



February 13, 2026

**ENGROSSED  
HOUSE BILL No. 1258**

DIGEST OF HB 1258 (Updated February 10, 2026 1:15 pm - DI 106)

**Citations Affected:** IC 1-1; IC 2-8.2; IC 11-13; IC 16-27; IC 16-28; IC 16-31; IC 25-1; IC 25-23.6; IC 27-10; IC 33-23; IC 35-31.5; IC 35-33; IC 35-38; IC 35-40; IC 35-50; IC 36-1; IC 36-8.

**Synopsis:** Crimes of violence. Revises and consolidates the definition of "crime of violence". Amends the definition of violent offender to mean a person who is convicted of an offense or attempted offense that is a crime of violence or a person who is charged with an offense or attempted offense that is a crime of violence. Amends the definition of "violent arrestee" to mean a person arrested for or charged with a crime of violence that is a Level 1 felony, Level 2 felony, Level 3 felony, Level 4 felony, or a Level 5 felony. Removes provisions concerning repeat violent arrestees. Amends the definition of "violent criminal" to mean a person convicted of a crime of violence. Adds: (1) dangerous possession of a firearm by a child with two priors; and (2) unlawful carrying of a handgun with two priors; to the crimes of violence list. Makes a technical correction and conforming changes.

**Effective:** July 1, 2026.

**Jeter, King, Carbaugh, Porter**

(SENATE SPONSOR — FREEMAN)

January 5, 2026, read first time and referred to Committee on Courts and Criminal Code.  
January 14, 2026, reported — Do Pass.  
January 22, 2026, read second time, amended, ordered engrossed.  
January 23, 2026, engrossed.  
January 28, 2026, read third time, passed. Yeas 91, nays 0.

SENATE ACTION

February 2, 2026, read first time and referred to Committee on Corrections and Criminal Law.  
February 12, 2026, amended, reported favorably — Do Pass.

EH 1258—LS 6822/DI 151





February 13, 2026

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.

## ENGROSSED HOUSE BILL No. 1258

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 1-1-2-2.5, AS ADDED BY P.L.142-2020,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 2.5. (a) This section applies to every crime in  
4 which proof that a person has a prior conviction or judgment for an  
5 infraction increases:  
6 (1) the class or level of the crime;  
7 (2) the penalty for the crime from a misdemeanor to a felony; or  
8 (3) the penalty for an infraction to a misdemeanor or felony.  
9 (b) This section does not apply to a sentencing provision that  
10 increases the penalty that may be imposed for an infraction or crime  
11 but does not increase:  
12 (1) the class or level of the crime;  
13 (2) the penalty for the crime from a misdemeanor to a felony; or  
14 (3) the penalty for an infraction to a misdemeanor or felony;  
15 including IC 35-50-2-8 (habitual offenders), IC 35-50-2-9 (death  
16 penalty sentencing), IC 9-30-15.5 (habitual vehicular substance  
17 offender), and IC 35-50-2-14 (repeat sexual offender).

**EH 1258—LS 6822/DI 151**



1 (c) This section does not apply to a crime that contains a specific  
2 lookback period for a prior conviction or judgment for an infraction.

3 (d) Subject to subsection (e), and except as provided in subsection  
4 (f), a prior conviction or a prior judgment for an infraction increases the  
5 class or level of the crime, the penalty for the crime from a  
6 misdemeanor to a felony, or the penalty for an infraction to a  
7 misdemeanor or felony only if the current crime was committed not  
8 later than twelve (12) years from the date the defendant was:

9 (1) convicted of the prior crime, if the defendant was not  
10 sentenced to a term of incarceration or probation;

11 (2) adjudicated to have committed the infraction; or

12 (3) released from a term of incarceration, probation, or parole  
13 (whichever occurs later) imposed for the prior conviction;

14 whichever occurred last.

15 (e) If a crime described in subsection (a) requires proof of more than  
16 one (1) criminal conviction or judgment for an infraction, the increased  
17 penalty applies only if the current crime was committed not later than  
18 twelve (12) years from the date the defendant was:

19 (1) convicted of one (1) of the prior crimes, if the person was not  
20 sentenced to a term of incarceration or probation;

21 (2) adjudicated to have committed one (1) of the infractions; or

22 (3) released from a term of incarceration, probation, or parole  
23 (whichever occurs later) imposed for one (1) of the prior  
24 convictions;

25 whichever occurred last.

26 (f) This section does not apply if the crime described in subsection  
27 (a) is one (1) or more of the following:

28 (1) A crime of violence (as defined by ~~IC 35-50-1-2~~;  
29 **IC 35-31.5-2-79**).

30 (2) A crime that results in bodily injury or death to a victim.

31 (3) A sex offense (as defined by IC 11-8-8-5.2).

32 (4) Domestic battery (IC 35-42-2-1.3).

33 (5) Strangulation (IC 35-42-2-9).

34 (6) Operating while intoxicated with a prior conviction for  
35 operating while intoxicated that resulted in death, serious bodily  
36 injury, or catastrophic injury (IC 9-30-5-3(b)).

37 (7) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).

38 (8) Dealing in methamphetamine (IC 35-48-4-1.1).

39 (9) Manufacturing methamphetamine (IC 35-48-4-1.2).

40 (10) Dealing in a schedule I, II, or III controlled substance  
41 (IC 35-48-4-2).

42 (g) If there is a conflict between a provision in this section and



1 another provision of the Indiana Code, this section controls.

2 SECTION 2. IC 2-8.2-2-5.5, AS ADDED BY P.L.41-2025,  
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 5.5. "Crime of moral turpitude" means the  
5 following:

6 (1) A crime of violence as defined in ~~IC 35-50-1-2.~~  
7 **IC 35-31.5-2-79.**

8 (2) A sex offense as defined in IC 11-8-8-5.2.

9 (3) A crime involving fraud or a false statement.

10 SECTION 3. IC 11-13-3-3, AS AMENDED BY P.L.55-2017,  
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2026]: Sec. 3. (a) A person sentenced under IC 35-50 shall be  
13 released on parole or discharged from the person's term of  
14 imprisonment under IC 35-50 without a parole release hearing.

15 (b) A person sentenced for an offense under laws other than  
16 IC 35-50 who is eligible for release on parole, or a person whose parole  
17 is revoked and is eligible for reinstatement on parole under rules  
18 adopted by the parole board shall, before the date of the person's parole  
19 eligibility, be granted a parole release hearing to determine whether  
20 parole will be granted or denied. The hearing shall be conducted by one  
21 (1) or more of the parole board members. If one (1) or more of the  
22 members conduct the hearing on behalf of the parole board, the final  
23 decision shall be rendered by the full parole board based upon the  
24 record of the proceeding and the hearing conductor's findings. Before  
25 the hearing, the parole board shall order an investigation to include the  
26 collection and consideration of:

27 (1) reports regarding the person's medical, psychological,  
28 educational, vocational, employment, economic, and social  
29 condition and history;

30 (2) official reports of the person's history of criminality;

31 (3) reports of earlier parole or probation experiences;

32 (4) reports concerning the person's present commitment that are  
33 relevant to the parole release determination;

34 (5) any relevant information submitted by or on behalf of the  
35 person being considered; and

36 (6) such other relevant information concerning the person as may  
37 be reasonably available.

38 (c) Unless the victim has requested in writing not to be notified, the  
39 department shall notify a victim of a felony (or the next of kin of the  
40 victim if the felony resulted in the death of the victim) or any witness  
41 involved in the prosecution of an offender imprisoned for the  
42 commission of a felony when the offender is:



- 1 (1) to be discharged from imprisonment;  
 2 (2) to be released on parole under IC 35-50-6-1;  
 3 (3) to have a parole release hearing under this chapter;  
 4 (4) to have a parole violation hearing;  
 5 (5) an escaped committed offender; or  
 6 (6) to be released from departmental custody under any temporary  
 7 release program administered by the department, including the  
 8 following:  
 9 (A) Placement on minimum security assignment to a program  
 10 authorized by IC 11-10-1-3 or IC 35-38-3-6 and requiring  
 11 periodic reporting to a designated official, including a  
 12 regulated community assignment program.  
 13 (B) Assignment to a minimum security work release program.  
 14 (d) The department shall make the notification required under  
 15 subsection (c):  
 16 (1) not later than twenty-four (24) hours after the escape of a  
 17 committed offender;  
 18 (2) at least forty (40) days before:  
 19 (A) the discharge or release of a committed offender; or  
 20 (B) the date of a hearing concerning a committed offender's  
 21 possible discharge or release; and  
 22 (3) if the date of a committed offender's discharge or release as  
 23 referred to in subdivision (2)(A) is changed during the forty (40)  
 24 day notification period referred to in subdivision (2), as soon as  
 25 possible but not more than forty-eight (48) hours after the change  
 26 in the discharge or release date.  
 27 The department shall supply the information to a victim (or a next of  
 28 kin of a victim in the appropriate case) and a witness at the address  
 29 supplied to the department by the victim (or next of kin) or witness. A  
 30 victim (or next of kin) is responsible for supplying the department with  
 31 any change of address or telephone number of the victim (or next of  
 32 kin).  
 33 (e) The probation officer conducting the presentence investigation  
 34 shall inform the victim and witness described in subsection (c), at the  
 35 time of the interview with the victim or witness, of the right of the  
 36 victim or witness to receive notification from the department under  
 37 subsection (c). The probation department for the sentencing court shall  
 38 forward the most recent list of the addresses or telephone numbers, or  
 39 both, of victims to the department of correction. The probation  
 40 department shall supply the department with the information required  
 41 by this section as soon as possible but not later than five (5) days from  
 42 the receipt of the information from the victim. A victim (or next of kin)



1 is responsible for supplying the department with the correct address  
2 and telephone number of the victim (or next of kin).

3 (f) Notwithstanding IC 11-8-5-2 and IC 4-1-6, an inmate may not  
4 have access to the name and address of a victim and a witness. Upon  
5 the filing of a motion by any person requesting or objecting to the  
6 release of victim information, witness information, or both that is  
7 retained by the department, the court shall review the information that  
8 is the subject of the motion in camera before ruling on the motion.

9 (g) The notice required under subsection (c) must specify whether  
10 the prisoner is being discharged, is being released on parole, is being  
11 released on lifetime parole, is having a parole release hearing, is having  
12 a parole violation hearing, or has escaped. The notice must contain the  
13 following information:

- 14 (1) The name of the prisoner.
- 15 (2) The date of the offense.
- 16 (3) The date of the conviction.
- 17 (4) The felony of which the prisoner was convicted.
- 18 (5) The sentence imposed.
- 19 (6) The amount of time served.
- 20 (7) The date and location of the interview (if applicable).

21 (h) The parole board shall adopt rules under IC 4-22-2 and make  
22 available to offenders the criteria considered in making parole release  
23 determinations. The criteria must include the:

- 24 (1) nature and circumstances of the crime for which the offender  
25 is committed;
- 26 (2) offender's prior criminal record;
- 27 (3) offender's conduct and attitude during the commitment; and
- 28 (4) offender's parole plan.

29 (i) The hearing prescribed by this section may be conducted in an  
30 informal manner without regard to rules of evidence. In connection  
31 with the hearing, however:

- 32 (1) reasonable, advance written notice, including the date, time,  
33 and place of the hearing shall be provided to the person being  
34 considered;
- 35 (2) the person being considered shall be given access, in accord  
36 with IC 11-8-5, to records and reports considered by the parole  
37 board in making its parole release decision;
- 38 (3) the person being considered may appear, speak in the person's  
39 own behalf, and present documentary evidence;
- 40 (4) irrelevant, immaterial, or unduly repetitious evidence shall be  
41 excluded; and
- 42 (5) a record of the proceeding, to include the results of the parole



- 1 board's investigation, notice of the hearing, and evidence adduced  
 2 at the hearing, shall be made and preserved.
- 3 (j) If parole is denied, the parole board shall give the person written  
 4 notice of the denial and the reasons for the denial. The parole board  
 5 may not parole a person if it determines that there is substantial reason  
 6 to believe that the person:
- 7 (1) will engage in further specified criminal activity; or
  - 8 (2) will not conform to appropriate specified conditions of parole.
- 9 (k) If parole is denied, the parole board shall conduct another parole  
 10 release hearing not earlier than five (5) years after the date of the  
 11 hearing at which parole was denied. However, the board may conduct  
 12 a hearing earlier than five (5) years after denial of parole if the board:
- 13 (1) finds that special circumstances exist for the holding of a  
 14 hearing; and
  - 15 (2) gives reasonable notice to the person being considered for  
 16 parole.
- 17 (l) The parole board may parole a person who is outside Indiana on  
 18 a record made by the appropriate authorities of the jurisdiction in  
 19 which that person is imprisoned.
- 20 (m) If the board is considering the release on parole of an offender  
 21 who is serving a sentence of life in prison, a determinate term of  
 22 imprisonment of at least ten (10) years, or an indeterminate term of  
 23 imprisonment with a minimum term of at least ten (10) years, in  
 24 addition to the investigation required under subsection (b), except as  
 25 provided in subsection (n), the board may order and consider a  
 26 community investigation, which may include an investigation and  
 27 report that substantially reflects the attitudes and opinions of:
- 28 (1) the community in which the crime committed by the offender  
 29 occurred;
  - 30 (2) law enforcement officers who have jurisdiction in the  
 31 community in which the crime occurred;
  - 32 (3) the victim of the crime committed by the offender, or if the  
 33 victim is deceased or incompetent for any reason, the victim's  
 34 relatives or friends; and
  - 35 (4) friends or relatives of the offender.
- 36 If the board reconsiders for release on parole an offender who was  
 37 previously released on parole and whose parole was revoked under  
 38 section 10 of this chapter, the board may use a community investigation  
 39 prepared for an earlier parole hearing to comply with this subsection.  
 40 However, the board shall accept and consider any supplements or  
 41 amendments to any previous statements from the victim or the victim's  
 42 relatives or friends.



1 (n) The board shall conduct the community investigation described  
2 in subsection (m) if:

3 (1) the person was convicted of a crime of violence (as defined in  
4 ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**); or

5 (2) the person is a sex offender (as defined in IC 11-8-8-4.5).

6 (o) As used in this section, "victim" means a person who has  
7 suffered direct harm as a result of a violent crime (as defined in  
8 IC 5-2-6.1-8).

9 SECTION 4. IC 11-13-9-1, AS ADDED BY P.L.119-2008,  
10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2026]: Sec. 1. This chapter does not apply to the following:

12 (1) An inmate who receives a sentence of death or life without  
13 parole under IC 35-50-2.

14 (2) An inmate who has committed an offense described in  
15 IC 11-8-8-4.5.

16 (3) A person convicted of a crime of violence (as defined in  
17 ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**).

18 SECTION 5. IC 16-27-2-3, AS AMENDED BY P.L.171-2025,  
19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (c), a  
21 person may not operate a home health agency or a personal services  
22 agency if the person has been convicted of any of the following:

23 (1) A sex crime (IC 35-42-4).

24 (2) Exploitation of an endangered adult (IC 35-46-1-12).

25 (3) Failure to report battery, neglect, or exploitation of an  
26 endangered adult (IC 35-46-1-13).

27 (4) Theft, conversion, or receiving stolen property (IC 35-43-4),  
28 if the conviction is a:

29 (A) felony conviction that occurred less than ten (10) years; or

30 (B) misdemeanor conviction that occurred less than five (5)  
31 years;

32 before the date of submission by the person of an application for  
33 licensure as a home health agency under IC 16-27-1 or as a  
34 personal services agency under IC 16-27-4.

35 (5) Identity deception (IC 35-43-5-3.5), if the conviction is a:

36 (A) felony conviction that occurred less than ten (10) years; or

37 (B) misdemeanor conviction that occurred less than five (5)  
38 years;

39 before the person's employment application date.

40 (6) Fraud (IC 35-43-5-4), if the conviction is a:

41 (A) felony conviction that occurred less than ten (10) years; or

42 (B) misdemeanor conviction that occurred less than five (5)



- 1           years;  
 2           before the person's employment application date.  
 3           (7) Murder (IC 35-42-1-1).  
 4           (8) Voluntary manslaughter (IC 35-42-1-3).  
 5           (9) Except as provided in this section, a crime of violence (as  
 6           defined in ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**), if the person's  
 7           conviction occurred less than ten (10) years before the person's  
 8           employment application date.  
 9           (10) Felony battery within the previous five (5) years.  
 10          (11) A felony offense relating to controlled substances within the  
 11          previous five (5) years.  
 12          (b) A person who knowingly or intentionally violates this section  
 13          commits a Class A misdemeanor.  
 14          (c) A person who:  
 15               (1) was operating a home health agency or a personal services  
 16               agency before July 1, 2025; and  
 17               (2) has a misdemeanor conviction under subsection (a)(4)(B) or  
 18               (a)(5)(B);  
 19          may continue to operate the home health agency or personal services  
 20          agency.  
 21          SECTION 6. IC 16-27-2-5, AS AMENDED BY P.L.171-2025,  
 22          SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23          JULY 1, 2026]: Sec. 5. (a) Except as provided in subsections (c) and  
 24          (d), a person who operates a home health agency under IC 16-27-1 or  
 25          a personal services agency under IC 16-27-4 may not employ a person  
 26          to provide services in a patient's or client's temporary or permanent  
 27          residence if one (1) or more of the following conditions exist:  
 28               (1) The person's national criminal history background check or  
 29               expanded criminal history check indicates that the person has  
 30               been convicted of any of the following:  
 31                   (A) A sex crime (IC 35-42-4).  
 32                   (B) Exploitation of an endangered adult (IC 35-46-1-12).  
 33                   (C) Failure to report battery, neglect, or exploitation of an  
 34                   endangered adult (IC 35-46-1-13).  
 35                   (D) Theft, conversion, or receiving stolen property  
 36                   (IC 35-43-4), if the conviction is a:  
 37                       (i) felony conviction that occurred less than ten (10) years;  
 38                       or  
 39                       (ii) misdemeanor conviction that occurred less than five (5)  
 40                       years;  
 41                   before the person's employment application date.  
 42                   (E) Identity deception (IC 35-43-5-3.5), if the conviction is a:



- 1 (i) felony conviction that occurred less than ten (10) years;  
 2 or  
 3 (ii) misdemeanor conviction that occurred less than five (5)  
 4 years;  
 5 before the person's employment application date.
- 6 (F) Fraud (IC 35-43-5-4), if the conviction is a:  
 7 (i) felony conviction that occurred less than ten (10) years;  
 8 or  
 9 (ii) misdemeanor conviction that occurred less than five (5)  
 10 years;  
 11 before the person's employment application date.
- 12 (G) Murder (IC 35-42-1-1).
- 13 (H) Voluntary manslaughter (IC 35-42-1-3).
- 14 (I) Except as provided in this section, a crime of violence (as  
 15 defined in ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**), if the person's  
 16 conviction occurred less than ten (10) years before the person's  
 17 employment application date.
- 18 (J) Felony battery within the previous five (5) years.
- 19 (K) A felony offense relating to controlled substances within  
 20 the previous five (5) years.
- 21 (2) The person:  
 22 (A) has abused, neglected, or mistreated a patient or  
 23 misappropriated a patient's property; and  
 24 (B) had a finding entered into the state nurse aide registry.
- 25 (b) A person who knowingly or intentionally applies for a job as a  
 26 home health aide or other unlicensed employee at:  
 27 (1) a home health agency;  
 28 (2) a health care facility; or  
 29 (3) an entity in the business of contracting to provide home health  
 30 aides or other unlicensed employees for a health care facility;  
 31 after a conviction of one (1) or more of the offenses listed in subsection  
 32 (a)(1) commits a Class A infraction.
- 33 (c) A home health agency or personal services agency may not  
 34 employ a person to provide services in a patient's or client's temporary  
 35 or permanent residence for more than twenty-one (21) calendar days  
 36 without receipt of that person's national criminal history background  
 37 check or expanded criminal history check required by section 4 of this  
 38 chapter, unless the state police department, the Federal Bureau of  
 39 Investigation under IC 10-13-3-39, or the private agency providing the  
 40 expanded criminal history check is responsible for failing to provide  
 41 the person's national criminal history background check or expanded  
 42 criminal history check to the home health agency or personal services



1 agency within the time required under this subsection.

2 (d) A home health agency or personal services agency may continue  
3 to employ a person to provide services in a patient's or client's  
4 temporary or permanent residence if the person:

5 (1) has a misdemeanor conviction under subsection (a)(1)(D)(ii)  
6 or (a)(1)(E)(ii); and

7 (2) was employed by the home health agency or personal services  
8 agency to provide services described in this subsection before  
9 July 1, 2025.

10 SECTION 7. IC 16-28-13-3, AS AMENDED BY THE  
11 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
12 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2026]: Sec. 3. (a) A health care facility or an entity in the  
14 business of contracting to provide nurse aides or other unlicensed  
15 employees for a health care facility may not knowingly employ a  
16 person as a nurse aide or other unlicensed employee if one (1) or more  
17 of the following conditions exist:

18 (1) The person has been convicted of any of the following:

19 (A) A sex crime (IC 35-42-4).

20 (B) Exploitation of an endangered adult (IC 35-46-1-12).

21 (C) Failure to report battery, neglect, or exploitation of an  
22 endangered adult (IC 35-46-1-13).

23 (D) A felony offense relating to theft, conversion, or receiving  
24 stolen property (IC 35-43-4), if the person's conviction for  
25 theft, conversion, or receiving stolen property occurred less  
26 than five (5) years before the individual's employment  
27 application date.

28 (E) Identity deception (IC 35-43-5-3.5), if the conviction is a  
29 felony conviction that occurred less than five (5) years before  
30 the person's employment application date.

31 (F) Fraud (IC 35-43-5-4), if the conviction is a felony  
32 conviction that occurred less than five (5) years before the  
33 person's employment application date.

34 (G) Murder (IC 35-42-1-1).

35 (H) Voluntary manslaughter (IC 35-42-1-3).

36 (I) Except as otherwise specified in this section, a crime of  
37 violence (as defined in ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**), if the  
38 person's conviction occurred less than ten (10) years before the  
39 person's employment application date.

40 (J) Felony battery within the previous five (5) years.

41 (K) A felony offense relating to controlled substances within  
42 the previous five (5) years, unless:



- 1 (i) the person is certified as a peer recovery coach through
- 2 a credential recognized by the division of mental health and
- 3 addiction;
- 4 (ii) the person has not been convicted of a felony offense
- 5 relating to controlled substances after the issuance of a peer
- 6 recovery coach credential; and
- 7 (iii) there are no felony charges relating to controlled
- 8 substances pending against the person.
- 9 (2) The person:
- 10 (A) has abused, neglected, or mistreated a patient or
- 11 misappropriated a patient's property; and
- 12 (B) had a finding entered into the state nurse aide registry.
- 13 ~~under IC 25-23-2.~~
- 14 (b) A person who knowingly or intentionally applies for a job as a
- 15 nurse aide or other unlicensed employee at:
- 16 (1) a health care facility; or
- 17 (2) an entity in the business of contracting to provide nurse aides
- 18 or other unlicensed employees for a health care facility;
- 19 after a conviction of one (1) or more of the offenses listed in subsection
- 20 (a)(1) commits a Class A infraction.
- 21 SECTION 8. IC 16-31-3-14.5, AS AMENDED BY P.L.186-2025,
- 22 SECTION 110, IS AMENDED TO READ AS FOLLOWS
- 23 [EFFECTIVE JULY 1, 2026]: Sec. 14.5. The department of homeland
- 24 security may issue an order under IC 4-21.5-3-6 to deny an applicant's
- 25 request for certification or licensure or permanently revoke a certificate
- 26 or license under procedures provided by section 14 of this chapter if the
- 27 individual who holds the certificate or license issued under this title is
- 28 convicted of any of the following:
- 29 (1) Dealing in a controlled substance resulting in death under
- 30 IC 35-42-1-1.5.
- 31 (2) Dealing in or manufacturing cocaine or a narcotic drug under
- 32 IC 35-48-4-1.
- 33 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 34 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 35 (5) Dealing in a schedule I, II, or III controlled substance under
- 36 IC 35-48-4-2.
- 37 (6) Dealing in a schedule IV controlled substance under
- 38 IC 35-48-4-3.
- 39 (7) Dealing in a schedule V controlled substance under
- 40 IC 35-48-4-4.
- 41 (8) Dealing in a substance represented to be a controlled
- 42 substance under IC 35-48-4-4.5 (repealed).



- 1 (9) Knowingly or intentionally manufacturing, advertising,
- 2 distributing, or possessing with intent to manufacture, advertise,
- 3 or distribute a substance represented to be a controlled substance
- 4 under IC 35-48-4-4.6.
- 5 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 6 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 7 under IC 35-48-4-10.
- 8 (12) An offense under IC 35-48-4 involving the manufacture or
- 9 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 10 synthetic drug lookalike substance (as defined in
- 11 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 12 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 13 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 14 represented to be a controlled substance (as described in
- 15 IC 35-48-4-4.6).
- 16 (13) A crime of violence (as defined in ~~IC 35-50-1-2(a)~~;
- 17 **IC 35-31.5-2-79**).

18 SECTION 9. IC 25-1-1.1-6, AS AMENDED BY P.L.93-2024,  
 19 SECTION 177, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) This section applies to a  
 21 license or certificate under this title that is in effect on July 1, 2018, or  
 22 created on or established after that date.

23 (b) As used in this section, "crime" has the meaning set forth in  
 24 IC 33-23-1-4.

25 (c) As used in this section, "criminal history information" has the  
 26 meaning set forth in IC 5-2-4-1.

27 (d) Not later than November 1, 2018, a board, commission, or  
 28 committee shall revise its licensing or certification requirements to the  
 29 extent necessary to explicitly list the crimes that may disqualify an  
 30 individual from receiving a license or certificate under this title. The  
 31 board, commission, or committee may not:

- 32 (1) use nonspecific terms, such as moral turpitude or good
- 33 character, as a licensing or certification requirement; or
- 34 (2) consider an arrest that does not result in a conviction.

35 (e) A board's, commission's, or committee's use of an individual's  
 36 conviction of a crime as a conviction of concern is limited to a crime  
 37 directly related to the duties and responsibilities of the occupation or  
 38 profession for which the individual is applying for or holds a license or  
 39 certification.

40 (f) If an individual has a conviction of concern, the period of  
 41 disqualification may not exceed five (5) years after the date of the  
 42 conviction, unless the individual:



- 1 (1) was convicted of a crime of violence (as defined by  
 2 ~~IC 35-50-1-2(a)~~; **IC 35-31.5-2-79**);  
 3 (2) was convicted of an offense relating to a criminal sexual act  
 4 (as defined by IC 35-31.5-2-216); or  
 5 (3) is convicted of a second or subsequent crime during the  
 6 disqualification period.
- 7 (g) An individual having a conviction of concern may at any time  
 8 petition a board, commission, or committee requiring a license or  
 9 certificate for a determination as to whether the individual's conviction  
 10 of concern will disqualify the individual from receiving the license or  
 11 certification. An individual filing a petition under this subsection shall  
 12 submit the following:
- 13 (1) At no expense to the state, a national criminal background  
 14 check by the Federal Bureau of Investigation.
- 15 (2) Any additional information requested by the board,  
 16 commission, or committee to assist the board, commission, or  
 17 committee in its review of the individual's petition.
- 18 (h) If an individual has a conviction of concern, the board,  
 19 commission, or committee shall consider the following in determining  
 20 whether to deny a license or certification to the individual based on the  
 21 following factors:
- 22 (1) The nature and seriousness of the crime for which the  
 23 individual was convicted.
- 24 (2) The passage of time since the commission of the crime.
- 25 (3) The relationship of the crime to the ability, capacity, and  
 26 fitness required to perform the duties and discharge the  
 27 responsibilities of the occupation.
- 28 (4) Evidence of rehabilitation or treatment undertaken by the  
 29 individual that might mitigate against a direct relation to the  
 30 ability, capacity, and fitness required to perform the duties and  
 31 discharge the responsibilities of the occupation.
- 32 (i) If a board, commission, or committee determines an individual's  
 33 conviction of concern disqualifies the individual from receiving a  
 34 license or certification solely or in part because of the individual's  
 35 criminal history, the board, commission, or committee shall notify the  
 36 individual in writing of the following:
- 37 (1) The grounds and reasons for the denial or disqualification.
- 38 (2) The individual has the right to a hearing to challenge the  
 39 licensing authority's decision.
- 40 (3) The earliest date the individual may reapply for a license or  
 41 certification or the earliest date the individual can petition the  
 42 board, commission, or committee for a review.



- 1 (4) Evidence of rehabilitation may be considered upon  
 2 reapplication.
- 3 (5) Findings for each of the factors specified in subdivisions (1)  
 4 through (4).
- 5 Any written determination that an individual's criminal history contains  
 6 a conviction of concern that merits the denial of a license must be  
 7 documented in written findings under subdivision (1) by clear and  
 8 convincing evidence sufficient for review by a court. In an  
 9 administrative hearing or a civil action reviewing the denial of a  
 10 license, a board, commission, or committee has the burden of proof on  
 11 the question of whether the individual's criminal history, based on the  
 12 standards provided in subsection (h), should lead to the denial of a  
 13 license.
- 14 (j) The board, commission, or committee shall inform the individual  
 15 of its determination concerning the individual's petition not later than  
 16 sixty (60) days after the petition, criminal history information, and any  
 17 other information requested under subsection (g) is received by the  
 18 board, commission, or committee.
- 19 (k) The board, commission, or committee may charge a fee  
 20 established under IC 25-1-8 that does not exceed twenty-five dollars  
 21 (\$25) to pay its costs of reviewing a petition filed under subsection (g).
- 22 (l) A board, commission, or committee may adopt rules under  
 23 IC 4-22-2 to implement this section.
- 24 SECTION 10. IC 25-23.6-1-5.7, AS AMENDED BY P.L.142-2020,  
 25 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2026]: Sec. 5.7. (a) "Practice of addiction counseling" means  
 27 the providing of professional services that are delivered by a licensed  
 28 addiction counselor, that are designed to change substance use or  
 29 addictive behavior, and that involve specialized knowledge and skill  
 30 related to addictions and addictive behaviors, including understanding  
 31 addiction, knowledge of the treatment process, application to practice,  
 32 and professional readiness. The term includes:
- 33 (1) gathering information through structured interview screens  
 34 using routine protocols;
- 35 (2) reviewing assessment findings to assist in the development of  
 36 a plan individualized for treatment services and to coordinate  
 37 services;
- 38 (3) referring for assessment, diagnosis, evaluation, and mental  
 39 health therapy;
- 40 (4) providing client and family education related to addictions;
- 41 (5) providing information on social networks and community  
 42 systems for referrals and discharge planning;



- 1 (6) participating in multidisciplinary treatment team meetings or
- 2 consulting with clinical addiction professionals;
- 3 (7) counseling, through individual and group counseling, as well
- 4 as group and family education, to treat addiction and substance
- 5 abuse in a variety of settings, including:
- 6 (A) mental and physical health facilities; and
- 7 (B) child and family service agencies; and
- 8 (8) maintaining the highest level of professionalism and ethical
- 9 responsibility.
- 10 (b) The term does not include the use of psychotherapy or diagnosis
- 11 (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of
- 12 psychology under IC 25-33-1-2(a)).
- 13 (c) For an individual who obtains a license as an addiction counselor
- 14 by:
- 15 (1) holding a valid:
- 16 (A) level II or higher certification or the equivalent
- 17 certification from a credentialing agency approved by the
- 18 division of mental health and addiction; or
- 19 (B) certification as an addiction counselor or addiction
- 20 therapist from a credentialing agency that is approved by the
- 21 board;
- 22 (2) having at least ten (10) years of experience in addiction
- 23 counseling;
- 24 (3) furnishing satisfactory evidence to the board that the
- 25 individual does not have:
- 26 (A) a conviction for a crime of violence (as defined in
- 27 ~~IC 35-50-1-2~~; IC 35-31.5-2-79); or
- 28 (B) a conviction in the previous two (2) years that has a direct
- 29 bearing on the individual's ability to practice competently; and
- 30 (4) filing an initial application with the board before July 1, 2010;
- 31 the term includes the provision of addiction counseling services in
- 32 private practice in consultation with other licensed professionals as
- 33 required by the client's individualized treatment plan.
- 34 SECTION 11. IC 25-23.6-10.5-1, AS AMENDED BY
- 35 P.L.142-2020, SECTION 28, IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. An individual who
- 37 applies for a license as an addiction counselor must meet the following
- 38 requirements:
- 39 (1) Furnish satisfactory evidence to the board that the individual
- 40 has:
- 41 (A) received a baccalaureate or higher degree in addiction
- 42 counseling or in a related area as determined by the board



- 1 from:
- 2 (i) an eligible postsecondary educational institution that
- 3 meets the requirements under section 3(1) of this chapter; or
- 4 (ii) a foreign school that has a program of study that meets
- 5 the requirements under section 3(2) or 3(3) of this chapter;
- 6 (B) completed the educational requirements under section 5 of
- 7 this chapter; and
- 8 (C) completed the experience requirements under section 7 of
- 9 this chapter.
- 10 (2) Furnish satisfactory evidence to the board that the individual
- 11 does not have a:
- 12 (A) conviction for a crime of violence (as defined in
- 13 ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**); or
- 14 (B) conviction in the previous two (2) years that has a direct
- 15 bearing on the individual's ability to practice competently.
- 16 (3) Furnish satisfactory evidence to the board that the individual
- 17 has not been the subject of a disciplinary action by a licensing or
- 18 certification agency of another state or jurisdiction on the grounds
- 19 that the individual was not able to practice as an addiction
- 20 counselor without endangering the public.
- 21 (4) Pass an examination established by the board.
- 22 (5) Pay the fee established by the board.
- 23 SECTION 12. IC 25-23.6-10.5-1.5, AS AMENDED BY
- 24 P.L.142-2020, SECTION 29, IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) An individual
- 26 who applies for a license as an addiction counselor associate must meet
- 27 the following requirements:
- 28 (1) Furnish satisfactory evidence to the board that the individual
- 29 has:
- 30 (A) received a baccalaureate or higher degree in addiction
- 31 counseling, or in a related area as determined by the board
- 32 from:
- 33 (i) an eligible postsecondary educational institution that
- 34 meets the requirement under section 3(1) of this chapter; or
- 35 (ii) a foreign school that has a program of study that meets
- 36 the requirement under section 3(2) or 3(3) of this chapter;
- 37 and
- 38 (B) completed the educational requirements under section 5 of
- 39 this chapter.
- 40 (2) Furnish satisfactory evidence to the board that the individual
- 41 does not have a:
- 42 (A) conviction for a crime of violence (as defined in



- 1           ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**); or
- 2           (B) conviction in the previous two (2) years that has a direct
- 3           bearing on the individual's ability to practice competently.
- 4           (3) Furnish satisfactory evidence to the board that the individual
- 5           has not been the subject of a disciplinary action by a licensing or
- 6           certification agency of another state or jurisdiction on the grounds
- 7           that the individual was not able to practice as an addiction
- 8           counselor associate without endangering the public.
- 9           (4) Pass an examination established by the board.
- 10          (5) Pay the fee established by the board.

11          (b) The board shall issue an associate temporary permit to practice  
 12          addiction counseling or clinical addiction counseling to an individual  
 13          who:

- 14           (1) meets the educational requirements for a license as an
- 15           addiction counselor or clinical addiction counselor;
- 16           (2) is pursuing the required clinical supervisory hours for a
- 17           license as an addiction counselor or clinical addiction counselor;
- 18           and
- 19           (3) pays a fee for the temporary permit set by the board.

20          An associate temporary permit issued under this subsection expires one  
 21          (1) year after the date the permit is issued, without regard to the  
 22          number of times the individual passes or fails the required examination  
 23          to become a licensed addiction counselor or clinical addiction  
 24          counselor. The temporary permit may not be renewed.

25          SECTION 13. IC 25-23.6-10.5-2, AS AMENDED BY  
 26          P.L.142-2020, SECTION 30, IS AMENDED TO READ AS  
 27          FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. An individual who  
 28          applies for a license as a clinical addiction counselor must meet the  
 29          following requirements:

- 30           (1) Furnish satisfactory evidence to the board that the individual
- 31           has:
- 32           (A) received a master's or doctor's degree in addiction
- 33           counseling, addiction therapy, or a related area as determined
- 34           by the board from an eligible postsecondary educational
- 35           institution that meets the requirements under section 4(a)(1) of
- 36           this chapter or from a foreign school that has a program of
- 37           study that meets the requirements under section 4(a)(2) or
- 38           4(a)(3) of this chapter;
- 39           (B) completed the educational requirements under section 6 of
- 40           this chapter; and
- 41           (C) completed the experience requirements under section 8 of
- 42           this chapter.



- 1 (2) Furnish satisfactory evidence to the board that the individual
- 2 does not have a:
- 3 (A) conviction for a crime of violence (as defined in
- 4 ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**); or
- 5 (B) conviction in the previous two (2) years that has a direct
- 6 bearing on the individual's ability to practice competently.
- 7 (3) Furnish satisfactory evidence to the board that the individual
- 8 has not been the subject of a disciplinary action by a licensing or
- 9 certification agency of another state or jurisdiction on the grounds
- 10 that the individual was not able to practice as a clinical addiction
- 11 counselor without endangering the public.
- 12 (4) Pass an examination established by the board.
- 13 (5) Pay the fee established by the board.

14 SECTION 14. IC 25-23.6-10.5-2.5, AS AMENDED BY  
 15 P.L.142-2020, SECTION 31, IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. An individual who  
 17 applies for a license as a clinical addiction counselor associate must  
 18 meet the following requirements:

- 19 (1) Furnish satisfactory evidence to the board that the individual
- 20 has:
- 21 (A) received a master's or doctor's degree in addiction
- 22 counseling, or in a related area as determined by the board
- 23 from:
- 24 (i) an eligible postsecondary educational institution that
- 25 meets the requirements under section 4(a)(1) of this chapter;
- 26 or
- 27 (ii) a foreign school that has a program of study that meets
- 28 the requirements under section 4(a)(2) or 4(a)(3) of this
- 29 chapter; and
- 30 (B) completed the education requirements under section 6 of
- 31 this chapter.
- 32 (2) Furnish satisfactory evidence to the board that the individual
- 33 does not have a:
- 34 (A) conviction for a crime of violence (as defined in
- 35 ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**); or
- 36 (B) conviction in the previous two (2) years that has a direct
- 37 bearing on the individual's ability to practice competently.
- 38 (3) Furnish satisfactory evidence to the board that the individual
- 39 has not been the subject of a disciplinary action by a licensing or
- 40 certification agency of another state or jurisdiction on the grounds
- 41 that the individual was not able to practice as a clinical addiction
- 42 counselor associate without endangering the public.



- 1 (4) Pass an examination established by the board.
- 2 (5) Pay the fee established by the board.
- 3 SECTION 15. IC 27-10-2-4.5, AS ADDED BY P.L.147-2022,
- 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2026]: Sec. 4.5. (a) The following definitions apply
- 6 throughout this section:
- 7 (1) "Charitable bail organization" means a business entity, or a
- 8 nonprofit organization under:
- 9 (A) the Internal Revenue Code; or
- 10 (B) Indiana law;
- 11 that exists for the purpose of paying cash bail for another person.
- 12 However, the term does not include a person who pays cash bail
- 13 for three (3) or fewer defendants in any one hundred eighty (180)
- 14 day period, or a person who pays bail for a relative (as defined in
- 15 IC 35-42-2-1(b)).
- 16 (2) "Crime of violence" has the meaning set forth in
- 17 ~~IC 35-50-1-2(a)~~; **IC 35-31.5-2-79**.
- 18 (b) The commissioner may certify a charitable bail organization if
- 19 the charitable bail organization:
- 20 (1) is a business entity, or a nonprofit organization under:
- 21 (A) the Internal Revenue Code; or
- 22 (B) Indiana law;
- 23 (2) is currently registered to do business in Indiana;
- 24 (3) is located in Indiana; and
- 25 (4) exists for the purpose of depositing cash bail for an indigent
- 26 defendant who:
- 27 (A) is not charged with a crime of violence; or
- 28 (B) if charged with a felony, does not have a prior conviction
- 29 for a crime of violence.
- 30 (c) A person may apply for certification under this section in
- 31 accordance with rules adopted under this section.
- 32 (d) The commissioner shall certify a person as a charitable bail
- 33 organization if the:
- 34 (1) person pays an application fee of three hundred dollars
- 35 (\$300);
- 36 (2) person meets the requirements of this section; and
- 37 (3) person, including an officer or director of the person, has not
- 38 engaged in conduct that:
- 39 (A) constitutes fraud, dishonesty, or deception;
- 40 (B) constitutes malfeasance, misfeasance, or nonfeasance in
- 41 dealing with money; or
- 42 (C) resulted in the suspension or revocation of a previous



1 certification.

2 (e) A charitable bail certification is valid for two (2) years from the  
3 date of issuance and may be renewed upon payment of a renewal fee  
4 of three hundred dollars (\$300). If a person applies for renewal before  
5 the expiration of the existing certification, the existing certification  
6 remains valid until the commissioner renews the certification, or until  
7 five (5) days after the commissioner denies the application for renewal.  
8 A person is entitled to renewal unless the commissioner denies the  
9 application for renewal under subsection (f).

10 (f) The commissioner shall deny, suspend, revoke, or refuse to  
11 renew certification for any of the following causes:

12 (1) Any cause for which issuance of the certification could have  
13 been refused had it then existed and been known to the  
14 commissioner.

15 (2) Violation of any laws of this state in the course of dealings  
16 under the certification.

17 (3) Material misstatement, misrepresentation, or fraud in  
18 obtaining the certification.

19 (4) Misappropriation, conversion, or unlawful withholding of  
20 money belonging to donors or others and received in the conduct  
21 of business under the certification.

22 (5) Fraudulent or dishonest practices in the conduct of business  
23 under the certification.

24 (6) Willful failure to comply with or willful violation of any  
25 proper order or rule of the commissioner.

26 (7) When, in the judgment of the commissioner, the certificate  
27 holder has, in the conduct of affairs under the certification,  
28 demonstrated:

29 (A) incompetency or untrustworthiness;

30 (B) conduct or practices rendering the certificate holder unfit  
31 to carry on charitable bail activities or making the certificate  
32 holder's continuance detrimental to the public interest; or

33 (C) that the certificate holder is no longer in good faith  
34 carrying on as a charitable bail organization;

35 and for these reasons is found by the commissioner to be a source  
36 of detriment, injury, or loss to the public.

37 (8) The listing of the name of the applicant or certificate holder on  
38 the most recent tax warrant list supplied to the commissioner by  
39 the department of state revenue.

40 (g) A charitable bail organization must comply with all of the  
41 following:

42 (1) If the charitable bail organization pays, or intends to pay, bail



1 for more than three (3) individuals in any one hundred eighty  
 2 (180) day period, the charitable bail organization must be certified  
 3 by the commissioner under this section before soliciting or  
 4 accepting donations for bail for another person, and before  
 5 depositing money for bail for another person.

6 (2) A charitable bail organization may not pay bail for a defendant  
 7 who:

8 (A) is charged with a crime of violence; or

9 (B) is charged with a felony and has a prior conviction for a  
 10 crime of violence.

11 (3) A charitable bail organization may not execute a surety bond  
 12 for a defendant.

13 (4) A charitable bail organization shall, before paying bail for an  
 14 individual, execute an agreement described in IC 35-33-8-3.2  
 15 allowing the court to retain all or a part of the bail to pay publicly  
 16 paid costs of representation and fines, costs, fees, and restitution  
 17 that the court may order the defendant to pay if the defendant is  
 18 convicted.

19 (5) A charitable bail organization may not charge a premium or  
 20 receive any consideration for acting as a charitable bail  
 21 organization.

22 (h) All fees collected under this section must be deposited in the  
 23 bail bond enforcement and administration fund created by  
 24 IC 27-10-5-1.

25 (i) Any authorized employee of a charitable bail organization may  
 26 only deposit cash bail to the court.

27 (j) If an individual fails to appear, the bail shall be forfeited in the  
 28 manner described in IC 35-33-8-7 and the court shall take the steps  
 29 described in IC 35-33-8-8.

30 SECTION 16. IC 33-23-18-1, AS ADDED BY P.L.205-2023,  
 31 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2026]: Sec. 1. The following definitions apply throughout this  
 33 chapter:

34 (1) "Assessor" means a physician licensed under IC 25-22.5 or a  
 35 psychologist licensed under IC 25-33, if the physician or  
 36 psychologist is registered with the division to conduct an  
 37 assessment under this chapter.

38 (2) "Council" means a local or regional justice reinvestment  
 39 advisory council established by IC 33-38-9.5-4.

40 (3) "Crime of violence" has the meaning set forth in  
 41 ~~IC 35-50-1-2(a)~~. **IC 35-31.5-2-79.**

42 (4) "Division" means the division of mental health and addiction.



1 (5) "Qualified adult" means an adult whom a referral program is  
2 designed to assist.

3 (6) "Referral program" means a program established under  
4 section 2 of this chapter designed to provide an adult an  
5 opportunity to receive voluntary community treatment addressing  
6 mental health, and other services as a condition of pretrial release.

7 The term includes a regional referral program.

8 SECTION 17. IC 35-31.5-2-79, AS ADDED BY P.L.114-2012,  
9 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2026]: Sec. 79. "Crime of violence", for purposes of  
11 ~~IC 35-50-1-2~~, has the meaning set forth in ~~IC 35-50-1-2(a)~~: means the  
12 following:

13 (1) Murder (IC 35-42-1-1).

14 (2) Attempted murder (IC 35-41-5-1).

15 (3) Voluntary manslaughter (IC 35-42-1-3).

16 (4) Involuntary manslaughter (IC 35-42-1-4).

17 (5) Reckless homicide (IC 35-42-1-5).

18 (6) Battery (IC 35-42-2-1) as a felony.

19 (7) Domestic battery (IC 35-42-2-1.3) as a felony.

20 (8) Aggravated battery (IC 35-42-2-1.5).

21 (9) Strangulation (IC 35-42-2-9) as a Level 5 felony.

22 (10) Kidnapping (IC 35-42-3-2).

23 (11) Rape (IC 35-42-4-1).

24 (12) Criminal deviate conduct (IC 35-42-4-2) (before its  
25 repeal).

26 (13) Child molesting (IC 35-42-4-3).

27 (14) Child exploitation as a Level 5 felony under  
28 IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).

29 (15) Sexual misconduct with a minor as a:

30 (A) Class A felony under IC 35-42-4-9(a)(2) (for a crime  
31 committed before July 1, 2014);

32 (B) Class B felony under IC 35-42-4-9(b)(2) (for a crime  
33 committed before July 1, 2014);

34 (C) Level 1 felony under IC 35-42-4-9(a)(2) (for a crime  
35 committed after June 30, 2014); or

36 (D) Level 2 felony under IC 35-42-4-9(b)(2) (for a crime  
37 committed after June 30, 2014).

38 (16) Robbery as a:

39 (A) Class A felony or Class B felony under IC 35-42-5-1  
40 (for a crime committed before July 1, 2014); or

41 (B) Level 2 felony or Level 3 felony under IC 35-42-5-1 (for  
42 a crime committed after June 30, 2014).



- 1           **(17) Arson as a:**  
 2            (A) Class A felony or Class B felony under IC 35-43-1-1  
 3            (for a crime committed before July 1, 2014); or  
 4            (B) Level 2 felony, Level 3 felony, or Level 4 felony under  
 5            IC 35-43-1-1 (for a crime committed after June 30, 2014).
- 6           **(18) Burglary as a:**  
 7            (A) Class A felony or Class B felony under IC 35-43-2-1  
 8            (for a crime committed before July 1, 2014); or  
 9            (B) Level 1 felony, Level 2 felony, Level 3 felony, or Level  
 10           4 felony under IC 35-43-2-1 (for a crime committed after  
 11           June 30, 2014).
- 12           **(19) Escape (IC 35-44.1-3-4) as a Level 5 or higher felony.**
- 13           **(20) Criminal stalking (IC 35-45-10-5) as a Level 5 or higher**  
 14           **felony.**
- 15           **(21) Offenses relating to regulated explosives (IC 35-47.5-5).**
- 16           **(22) Operating a vehicle while intoxicated causing death or**  
 17           **catastrophic injury (IC 9-30-5-5).**
- 18           **(23) Operating a vehicle while intoxicated causing serious**  
 19           **bodily injury to another person (IC 9-30-5-4).**
- 20           **(24) Resisting law enforcement as a felony (IC 35-44.1-3-1).**
- 21           **(25) Unlawful possession of a firearm by a serious violent**  
 22           **felon (IC 35-47-4-5).**
- 23           **(26) Dangerous possession of a firearm by a child**  
 24           **(IC 35-47-10-5), if:**  
 25            (A) the child has at least two (2) unrelated prior  
 26            convictions under IC 35-47-10-5 or IC 35-47-2-1.5  
 27            (unlawful carrying of a handgun);  
 28            (B) the child has at least two (2) unrelated prior  
 29            delinquency adjudications for an act that would be an  
 30            offense under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful  
 31            carrying of a handgun); or  
 32            (C) the child has at least one (1) unrelated prior:  
 33            (i) conviction under IC 35-47-10-5 or IC 35-47-2-1.5  
 34            (unlawful carrying of a handgun); and  
 35            (ii) delinquency adjudication for an act that would be an  
 36            offense under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful  
 37            carrying of a handgun).
- 38           **(27) Unlawful carrying of a handgun (IC 35-47-2-1.5), if:**  
 39            (A) the person has two (2) unrelated prior convictions  
 40            under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous  
 41            possession of a firearm by a child);  
 42            (B) the person has at least two (2) unrelated prior



1 delinquency adjudications for an act that would be an  
 2 offense under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous  
 3 possession of a firearm by a child); or

4 (C) the person has at least one (1) unrelated prior:

5 (i) conviction under IC 35-47-2-1.5 or IC 35-47-10-5  
 6 (dangerous possession of a firearm by a child); and

7 (ii) delinquency adjudication for an act that would be an  
 8 offense under IC 35-47-2-1.5 or IC 35-47-10-5  
 9 (dangerous possession of a firearm by a child).

10 SECTION 18. IC 35-31.5-2-352, AS AMENDED BY P.L.240-2019,  
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2026]: Sec. 352. "Violent offender" means a person who is:

13 (1) convicted of an offense or attempted offense under  
 14 ~~IC 35-50-1-2(a); IC 35-42-2-1; IC 35-42-2-1.3; IC 35-43-1-1;~~  
 15 ~~IC 35-44-1-3-4; IC 35-45-10-5; IC 35-47-5-1 (repeated); or~~  
 16 ~~IC 35-47.5-5; that is a crime of violence (as defined in section~~  
 17 ~~79 of this chapter);~~

18 (2) charged with an offense or attempted offense listed in  
 19 ~~IC 35-50-1-2(a); IC 35-42-2-1; IC 35-42-2-1.3; IC 35-42-4;~~  
 20 ~~IC 35-43-1-1; IC 35-44-1-3-4; IC 35-45-10-5; IC 35-46-1-3;~~  
 21 ~~IC 35-47-5-1 (repeated); or IC 35-47.5-5; that is a crime of~~  
 22 ~~violence (as defined in section 79 of this chapter); or~~

23 (3) a security risk as defined by section 290 of this chapter.

24 SECTION 19. IC 35-33-8-3.4, AS ADDED BY P.L.197-2025,  
 25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2026]: Sec. 3.4. (a) This section applies only to a violent  
 27 arrestee. ~~or a repeat violent arrestee.~~

28 (b) The following definitions apply throughout this section:

29 (1) "Crime of violence" means an offense:

30 (A) described in ~~IC 35-50-1-2(a); and~~

31 (B) that is a Level 1, Level 2, Level 3, Level 4, or Level 5  
 32 felony.

33 (2) "Repeat violent arrestee" means a person arrested for or  
 34 charged with a crime of violence who has a prior conviction for  
 35 a crime of violence.

36 (3) As used in this section, "violent arrestee" means a person  
 37 arrested for or charged with a crime of violence (as defined in  
 38 IC 35-31.5-2-79), that is a Level 1 felony, Level 2 felony, Level  
 39 3 felony, Level 4 felony, or Level 5 felony.

40 (c) A violent arrestee ~~or a repeat violent arrestee~~ may only be  
 41 released on bail set individually by the court following a hearing held  
 42 in open court. Before releasing a violent arrestee ~~or a repeat violent~~



1 **arrestee** on bail the court must:

- 2 (1) review the probable cause affidavit or arrest warrant; and  
 3 (2) impose money bail payable by surety bond or cash deposit.

4 (d) In accordance with IC 27-10-2-4.5(g)(2), a charitable bail  
 5 organization may not pay money bail imposed under this section on  
 6 behalf of a violent arrestee. ~~or a repeat violent arrestee.~~

7 SECTION 20. IC 35-38-1-7.1, AS AMENDED BY P.L.218-2025,  
 8 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2026]: Sec. 7.1. (a) In determining what sentence to impose  
 10 for a crime, the court may consider the following aggravating  
 11 circumstances:

12 (1) The harm, injury, loss, or damage suffered by the victim of an  
 13 offense was:

14 (A) significant; and

15 (B) greater than the elements necessary to prove the  
 16 commission of the offense.

17 (2) The person has a history of criminal or delinquent behavior.

18 (3) The victim of the offense was less than twelve (12) years of  
 19 age or at least sixty-five (65) years of age at the time the person  
 20 committed the offense.

21 (4) The person:

22 (A) committed a crime of violence (~~IC 35-50-1-2~~);  
 23 **(IC 35-31.5-2-79)**; and

24 (B) knowingly committed the offense in the presence or within  
 25 hearing of an individual who:

26 (i) was less than eighteen (18) years of age at the time the  
 27 person committed the offense; and

28 (ii) is not the victim of the offense.

29 (5) The person violated a protective order issued against the  
 30 person under IC 34-26-5 (or IC 31-1-11.5, IC 34-26-2, or  
 31 IC 34-4-5.1 before their repeal), a workplace violence restraining  
 32 order issued against the person under IC 34-26-6, or a no contact  
 33 order issued against the person.

34 (6) The person has recently violated the conditions of any  
 35 probation, parole, pardon, community corrections placement, or  
 36 pretrial release granted to the person.

37 (7) The victim of the offense was:

38 (A) a person with a disability (as defined in IC 27-7-6-12), and  
 39 the defendant knew or should have known that the victim was  
 40 a person with a disability; or

41 (B) mentally or physically infirm.

42 (8) The person was in a position having care, custody, or control



- 1 of the victim of the offense.
- 2 (9) The injury to or death of the victim of the offense was the
- 3 result of shaken baby syndrome (as defined in IC 16-41-40-2) or
- 4 abusive head trauma.
- 5 (10) The person threatened to harm the victim of the offense or a
- 6 witness if the victim or witness told anyone about the offense.
- 7 (11) The person:
- 8 (A) committed trafficking with an inmate under
- 9 IC 35-44.1-3-5; and
- 10 (B) is an employee of the penal facility.
- 11 (12) The person committed the offense with bias due to the
- 12 victim's or the group's real or perceived characteristic, trait, belief,
- 13 practice, association, or other attribute the court chooses to
- 14 consider, including but not limited to an attribute described in
- 15 IC 10-13-3-1.
- 16 (13) The person is or has been an alien (as defined by 8 U.S.C.
- 17 1101(a)) unlawfully present in the United States. A determination
- 18 by the United States Department of Homeland Security that an
- 19 alien has come to, entered, or remained in the United States in
- 20 violation of law is evidence that the alien is or has been
- 21 unlawfully present in the United States.
- 22 (14) The offense involved dealing in a controlled substance under
- 23 IC 35-48-4 and the person distributed the controlled substance to
- 24 at least three (3) different individuals in a one hundred eighty
- 25 (180) day period.
- 26 (b) The court may consider the following factors as mitigating
- 27 circumstances or as favoring suspending the sentence and imposing
- 28 probation:
- 29 (1) The crime neither caused nor threatened serious harm to
- 30 persons or property, or the person did not contemplate that it
- 31 would do so.
- 32 (2) The crime was the result of circumstances unlikely to recur.
- 33 (3) The victim of the crime induced or facilitated the offense.
- 34 (4) There are substantial grounds tending to excuse or justify the
- 35 crime, though failing to establish a defense.
- 36 (5) The person acted under strong provocation.
- 37 (6) The person has no history of delinquency or criminal activity,
- 38 or the person has led a law-abiding life for a substantial period
- 39 before commission of the crime.
- 40 (7) The person is likely to respond affirmatively to probation or
- 41 short term imprisonment.
- 42 (8) The character and attitudes of the person indicate that the



- 1 person is unlikely to commit another crime.
- 2 (9) The person has made or will make restitution to the victim of
- 3 the crime for the injury, damage, or loss sustained.
- 4 (10) Imprisonment of the person will result in undue hardship to
- 5 the person or the dependents of the person.
- 6 (11) The person was convicted of a crime involving the use of
- 7 force against a person who had repeatedly inflicted physical or
- 8 sexual abuse upon the convicted person and evidence shows that
- 9 the convicted person suffered from the effects of battery as a
- 10 result of the past course of conduct of the individual who is the
- 11 victim of the crime for which the person was convicted.
- 12 (12) The person was convicted of a crime relating to a controlled
- 13 substance and the person's arrest or prosecution was facilitated in
- 14 part because the person:
- 15 (A) requested emergency medical assistance; or
- 16 (B) acted in concert with another person who requested
- 17 emergency medical assistance;
- 18 for an individual who reasonably appeared to be in need of
- 19 medical assistance due to the use of alcohol or a controlled
- 20 substance.
- 21 (13) The person has posttraumatic stress disorder, traumatic brain
- 22 injury, or a postconcussive brain injury.
- 23 (14) The person is a person described in IC 31-30-1-4(d) who
- 24 committed the offense while the person was a child but is now at
- 25 least twenty-one (21) years of age.
- 26 (15) The offense involved a controlled substance under
- 27 IC 35-48-4 and the person:
- 28 (A) sought treatment:
- 29 (i) in the three hundred sixty-five (365) day period
- 30 preceding the date of the commission of the offense; or
- 31 (ii) on or after the date on which the person committed the
- 32 offense, but before sentencing; and
- 33 (B) successfully completed treatment:
- 34 (i) in the three hundred sixty-five (365) day period
- 35 preceding the date of the commission of the offense; or
- 36 (ii) on or after the date on which the person committed the
- 37 offense, but before sentencing.
- 38 (c) The criteria listed in subsections (a) and (b) do not limit the
- 39 matters that the court may consider in determining the sentence.
- 40 (d) A court may impose any sentence that is:
- 41 (1) authorized by statute; and
- 42 (2) permissible under the Constitution of the State of Indiana;



1 regardless of the presence or absence of aggravating circumstances or  
2 mitigating circumstances.

3 (e) If a court suspends a sentence and orders probation for a person  
4 described in subsection (b)(13), the court may require the person to  
5 receive treatment for the person's injuries.

6 SECTION 21. IC 35-38-1-17, AS AMENDED BY P.L.148-2024,  
7 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 17. (a) Notwithstanding IC 1-1-5.5-21, this section  
9 applies to a person who:

10 (1) commits an offense; or  
11 (2) is sentenced;  
12 before July 1, 2014.

13 (b) This section does not apply to a credit restricted felon.

14 (c) Except as provided in subsections (k) and (m), this section does  
15 not apply to a violent criminal.

16 (d) As used in this section, "violent criminal" means a person  
17 convicted of a **crime of violence (as defined in IC 35-31.5-2-79)**. ~~any~~  
18 ~~of the following offenses:~~

19 (1) Murder (IC 35-42-1-1);

20 (2) Attempted murder (IC 35-41-5-1);

21 (3) Voluntary manslaughter (IC 35-42-1-3);

22 (4) Involuntary manslaughter (IC 35-42-1-4);

23 (5) Reckless homicide (IC 35-42-1-5);

24 (6) Aggravated battery (IC 35-42-2-1.5);

25 (7) Kidnapping (IC 35-42-3-2);

26 (8) Rape (IC 35-42-4-1);

27 (9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal);

28 (10) Child molesting (IC 35-42-4-3);

29 (11) Sexual misconduct with a minor as a Class A felony under  
30 IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2)  
31 (for a crime committed before July 1, 2014) or sexual misconduct  
32 with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a  
33 Level 2 felony under IC 35-42-4-9(b)(2) (for a crime committed  
34 after June 30, 2014);

35 (12) Robbery as a Class A felony or a Class B felony  
36 (IC 35-42-5-1) (for a crime committed before July 1, 2014) or  
37 robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1) (for  
38 a crime committed after June 30, 2014);

39 (13) Burglary as Class A felony or a Class B felony  
40 (IC 35-43-2-1) (for a crime committed before July 1, 2014) or  
41 burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or  
42 Level 4 felony (IC 35-43-2-1) (for a crime committed after June



- 1           30; 2014):
- 2           (14) Unlawful possession of a firearm by a serious violent felon
- 3           (IC 35-47-4-5):
- 4           (e) At any time after:
- 5               (1) a convicted person begins serving the person's sentence; and
- 6               (2) the court obtains a report from the department of correction
- 7               concerning the convicted person's conduct while imprisoned;
- 8           the court may reduce or suspend the sentence and impose a sentence
- 9           that the court was authorized to impose at the time of sentencing.
- 10          However, if the convicted person was sentenced under the terms of a
- 11          plea agreement, the court may not, without the consent of the
- 12          prosecuting attorney, reduce or suspend the sentence and impose a
- 13          sentence not authorized by the plea agreement. The court must
- 14          incorporate its reasons in the record.
- 15          (f) If the court sets a hearing on a petition under this section, the
- 16          court must give notice to the prosecuting attorney and the prosecuting
- 17          attorney must give notice to the victim (as defined in IC 35-31.5-2-348)
- 18          of the crime for which the convicted person is serving the sentence.
- 19          (g) The court may suspend a sentence for a felony under this section
- 20          only if suspension is permitted under IC 35-50-2-2.2, or, if applicable,
- 21          IC 35-50-2-2 (repealed).
- 22          (h) The court may deny a request to suspend or reduce a sentence
- 23          under this section without making written findings and conclusions.
- 24          (i) The court is not required to conduct a hearing before reducing or
- 25          suspending a sentence under this section if:
- 26               (1) the prosecuting attorney has filed with the court an agreement
- 27               of the reduction or suspension of the sentence; and
- 28               (2) the convicted person has filed with the court a waiver of the
- 29               right to be present when the order to reduce or suspend the
- 30               sentence is considered.
- 31          (j) This subsection applies only to a convicted person who is not a
- 32          violent criminal. A convicted person who is not a violent criminal may
- 33          file a petition for sentence modification under this section:
- 34               (1) not more than one (1) time in any three hundred sixty-five
- 35               (365) day period; and
- 36               (2) a maximum of two (2) times during any consecutive period of
- 37               incarceration;
- 38          without the consent of the prosecuting attorney.
- 39          (k) This subsection applies to a convicted person who is a violent
- 40          criminal. Except as provided in subsection (n), a convicted person who
- 41          is a violent criminal may, not later than three hundred sixty-five (365)
- 42          days from the date of sentencing, file one (1) petition for sentence



1 modification under this section without the consent of the prosecuting  
 2 attorney. After the elapse of the three hundred sixty-five (365) day  
 3 period, a violent criminal may not file a petition for sentence  
 4 modification without the consent of the prosecuting attorney.

5 (l) A person may not waive the right to sentence modification under  
 6 this section as part of a plea agreement. Any purported waiver of the  
 7 right to sentence modification under this section in a plea agreement is  
 8 invalid and unenforceable as against public policy. This subsection  
 9 does not prohibit the finding of a waiver of the right to:

10 (1) have a court modify a sentence and impose a sentence not  
 11 authorized by the plea agreement, as described under subsection  
 12 (e); or

13 (2) sentence modification for any other reason, including failure  
 14 to comply with the provisions of this section.

15 (m) Notwithstanding subsection (k), a person who commits an  
 16 offense after June 30, 2014, and before May 15, 2015, may file one (1)  
 17 petition for sentence modification without the consent of the  
 18 prosecuting attorney, even if the person has previously filed a petition  
 19 for sentence modification.

20 (n) A person sentenced in a criminal court having jurisdiction over  
 21 an offense committed when the person was less than eighteen (18)  
 22 years of age may file an additional petition for sentence modification  
 23 under this section without the consent of the prosecuting attorney if the  
 24 person has served at least:

25 (1) fifteen (15) years of the person's sentence, if the person is not  
 26 serving a sentence for murder; or

27 (2) twenty (20) years of the person's sentence, if the person is  
 28 serving a sentence for murder.

29 The time periods described in this subsection are computed on the  
 30 basis of time actually served and do not include any reduction applied  
 31 for good time credit or educational credit time.

32 SECTION 22. IC 35-38-2.7-2, AS AMENDED BY P.L.22-2025,  
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2026]: Sec. 2. (a) A supervising agency must do the  
 35 following:

36 (1) Except as provided in subdivision (2), an employee or contract  
 37 employee of a supervising agency must provide notification to the  
 38 supervising agency as soon as possible, but not later than twelve

39 (12) hours, after:

40 (A) the monitoring device of a tracked individual suffers an  
 41 unexplained or undocumented loss of communication with the  
 42 employee, and the employee is unable to verify the tracked



- 1 individual's presence at an approved location by using a  
 2 backup verification method, if applicable;  
 3 (B) a tracked individual enters a prohibited exclusion zone; or  
 4 (C) a tracked individual removes, disables, or otherwise  
 5 interferes with a monitoring device.
- 6 (2) An employee or contract employee of a supervising agency  
 7 who is required to provide a notification to the supervising agency  
 8 under subdivision (1) with respect to a tracked individual who is  
 9 placed on electronic monitoring due to being charged with or  
 10 convicted of:
- 11 (A) a crime of violence (as defined in ~~IC 35-50-1-2(a)~~;  
 12 **IC 35-31.5-2-79**); or  
 13 (B) a crime of domestic or sexual violence (as defined in  
 14 IC 16-18-2-88.5);
- 15 shall provide the notification as soon as possible, but not later  
 16 than fifteen (15) minutes, after the occurrence of an event  
 17 described in subdivision (1)(A) through (1)(C). In addition, if the  
 18 tracked individual has committed or is alleged to have committed  
 19 a crime against a vulnerable victim, the supervising agency shall  
 20 notify the vulnerable victim and request local law enforcement to  
 21 conduct a welfare check on the vulnerable victim in accordance  
 22 with the protocol developed by the supervising agency under  
 23 subdivision (5).
- 24 (3) Verify in person the location of each tracked individual placed  
 25 on electronic monitoring due to being charged with or convicted  
 26 of:
- 27 (A) a crime of violence (as defined in ~~IC 35-50-1-2(a)~~;  
 28 **IC 35-31.5-2-79**); or  
 29 (B) a crime of domestic or sexual violence (as defined in  
 30 IC 16-18-2-88.5);
- 31 by making one (1) scheduled in person contact and one (1)  
 32 unannounced in person contact with the individual in every thirty  
 33 (30) day period.
- 34 (4) Establish conditions relating to approved and unapproved  
 35 locations for each tracked individual under the supervising  
 36 agency's supervision.
- 37 (5) Develop and establish a protocol for the supervising agency to  
 38 use in contacting a vulnerable victim and local law enforcement  
 39 with respect to a violation by a tracked individual.
- 40 (6) Develop and publish a policy prohibiting certain relationships  
 41 between a tracked individual and a supervising agency and  
 42 employees of a supervising agency, including:



- 1 (A) personal associations and relationships; and  
 2 (B) business relationships.
- 3 (7) Develop or approve detailed contingency plans for the  
 4 supervising agency's operation in case of natural disaster, power  
 5 outage, loss of telephone service, fire, flood, equipment  
 6 malfunction, death, incapacitation, or personal emergency of an  
 7 employee of a supervising agency, and, in the case of a  
 8 supervising agency's contract with a third party contractor, the  
 9 financial insolvency of the third party contractor.
- 10 (8) Specify a backup verification method for a tracked individual  
 11 if there is reason to believe that the tracked individual's  
 12 monitoring device may lose communication with the supervising  
 13 agency at an approved location. However, a supervising agency  
 14 has the discretion to establish a backup verification method for  
 15 any tracked individual regardless of whether the supervising  
 16 agency has reason to believe that the monitoring device may lose  
 17 communication at an approved location.
- 18 (b) Beginning January 1, 2023, a supervising agency must transmit  
 19 a quarterly report to the local justice reinvestment advisory council  
 20 (established by IC 33-38-9.5-4) that includes information concerning:
- 21 (1) the total number of tracked individuals under supervision  
 22 during the quarter, whether they are under pretrial, or  
 23 postdisposition, supervision, and the highest level of offense they  
 24 are facing or have been convicted of;
- 25 (2) the number of tracked individuals on active supervision at the  
 26 end of the quarter and the number of supervision staff at the end  
 27 of the quarter;
- 28 (3) the total costs and fees levied and collected;
- 29 (4) the number of tracked individuals under supervision whose  
 30 supervision has been terminated and the reason for termination;
- 31 and
- 32 (5) the number of device malfunctions in the case of each tracked  
 33 individual under supervision.
- 34 The report must be submitted to the local justice reinvestment advisory  
 35 council not later than fifteen (15) calendar days after the close of each  
 36 quarter. In addition, the division of parole services shall report directly  
 37 to the statewide justice reinvestment advisory council each quarter. The  
 38 local justice reinvestment advisory council shall transmit each report  
 39 electronically to the statewide justice reinvestment advisory council  
 40 (established by IC 33-38-9.5-2) as directed, which shall publish a  
 41 report quarterly. The statewide justice reinvestment advisory council  
 42 shall compile the quarterly reports published under this subsection and



1 electronically transmit an annual report to the legislative council and  
 2 to the judicial conference of Indiana not later than May 1 of each year.  
 3 The report to the legislative council must be in an electronic format  
 4 under IC 5-14-6.

5 SECTION 23. IC 35-38-2.7-4, AS ADDED BY P.L.84-2022,  
 6 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 4. (a) This subsection applies to a tracked  
 8 individual who is charged with or convicted of a crime of violence (as  
 9 defined in ~~IC 35-50-1-2(a)~~ **IC 35-31.5-2-79**) or a crime of domestic or  
 10 sexual violence (as defined in IC 16-18-2-88.5). As soon as possible,  
 11 but not later than:

12 (1) fifteen (15) minutes after a warrant has been issued for a  
 13 tracked individual to whom this subsection applies, a local law  
 14 enforcement agency shall transmit details of the warrant to all  
 15 active units; and

16 (2) sixty (60) minutes after a warrant has been issued for a tracked  
 17 individual to whom this subsection applies, a local law  
 18 enforcement agency shall dispatch a law enforcement officer to  
 19 apprehend the tracked individual.

20 (b) This subsection applies to a tracked individual who is not  
 21 charged with or convicted of a crime of violence (as defined in  
 22 ~~IC 35-50-1-2(a)~~ **IC 35-31.5-2-79**) or a crime of domestic or sexual  
 23 violence (as defined in IC 16-18-2-88.5). As soon as possible, but not  
 24 later than:

25 (1) sixty (60) minutes after a warrant has been issued for a tracked  
 26 individual to whom this subsection applies, a local law  
 27 enforcement agency shall transmit details of the warrant to all  
 28 active units; and

29 (2) forty-eight (48) hours after a warrant has been issued for a  
 30 tracked individual to whom this subsection applies, a local law  
 31 enforcement agency shall dispatch a law enforcement officer to  
 32 apprehend the tracked individual.

33 (c) The local law enforcement agency shall keep a record of each  
 34 dispatch made under this section.

35 SECTION 24. IC 35-40-5-12, AS ADDED BY P.L.40-2019,  
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2026]: Sec. 12. (a) The following shall be identified by means  
 38 of a designation omitting the victim's name, such as "Victim 1", in  
 39 court documents open to the public:

40 (1) A victim of a sex crime under IC 35-42-4.

41 (2) A child victim of a crime of violence (as defined in  
 42 ~~IC 35-50-1-2~~ **IC 35-31.5-2-79**).



1 (b) The state shall provide to the court a confidential document  
2 identifying the victims named in the court documents.

3 SECTION 25. IC 35-50-1-2, AS AMENDED BY P.L.218-2025,  
4 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2026]: Sec. 2. (a) As used in this section, "crime of violence"  
6 means the following: **has the meaning set forth in IC 35-31.5-2-79.**

7 (1) ~~Murder (IC 35-42-1-1).~~

8 (2) ~~Attempted murder (IC 35-41-5-1).~~

9 (3) ~~Voluntary manslaughter (IC 35-42-1-3).~~

10 (4) ~~Involuntary manslaughter (IC 35-42-1-4).~~

11 (5) ~~Reckless homicide (IC 35-42-1-5).~~

12 (6) ~~Battery (IC 35-42-2-1) as a:~~

13 (A) ~~Level 2 felony;~~

14 (B) ~~Level 3 felony;~~

15 (C) ~~Level 4 felony; or~~

16 (D) ~~Level 5 felony.~~

17 (7) ~~Domestic battery (IC 35-42-2-1.3) as a:~~

18 (A) ~~Level 2 felony;~~

19 (B) ~~Level 3 felony;~~

20 (C) ~~Level 4 felony; or~~

21 (D) ~~Level 5 felony.~~

22 (8) ~~Aggravated battery (IC 35-42-2-1.5).~~

23 (9) ~~Kidnapping (IC 35-42-3-2).~~

24 (10) ~~Rape (IC 35-42-4-1).~~

25 (11) ~~Criminal deviate conduct (IC 35-42-4-2) (before its repeal).~~

26 (12) ~~Child molesting (IC 35-42-4-3).~~

27 (13) ~~Sexual misconduct with a minor as a Level 1 felony under~~  
28 ~~IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).~~

29 (14) ~~Robbery as a Level 2 felony or a Level 3 felony~~  
30 ~~(IC 35-42-5-1).~~

31 (15) ~~Burglary as a Level 1 felony, Level 2 felony, Level 3 felony,~~  
32 ~~or Level 4 felony (IC 35-43-2-1).~~

33 (16) ~~Operating a vehicle while intoxicated causing death or~~  
34 ~~catastrophic injury (IC 9-30-5-5).~~

35 (17) ~~Operating a vehicle while intoxicated causing serious bodily~~  
36 ~~injury to another person (IC 9-30-5-4).~~

37 (18) ~~Child exploitation as a Level 5 felony under IC 35-42-4-4(b)~~  
38 ~~or a Level 4 felony under IC 35-42-4-4(c).~~

39 (19) ~~Resisting law enforcement as a felony (IC 35-44.1-3-1).~~

40 (20) ~~Unlawful possession of a firearm by a serious violent felon~~  
41 ~~(IC 35-47-4-5).~~

42 (21) ~~Strangulation (IC 35-42-2-9) as a Level 5 felony.~~



1 (b) As used in this section, "episode of criminal conduct" means  
2 offenses or a connected series of offenses that are closely related in  
3 time, place, and circumstance.

4 (c) Except as provided in subsection (e) or (f) the court shall  
5 determine whether terms of imprisonment shall be served concurrently  
6 or consecutively. The court may consider the:

7 (1) aggravating circumstances in IC 35-38-1-7.1(a); and

8 (2) mitigating circumstances in IC 35-38-1-7.1(b);

9 in making a determination under this subsection. The court may order  
10 terms of imprisonment to be served consecutively even if the sentences  
11 are not imposed at the same time. However, except for crimes of  
12 violence, the total of the consecutive terms of imprisonment, exclusive  
13 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10  
14 (before its repeal) to which the defendant is sentenced for felony or  
15 misdemeanor convictions arising out of an episode of criminal conduct  
16 shall not exceed the period described in subsection (d).

17 (d) Except as provided in subsection (c), the total of the consecutive  
18 terms of imprisonment to which the defendant is sentenced for  
19 convictions arising out of an episode of criminal conduct may not  
20 exceed the following:

21 (1) If the most serious crime for which the defendant is sentenced  
22 is a Class C misdemeanor, the total of the consecutive terms of  
23 imprisonment may not exceed one (1) year.

24 (2) If the most serious crime for which the defendant is sentenced  
25 is a Class B misdemeanor, the total of the consecutive terms of  
26 imprisonment may not exceed two (2) years.

27 (3) If the most serious crime for which the defendant is sentenced  
28 is a Class A misdemeanor, the total of the consecutive terms of  
29 imprisonment may not exceed three (3) years.

30 (4) If the most serious crime for which the defendant is sentenced  
31 is a Level 6 felony, the total of the consecutive terms of  
32 imprisonment may not exceed four (4) years.

33 (5) If the most serious crime for which the defendant is sentenced  
34 is a Level 5 felony, the total of the consecutive terms of  
35 imprisonment may not exceed seven (7) years.

36 (6) If the most serious crime for which the defendant is sentenced  
37 is a Level 4 felony, the total of the consecutive terms of  
38 imprisonment may not exceed fifteen (15) years.

39 (7) If the most serious crime for which the defendant is sentenced  
40 is a Level 3 felony, the total of the consecutive terms of  
41 imprisonment may not exceed twenty (20) years.

42 (8) If the most serious crime for which the defendant is sentenced



1 is a Level 2 felony, the total of the consecutive terms of  
 2 imprisonment may not exceed thirty-two (32) years.  
 3 (9) If the most serious crime for which the defendant is sentenced  
 4 is a Level 1 felony, the total of the consecutive terms of  
 5 imprisonment may not exceed forty-two (42) years.  
 6 (e) If, after being arrested for one (1) crime, a person commits  
 7 another crime:  
 8 (1) before the date the person is discharged from probation,  
 9 parole, or a term of imprisonment imposed for the first crime; or  
 10 (2) while the person is released:  
 11 (A) upon the person's own recognizance; or  
 12 (B) on bond;  
 13 the terms of imprisonment for the crimes shall be served consecutively,  
 14 regardless of the order in which the crimes are tried and sentences are  
 15 imposed.  
 16 (f) If the factfinder determines under IC 35-50-2-11 that a person  
 17 used a firearm in the commission of the offense for which the person  
 18 was convicted, the term of imprisonment for the underlying offense and  
 19 the additional term of imprisonment imposed under IC 35-50-2-11  
 20 must be served consecutively.  
 21 SECTION 26. IC 35-50-2-1.3, AS AMENDED BY P.L.109-2015,  
 22 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2026]: Sec. 1.3. (a) For purposes of this chapter, "advisory  
 24 sentence" means a guideline sentence that the court may voluntarily  
 25 consider when imposing a sentence.  
 26 (b) Except as provided in subsection (c), a court is not required to  
 27 use an advisory sentence.  
 28 (c) In imposing:  
 29 (1) consecutive sentences for felony convictions that are not  
 30 crimes of violence (as defined in ~~IC 35-50-1-2(a)~~  
 31 **IC 35-31.5-2-79**) arising out of an episode of criminal conduct,  
 32 in accordance with IC 35-50-1-2; or  
 33 (2) an additional fixed term to a repeat sexual offender under  
 34 section 14 of this chapter;  
 35 a court is required to use the appropriate advisory sentence in imposing  
 36 a consecutive sentence or an additional fixed term. However, the court  
 37 is not required to use the advisory sentence in imposing the sentence  
 38 for the underlying offense.  
 39 (d) This section does not require a court to use an advisory sentence  
 40 in imposing consecutive sentences for felony convictions that do not  
 41 arise out of an episode of criminal conduct.  
 42 SECTION 27. IC 35-50-6-1, AS AMENDED BY P.L.20-2023,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 1. (a) Except as provided in subsection (d) or (e),  
3 when a person imprisoned for a felony completes the person's term of  
4 imprisonment, less the credit time the person has earned with respect  
5 to that term, the person shall be:

6 (1) released on parole for not more than twenty-four (24) months,  
7 as determined by the parole board, unless:

8 (A) the person is being placed on parole for the first time;

9 (B) the person is not being placed on parole following a term  
10 of imprisonment that includes a sentence imposed for a crime  
11 of violence (as defined in ~~IC 35-50-1-2~~; **IC 35-31.5-2-79**);

12 (C) the person is not a sex offender (as defined in  
13 IC 11-8-8-4.5); and

14 (D) in the six (6) months before being placed on parole, the  
15 person has not violated a rule of the department of correction  
16 or a rule of the penal facility in which the person is  
17 imprisoned;

18 (2) discharged upon a finding by the committing court that the  
19 person was assigned to a community transition program and may  
20 be discharged without the requirement of parole; or

21 (3) released to the committing court if the sentence included a  
22 period of probation.

23 A person described in subdivision (1) shall be released on parole for  
24 not more than twelve (12) months, as determined by the parole board.

25 (b) This subsection does not apply to a person described in  
26 subsection (d), (e), or (f). A person released on parole remains on  
27 parole from the date of release until the person's fixed term expires,  
28 unless the person's parole is revoked or the person is discharged from  
29 that term by the parole board. In any event, if the person's parole is not  
30 revoked, the parole board shall discharge the person after the period set  
31 under subsection (a) or the expiration of the person's fixed term,  
32 whichever is shorter.

33 (c) A person whose parole is revoked shall be imprisoned for all or  
34 part of the remainder of the person's fixed term. However, the person  
35 shall again be released on parole when the person completes that  
36 remainder, less the credit time the person has earned since the  
37 revocation. The parole board may reinstate the person on parole at any  
38 time after the revocation.

39 (d) This subsection does not apply to a person who is a sexually  
40 violent predator under IC 35-38-1-7.5. When a sex offender (as defined  
41 in IC 11-8-8-4.5) completes the sex offender's fixed term of  
42 imprisonment, less credit time earned with respect to that term, the sex



1 offender shall be placed on parole for not more than ten (10) years.

2 (e) This subsection applies to a person who:

3 (1) is a sexually violent predator under IC 35-38-1-7.5;

4 (2) has been convicted of murder (IC 35-42-1-1); or

5 (3) has been convicted of voluntary manslaughter (IC 35-42-1-3).

6 When a person described in this subsection completes the person's  
7 fixed term of imprisonment, less credit time earned with respect to that  
8 term, the person shall be placed on parole for the remainder of the  
9 person's life.

10 (f) This subsection applies to a parolee in another jurisdiction who  
11 is a person described in subsection (e) and whose parole supervision is  
12 transferred to Indiana from another jurisdiction. In accordance with  
13 IC 11-13-4-1(2) (Interstate Compact for Out-of-State Probationers and  
14 Parolees) and rules adopted under Article VII (d)(8) of the Interstate  
15 Compact for Adult Offender Supervision (IC 11-13-4.5), a parolee who  
16 is a person described in subsection (e) and whose parole supervision is  
17 transferred to Indiana is subject to the same conditions of parole as a  
18 person described in subsection (e) who was convicted in Indiana,  
19 including:

20 (1) lifetime parole (as described in subsection (e)); and

21 (2) the requirement that the person wear a monitoring device (as  
22 described in IC 35-38-2.5-3) that can transmit information  
23 twenty-four (24) hours each day regarding a person's precise  
24 location, if applicable.

25 (g) If a person being supervised on lifetime parole as described in  
26 subsection (e) is also required to be supervised by a court, a probation  
27 department, a community corrections program, a community transition  
28 program, or another similar program upon the person's release from  
29 imprisonment, the parole board may:

30 (1) supervise the person while the person is being supervised by  
31 the other supervising agency; or

32 (2) permit the other supervising agency to exercise all or part of  
33 the parole board's supervisory responsibility during the period in  
34 which the other supervising agency is required to supervise the  
35 person, if supervision by the other supervising agency will be, in  
36 the opinion of the parole board:

37 (A) at least as stringent; and

38 (B) at least as effective;

39 as supervision by the parole board.

40 (h) The parole board is not required to supervise a person on  
41 lifetime parole during any period in which the person is imprisoned.  
42 However, upon the person's release from imprisonment, the parole



1 board shall recommence its supervision of a person on lifetime parole.

2 (i) If a court orders the parole board to place a sexually violent  
3 predator whose sentence does not include a commitment to the  
4 department of correction on lifetime parole under IC 35-38-1-29, the  
5 parole board shall place the sexually violent predator on lifetime parole  
6 and supervise the person in the same manner in which the parole board  
7 supervises a sexually violent predator on lifetime parole whose  
8 sentence includes a commitment to the department of correction.

9 (j) Time served while confined to a jail or prison does not count  
10 toward time served on parole.

11 SECTION 28. IC 36-1-26-4, AS ADDED BY P.L.182-2018,  
12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2026]: Sec. 4. (a) Not later than November 1, 2018, a unit  
14 shall revise its licensing requirements to the extent necessary to  
15 explicitly list the crimes that will disqualify an individual from  
16 receiving a license required by the unit. The unit may not:

17 (1) use nonspecific terms, such as moral turpitude or good  
18 character, as a licensing requirement; or

19 (2) consider an arrest that does not result in a conviction.

20 (b) A unit's use of an individual's conviction of a crime as a  
21 disqualifying criminal conviction is limited to a crime that is  
22 specifically and directly related to the duties and responsibilities of the  
23 occupation or profession for which the individual is applying for or  
24 holds a license.

25 (c) If an applicant has a disqualifying criminal history, the unit shall  
26 consider the following in determining whether to deny a license to the  
27 applicant, based on a clear and convincing showing:

28 (1) The nature and seriousness of the crime for which the  
29 individual was convicted.

30 (2) The passage of time since the commission of the crime.

31 (3) The relationship of the crime to the ability, capacity, and  
32 fitness required to perform the duties and discharge the  
33 responsibilities of the occupation.

34 (4) Evidence of rehabilitation or treatment undertaken by the  
35 individual that might mitigate against a direct relation to the  
36 ability, capacity, and fitness required to perform the duties and  
37 discharge the responsibilities of the occupation.

38 (d) If an individual has a disqualifying criminal conviction, the  
39 period of disqualification may not exceed five (5) years after the date  
40 of the conviction or release from incarceration, whichever is later,  
41 unless the individual:

42 (1) was convicted of a crime of violence (as defined by



1           ~~IC 35-50-1-2(a)~~; **IC 35-31.5-2-79**;  
2           (2) was convicted of an offense relating to a criminal sexual act  
3           (as defined by IC 35-31.5-2-216); or  
4           (3) is convicted of a second or subsequent crime during the  
5           disqualification period.  
6           SECTION 29. IC 36-8-26-6, AS ADDED BY P.L.103-2022,  
7           SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8           JULY 1, 2026]: Sec. 6. Before November 1, 2023, and before  
9           November 1 of every year thereafter, the board shall send a report of its  
10          activities to the legislative council. The report must be in an electronic  
11          format under IC 5-14-6 and include the following information:  
12          (1) A copy of every interoperability agreement entered into or  
13          renewed in the past year.  
14          (2) A list of all:  
15                (A) Part One crimes (based on the reporting methodology of  
16                the Federal Bureau of Investigation); and  
17                (B) crimes of violence (as defined in ~~IC 35-50-1-2(a)~~;  
18                **IC 35-31.5-2-79**);  
19          committed in the downtown district within the previous five (5)  
20          years.  
21          (3) The crime clearance rates for each crime described in  
22          subdivision (2).  
23          (4) A list of every major event that took place in the downtown  
24          district within the previous year.  
25          (5) The number of times a law enforcement agency made a  
26          referral to, or requested assistance from, a social worker or mental  
27          health services provider (including a provider who specializes in  
28          addiction services).  
29          (6) A completed crime perception survey for the previous year  
30          (based on the survey prepared by Downtown Indy, Inc.).



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1258 as introduced.)

MCNAMARA

Committee Vote: Yeas 13, Nays 0

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1258 be amended to read as follows:

Page 22, line 18, delete "(IC 35-42-2-1)." and insert "**(IC 35-42-2-1) as a felony.**".

Page 22, line 19, delete "(IC 35-42-2-1.3)." and insert "**(IC 35-42-2-1.3) as a felony.**".

Page 23, line 12, delete "(IC 35-44.1-3-4)." and insert "**(IC 35-44.1-3-4) as a Level 5 or higher felony.**".

Page 23, line 13, delete "(IC 35-45-10-5)." and insert "**(IC 35-45-10-5) as a Level 5 or higher felony.**".

(Reference is to HB 1258 as printed January 14, 2026.)

JETER

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 COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1258, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 23, between lines 22 and 23, begin a new line block indented and insert:

**"(26) Dangerous possession of a firearm by a child (IC 35-47-10-5), if:**

**(A) the child has at least two (2) unrelated prior**

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convictions under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful carrying of a handgun);

(B) the child has at least two (2) unrelated prior delinquency adjudications for an act that would be an offense under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful carrying of a handgun); or

(C) the child has at least one (1) unrelated prior:

(i) conviction under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful carrying of a handgun); and

(ii) delinquency adjudication for an act that would be an offense under IC 35-47-10-5 or IC 35-47-2-1.5 (unlawful carrying of a handgun).

(27) Unlawful carrying of a handgun (IC 35-47-2-1.5), if:

(A) the person has two (2) unrelated prior convictions under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous possession of a firearm by a child);

(B) the person has at least two (2) unrelated prior delinquency adjudications for an act that would be an offense under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous possession of a firearm by a child); or

(C) the person has at least one (1) unrelated prior:

(i) conviction under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous possession of a firearm by a child); and

(ii) delinquency adjudication for an act that would be an offense under IC 35-47-2-1.5 or IC 35-47-10-5 (dangerous possession of a firearm by a child)."

Page 23, line 29, after "in" insert "section 79 of this chapter);".

Page 23, delete line 30.

Page 23, line 35, delete "IC 35-31.5-2-79);" and insert "section 79 of this chapter);".

and when so amended that said bill do pass.

(Reference is to HB 1258 as reprinted January 23, 2026.)

FREEMAN, Chairperson

Committee Vote: Yeas 6, Nays 2.

