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HOUSE BILL No. 1250

Proposed Changes to January 22, 2026 printing by AM125004

DIGEST OF PROPOSED AMENDMENT

Victim notification. Requires the department of correction to notify a registered crime victim through its automated victim notification system when a serious violent felon is released or discharged.

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:
- 20 (A) a serious violent felon; or

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- 1 (B) a juvenile adjudicated delinquent for an offense that
 2 would be a serious violent felony (as defined in
 3 IC 35-47-4-5(b);
 4 on probation or parole; or
 5 (2) discharges:
 6 (A) a serious violent felon; or
 7 (B) a juvenile adjudicated delinquent for an offense that
 8 would be a serious violent felony (as defined in
 9 IC 35-47-4-5(b);
 10 the department shall electronically notify the persons described in
 11 subsection (c) of the serious violent felon's impending release or
 12 discharge. In addition, the department shall notify any registered
 13 crime victim of the serious violent felon's release or discharge
 14 through the automated victim notification system under
 15 IC 11-8-7-2.
 16 (c) In accordance with subsection (b), the department shall
 17 electronically notify the following officials of a serious violent
 18 felon's impending release or discharge or the impending release or
 19 discharge of a juvenile adjudicated delinquent for an offense that
 20 would be a serious violent felony (as defined in IC 35-47-4-5(b):
 21 (1) The sheriff of the:
 22 (A) receiving county; and
 23 (B) county where the offense was committed.
 24 (2) The prosecuting attorney exercising jurisdiction in the:
 25 (A) receiving county; and
 26 (B) county where the offense was committed.
 27 (3) The chief of police of the:
 28 (A) receiving municipality; and
 29 (B) municipality where the offense was committed.
 30 SECTION 2. IC 35-38-1-2, AS AMENDED BY P.L.168-2014,
 31 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 2. (a) As used in this chapter, "victim
 33 representative" means a person designated by a sentencing court who
 34 is:
 35 (1) a spouse, parent, child, sibling, or other relative of; or
 36 (2) a person who has had a close personal relationship with;
 37 the victim of a felony who is deceased, incapacitated, or less than
 38 eighteen (18) years of age.
 39 (b) Upon entering a conviction, the court shall set a date for
 40 sentencing within thirty (30) days, unless for good cause shown an
 41 extension is granted. If a presentence report is not required, the court
 42 may sentence the defendant at the time the judgment of conviction is

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1 entered. However, the court may not pronounce sentence at that time
2 without:

- 3 (1) inquiring as to whether an adjournment is desired by the
- 4 defendant; ~~and~~
- 5 (2) informing the victim, if present, of a victim's right to make a
- 6 statement concerning the crime and the sentence; **and**
- 7 **(3) informing the victim, if present, of the automated victim**
- 8 **notification system established under IC 11-8-7-2, as**
- 9 **required by section 4.5 of this chapter.**

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

- 12 (c) If:
- 13 (1) the state in the manner prescribed by IC 35-34-1-2.5 sought
- 14 an increased penalty by alleging that the person was previously
- 15 convicted of the offense; and
- 16 (2) the person was convicted of the subsequent offense in a jury
- 17 trial;

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

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

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

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

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

40 SECTION 5. IC 35-40-6-4, AS AMENDED BY P.L.244-2019,
41 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2026]: Sec. 4. A prosecuting attorney or a victim assistance

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- 1 program shall do the following:
- 2 (1) Inform a victim that the victim may be present at all public
- 3 stages of the criminal justice process to the extent that:
- 4 (A) the victim's presence and statements do not interfere
- 5 with a defendant's constitutional rights; and
- 6 (B) there has not been a court order restricting, limiting, or
- 7 prohibiting attendance at the criminal proceedings.
- 8 (2) Timely notify a victim of all criminal justice hearings and
- 9 proceedings that are scheduled for a criminal matter in which the
- 10 victim was involved.
- 11 (3) Promptly notify a victim when a criminal court proceeding
- 12 has been rescheduled or canceled.
- 13 (4) Obtain an interpreter or translator, if necessary, to advise a
- 14 victim of the rights granted to a victim under the law.
- 15 (5) Coordinate efforts of local law enforcement agencies that are
- 16 designed to promptly inform a victim after an offense occurs of
- 17 the availability of, and the application process for, community
- 18 services for victims and the families of victims, including
- 19 information concerning services such as the following:
- 20 (A) Victim compensation funds.
- 21 (B) Victim assistance resources.
- 22 (C) Legal resources.
- 23 (D) Mental health services.
- 24 (E) Social services.
- 25 (F) Health resources.
- 26 (G) Rehabilitative services.
- 27 (H) Financial assistance services.
- 28 (I) Crisis intervention services.
- 29 (J) Transportation and child care services to promote the
- 30 participation of a victim or a member of the victim's
- 31 immediate family in the criminal proceedings.
- 32 (6) Inform the victim that the court may order a defendant
- 33 convicted of the offense involving the victim to pay restitution
- 34 to the victim under IC 35-50-5-3.
- 35 (7) Upon request of the victim, inform the victim of the terms
- 36 and conditions of release of the person accused of committing a
- 37 crime against the victim.
- 38 (8) Upon request of the victim, give the victim notice of the
- 39 criminal offense for which:
- 40 (A) the defendant accused of committing the offense against
- 41 the victim was convicted or acquitted; or
- 42 (B) the charges were dismissed against the defendant

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- 1 accused of committing the offense against the victim.
- 2 (9) In a county having a victim-offender reconciliation program
- 3 (VORP), provide an opportunity for a victim, if the accused
- 4 person or the offender agrees, to:
 - 5 (A) meet with the accused person or the offender in a safe,
 - 6 controlled environment;
 - 7 (B) give to the accused person or the offender, either orally
 - 8 or in writing, a summary of the financial, emotional, and
 - 9 physical effects of the offense on the victim and the victim's
 - 10 family; and
 - 11 (C) negotiate a restitution agreement to be submitted to the
 - 12 sentencing court for damages incurred by the victim as a
 - 13 result of the offense.
- 14 (10) Assist a victim in preparing verified documentation
- 15 necessary to obtain a restitution order under IC 35-50-5-3.
- 16 (11) Inform a victim (or the spouse or an immediate family
- 17 member of a deceased victim) of the victim's right to a copy of
- 18 the trial transcript, and assist the victim, spouse, or immediate
- 19 family member in obtaining a transcript as described in
- 20 IC 35-40-5-8.5.
- 21 (12) Advise a victim of other rights granted to a victim under the
- 22 law.
- 23 (13) Assist a local law enforcement authority in notifying a
- 24 victim (or the spouse or an immediate family member of a
- 25 deceased victim) under IC 11-8-8-23 of an offender's name
- 26 change.
- 27 **(14) Inform a victim in writing of the automated victim**
- 28 **notification system established under IC 11-8-7-2.**
- 29 SECTION 6. IC 36-8-2-2, AS AMENDED BY P.L.173-2023,
- 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2026]: Sec. 2. (a) A unit may establish, maintain, and operate
- 32 a police and law enforcement system to preserve public peace and
- 33 order and may provide facilities, equipment, and supplies for that
- 34 system.
- 35 (b) Before hiring a person as a law enforcement officer, including
- 36 a police reserve officer described in IC 36-8-3-20, the hiring
- 37 department or agency shall contact every law enforcement department
- 38 or agency that has employed (or that currently employs) the applicant
- 39 and request that the employing department or agency provide:
 - 40 (1) a complete and unredacted copy of all ~~findings and orders~~
 - 41 **documents** related to disciplinary action or internal
 - 42 investigations (whether performed by an internal investigator or

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1 an outside agency) involving the officer; and
 2 (2) the hiring department or agency with a copy of the applicant's
 3 entire employment file, except for any medical records or
 4 information.
 5 (c) An agency or department that receives a request under
 6 subsection (b) or under IC 5-2-24-2 shall:
 7 (1) comply with the request not later than ten (10) business days
 8 from receipt of the request; and
 9 (2) upon request of the applicant, provide the applicant with a
 10 copy of the information provided to the hiring department or
 11 agency.
 12 No covenant, promise, or agreement to refrain from disclosure of the
 13 information described in subsection (b) prevents compliance with the
 14 requirements imposed by this section. An agency or department acting
 15 in good faith is immune from civil and criminal liability for complying
 16 with this subsection. [
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