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HOUSE BILL No. 1251

Proposed Changes to January 27, 2026 printing by AM125102

DIGEST OF PROPOSED AMENDMENT

COMMITTEE AMENDMENT TO HB 1251. Provides that a county governing body that opts out of the provision of emergency ambulance services is immune from civil liability for personal injury or death resulting from a lack of emergency ambulance services in an area of the county.

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

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

- 1 SECTION 1. IC 16-18-2-150, AS AMENDED BY P.L.197-2011,
- 2 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]: Sec. 150. (a) "Governing body", for purposes of
- 4 IC 16-22-7, has the meaning set forth in IC 16-22-7-2.
- 5 **(b) "Governing body", for purposes of IC 16-31-5, has the**
- 6 **meaning set forth in IC 16-31-5-0.5.**
- 7 ~~(b)~~ **(c)** "Governing body", for purposes of IC 16-41-22, has the
- 8 meaning set forth in IC 16-41-22-3.
- 9 SECTION 2. IC 16-31-1-1 IS AMENDED TO READ AS
- 10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The general
- 11 assembly declares that ~~the provision of~~ emergency medical services,
- 12 **including emergency ambulance services, are essential services.**
- 13 **The provision of emergency medical services** is a matter of vital
- 14 concern affecting the public health, safety, and welfare of the people of
- 15 Indiana.
- 16 (b) It is the purpose of this article:
- 17 (1) to promote the establishment and maintenance of an effective
- 18 system of emergency medical service, including the necessary

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- 1 equipment, personnel, and facilities to ensure that all emergency
- 2 patients receive prompt and adequate medical care throughout
- 3 the range of emergency conditions encountered;
- 4 (2) that the emergency medical services commission established
- 5 under IC 16-31-2 shall cooperate with other agencies
- 6 empowered to license persons engaged in the delivery of health
- 7 care so as to coordinate the efforts of the commission and other
- 8 agencies; and
- 9 (3) to establish standards and requirements for the furnishing of
- 10 emergency medical services by persons not licensed or regulated
- 11 by other appropriate agencies.

12 SECTION 3. IC 16-31-1-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. ~~The provision of~~
 14 Emergency medical ~~service services~~, **including emergency**
 15 **ambulance services, are essential services. The provision of**
 16 **emergency medical services** is an essential purpose of the political
 17 subdivisions of the state.

18 SECTION 4. IC 16-31-5-0.5 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2026]: Sec. 0.5. **As used in this chapter,**
 21 **"governing body" means the following:**

- 22 (1) **The board of county commissioners, for a county not**
- 23 **subject to IC 36-2-3.5 or IC 36-3-1.**
- 24 (2) **The county council, for a county subject to IC 36-2-3.5.**
- 25 (3) **The city-county council, for a consolidated city or county**
- 26 **having a consolidated city.**
- 27 (4) **The common council, for a city other than a consolidated**
- 28 **city.**
- 29 (5) **The town council, for a town.**
- 30 (6) **The township executive with the approval of the township**
- 31 **board, for a township.**

32 SECTION 5. IC 16-31-5-1, AS AMENDED BY P.L.170-2022,
 33 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2026]: Sec. 1. **Except as provided in section 1.5 of this**
 35 **chapter**, the governing body of a city, town, township, or county by the
 36 governing body's action or in any combination may do the following:

- 37 (1) Establish, operate, and maintain emergency medical services.
- 38 (2) Levy taxes under and limited by IC 6-3.6 and expend
- 39 appropriated funds of the political subdivision to pay the costs
- 40 and expenses of establishing, operating, maintaining, or
- 41 contracting for emergency medical services.
- 42 (3) Except as provided in section 2 of this chapter, authorize,

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1 franchise, or contract for emergency medical services, **including**
2 **entering into interlocal cooperation agreements under**
3 **IC 36-1-7.** However:

4 (A) a county may not provide, authorize, or contract for
5 emergency medical services within the limits of any city
6 without the consent of the city; and

7 (B) a city or town may not provide, authorize, franchise, or
8 contract for emergency medical services outside the limits
9 of the city or town without the approval of the governing
10 body of the area to be served.

11 (4) Apply for, receive, and accept gifts, bequests, grants-in-aid,
12 state, federal, and local aid, and other forms of financial
13 assistance for the support of emergency medical services.

14 (5) Establish and provide for the collection of reasonable fees for
15 ambulance services the governing body provides under this
16 chapter.

17 (6) Pay the fees or dues for individual or group membership in
18 any regularly organized volunteer emergency medical services
19 association on their own behalf or on behalf of the emergency
20 medical services personnel serving that unit of government.

21 SECTION 6. IC 16-31-5-1.5 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. (a) Subject to section 1(3) of**
24 **this chapter, and except as provided in subsection (c), a county**
25 **governing body shall:**

26 (1) **identify areas of the county, if any, that are unserved by**
27 **at least one (1) public, private, or nonprofit provider of**
28 **emergency ambulance services; and**

29 (2) **provide emergency ambulance services to the unserved**
30 **areas by any of the means set forth in section 1 of this**
31 **chapter, including:**

32 (A) **establishing a county emergency ambulance service;**

33 (B) **contracting with a public, private, or nonprofit**
34 **provider of emergency ambulance services; or**

35 (C) **entering into interlocal cooperation agreements**
36 **under IC 36-1-7 with one (1) or more political**
37 **subdivisions.**

38 (b) **Nothing in this section requires the county to appropriate**
39 **county revenue to provide emergency ambulance services, if**
40 **emergency ambulance services can be provided by other means.**

41 (c) **A governing body may pass an ordinance to opt out of the**
42 **requirements set forth in subsection (a) if, after making every**

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1 reasonable effort to comply with the requirements set forth in
2 subsection (a), the governing body determines that it is unable to
3 comply with the requirements. The ordinance shall state the
4 specific reasons for noncompliance. The county shall send a copy
5 of the ordinance to the department of homeland security.

6 [(d) If a governing body opts out of the requirements set forth
7 in subsection (a), the county, the governing body, and the
8 individual governing body members are immune from civil liability
9 for personal injury or death resulting from an area of the county
10 being unserved by emergency ambulance services.

11 SECTION 7. IC 34-30-2.1-209.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: Sec. 209.5. IC 16-31-5-1.5 (Concerning
14 a county that opts out of providing emergency ambulance services).

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