 sought.

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1 an increased penalty by alleging that the person was previously
 2 convicted of the offense; and

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

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

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

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

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

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

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

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

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

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

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

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

39 (5) Coordinate efforts of local law enforcement agencies that are
 40 designed to promptly inform a victim after an offense occurs of
 41 the availability of, and the application process for, community
 42 services for victims and the families of victims, including



1 information concerning services such as the following:

2 (A) Victim compensation funds.

3 (B) Victim assistance resources.

4 (C) Legal resources.

5 (D) Mental health services.

6 (E) Social services.

7 (F) Health resources.

8 (G) Rehabilitative services.

9 (H) Financial assistance services.

10 (I) Crisis intervention services.

11 (J) Transportation and child care services to promote the

12 participation of a victim or a member of the victim's

13 immediate family in the criminal proceedings.

14 (6) Inform the victim that the court may order a defendant

15 convicted of the offense involving the victim to pay restitution

16 to the victim under IC 35-50-5-3.

17 (7) Upon request of the victim, inform the victim of the terms

18 and conditions of release of the person accused of committing a

19 crime against the victim.

20 (8) Upon request of the victim, give the victim notice of the

21 criminal offense for which:

22 (A) the defendant accused of committing the offense against

23 the victim was convicted or acquitted; or

24 (B) the charges were dismissed against the defendant

25 accused of committing the offense against the victim.

26 (9) In a county having a victim-offender reconciliation program

27 (VORP), provide an opportunity for a victim, if the accused

28 person or the offender agrees, to:

29 (A) meet with the accused person or the offender in a safe,

30 controlled environment;

31 (B) give to the accused person or the offender, either orally

32 or in writing, a summary of the financial, emotional, and

33 physical effects of the offense on the victim and the victim's

34 family; and

35 (C) negotiate a restitution agreement to be submitted to the

36 sentencing court for damages incurred by the victim as a

37 result of the offense.

38 (10) Assist a victim in preparing verified documentation

39 necessary to obtain a restitution order under IC 35-50-5-3.

40 (11) Inform a victim (or the spouse or an immediate family

41 member of a deceased victim) of the victim's right to a copy of

42 the trial transcript, and assist the victim, spouse, or immediate



1 family member in obtaining a transcript as described in
 2 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
 6 victim (or the spouse or an immediate family member of a
 7 deceased victim) under IC 11-8-8-23 of an offender's name
 8 change.

9 **(14) Inform a victim in writing of the automated victim
 10 notification system established under IC 11-8-7-2.**

11 SECTION 5. IC 36-8-2-2, AS AMENDED BY P.L.173-2023,
 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 2. (a) A unit may establish, maintain, and operate
 14 a police and law enforcement system to preserve public peace and
 15 order and may provide facilities, equipment, and supplies for that
 16 system.

17 (b) Before hiring a person as a law enforcement officer, including
 18 a police reserve officer described in IC 36-8-3-20, the hiring
 19 department or agency shall contact every law enforcement department
 20 or agency that has employed (or that currently employs) the applicant
 21 and request that the employing department or agency provide:

22 (1) a complete and unredacted copy of all findings and orders
 23 documents related to disciplinary action or internal
 24 investigations (whether performed by an internal investigator or
 25 an outside agency) involving the officer; and

26 (2) the hiring department or agency with a copy of the applicant's
 27 entire employment file, except for any medical records or
 28 information.

29 (c) An agency or department that receives a request under
 30 subsection (b) or under IC 5-2-24-2 shall:

31 (1) comply with the request not later than ten (10) business days
 32 from receipt of the request; and

33 (2) upon request of the applicant, provide the applicant with a
 34 copy of the information provided to the hiring department or
 35 agency.

36 No covenant, promise, or agreement to refrain from disclosure of the
 37 information described in subsection (b) prevents compliance with the
 38 requirements imposed by this section. An agency or department acting
 39 in good faith is immune from civil and criminal liability for complying
 40 with this subsection.

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