



Adopted

Rejected

COMMITTEE REPORT

YES: 9
NO: 4

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred Senate Bill 76, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, line 23, after "IC 5-2-18.2-2.2" insert ")".
- 2 Page 3, between lines 5 and 6, begin a new paragraph and insert:
- 3 "SECTION 2. IC 5-2-18.2-0.5 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. As used in this chapter,**
- 6 **"alien" has the meaning set forth in 8 U.S.C. 1101(a).**".
- 7 Page 3, line 11, delete "8 CFR 287.7." and insert "**8 CFR 287.7 or**
- 8 **any successor provision or other applicable federal authority.**".
- 9 Page 3, between lines 11 and 12, begin a new paragraph and insert:
- 10 "SECTION 4. IC 5-2-18.2-3, AS AMENDED BY P.L.265-2017,
- 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2026]: Sec. 3. A governmental body or a postsecondary
- 13 educational institution may not enact or implement an ordinance, a

1 resolution, a rule, or a policy, **whether written or unwritten**, that
 2 prohibits or in any way restricts another governmental body or
 3 employee of a **governmental body or** postsecondary educational
 4 institution, including a law enforcement officer, a state or local official,
 5 or a state or local government employee, from taking the following
 6 actions with regard to information of the citizenship or immigration
 7 status, lawful or unlawful, of an individual:

8 (1) Communicating or cooperating with federal officials.

9 (2) Sending to or receiving information from the United States
 10 Department of Homeland Security.

11 (3) Maintaining information.

12 (4) Exchanging information with another federal, state, or local
 13 government entity.

14 **(5) Gathering information."**

15 Page 3, line 15, after "not" insert "**in any way**".

16 Page 3, delete lines 19 through 29, begin a new paragraph and
 17 insert:

18 "SECTION 6. IC 5-2-18.2-5, AS AMENDED BY P.L.76-2024,
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 UPON PASSAGE]: Sec. 5. **(a)** If the attorney general determines that
 21 probable cause exists that a governmental body or a postsecondary
 22 educational institution has violated this chapter, the attorney general
 23 shall bring an action to compel the governmental body or
 24 postsecondary educational institution to comply with this chapter **and**
 25 **to seek the relief authorized under subsection (b).**

26 **(b) Except as provided in subsection (c), in an action brought**
 27 **under subsection (a), the attorney general may seek to:**

28 **(1) enjoin an act or a practice constituting a violation;**

29 **(2) impose a civil penalty of not more than ten thousand**
 30 **dollars (\$10,000) for each knowing or intentional violation;**
 31 **and**

32 **(3) obtain such other relief as is necessary to ensure future**
 33 **compliance with this chapter.**

34 **(c) In an action against a county jail for a violation of section 9**
 35 **of this chapter, the attorney general shall not impose a civil penalty**
 36 **under subsection (b)(2) if, during the most recent inspection under**
 37 **IC 11-12-4-2, the department of correction determines that the**
 38 **county jail was in compliance under IC 11-12-4-1.**

(d) Before bringing an action against a county jail for a violation of section 9 of this chapter, the attorney general shall:

(1) consult with the department of correction concerning the most recent inspection report under IC 11-12-4-2; and

(2) provide the county jail with notice of the attorney general's probable cause determination.

If, within thirty (30) days of receiving the notice, the county jail provides to the attorney general sufficient evidence that the county jail no longer engages in acts or practices that violate section 9 of this chapter, the attorney general may not initiate an action under subsection (a).

(e) The attorney general shall transfer all penalties collected under this chapter to the treasurer of state for deposit in the state general fund."

Page 3, line 32, delete "(a)".

Page 3, line 34, strike "knowingly or intentionally".

Page 3, line 35, strike "violation." and insert "**violation and grant other relief that is authorized for a violation under section 5(b) of this chapter.**".

Page 3, delete lines 36 through 42.

Page 4, line 7, after "IC 35-33-8-3.2" insert "**written**".

Page 4, line 24, after "receives" insert "**written**".

Page 4, between lines 21 and 22, begin a new paragraph and insert:

"(c) A governmental body or an employee of a governmental body is not criminally or civilly liable for any action taken in compliance with an immigration detainer request under this section."

Page 4, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 9. IC 5-2-18.2-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The department of correction shall, in consultation with the attorney general, identify options for training concerning:

(1) cooperation between county jails and the United States Immigration and Customs Enforcement; and

(2) procedures for the implementation of section 9 of this chapter."

Page 5, line 24, strike "sheriff and" and insert "**sheriff,**".

1 Page 5, line 25, after "commissioners" insert ", **and the attorney**
2 **general**".

3 Page 5, delete lines 26 through 30, begin a new paragraph and
4 insert:

5 "**(e) Compliance with standards described in subsection (a)(5)**
6 **and the results of an inspection under IC 11-12-4 do not preclude**
7 **and are not a defense to the attorney general bringing an action**
8 **under IC 5-2-18.2 for violations of IC 5-2-18.2-9.**

9 SECTION 10. IC 11-12-4-2, AS AMENDED BY P.L.84-2016,
10 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 2. (a) The department shall inspect each county
12 jail at least one (1) time each year to determine whether it is complying
13 with the standards adopted under section 1 of this chapter.

14 **(b)** If the department determines that a jail is not complying with the
15 standards, the commissioner shall give written notice of this
16 determination to the county sheriff, the board of county commissioners,
17 the prosecuting attorney, the circuit court, superior court, or probate
18 court, and all courts having criminal or juvenile jurisdiction in that
19 county. This notice must specify which standards are not being met and
20 state the commissioner's recommendations regarding compliance.

21 **(c) If the department determines that a jail is not complying**
22 **with standards described in section 1(a)(5) of this chapter, the**
23 **commissioner shall give written notice of this determination to the**
24 **county sheriff and the attorney general.**

25 ~~(b)~~ **(d)** If after six (6) months from the date of the written notice
26 **issued under subsection (b)**, the department determines that the
27 county is not making a good faith effort toward compliance with the
28 standards specified in the notice, the commissioner may:

29 (1) petition the circuit court, superior court, or probate court for
30 an injunction prohibiting the confinement of persons in all or any
31 part of the jail, or otherwise restricting the use of the jail; or

32 (2) recommend, in writing, to the prosecuting attorney and each
33 court with criminal or juvenile jurisdiction that a grand jury be
34 convened to tour and examine the county jail under
35 IC 35-34-2-11.

36 ~~(c)~~ **(e)** Upon receipt of notice by the commissioner **under**
37 **subsection (b)** that the jail does not comply with standards adopted
38 under section 1 of this chapter, the sheriff may bring an action in the

circuit court, superior court, or probate court against the board of county commissioners or county council for appropriate mandatory or injunctive relief."

Page 6, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 11. IC 16-21-6-6, AS AMENDED BY P.L.156-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 6. In addition to the report filed under section 3 of this chapter, each hospital shall, not more than one hundred twenty (120) days after the end of each calendar quarter, file with the state department, or the state department's designated contractor, inpatient and outpatient discharge information at the patient level, in a format prescribed by the state health commissioner, including the following:

(1) The patient's:

(A) length of stay;

(B) diagnoses and surgical procedures performed during the patient's stay;

(C) date of:

(i) admission;

(ii) discharge; and

(iii) birth;

(D) type of admission;

(E) admission source;

(F) gender;

(G) race;

(H) discharge disposition; and

(I) payor, including:

(i) Medicare;

(ii) Medicaid;

(iii) a local government program;

(iv) commercial insurance;

(v) self-pay; and

(vi) charity care.

(2) The total charge for the patient's stay.

(3) The ZIP code of the patient's residence.

(4) Beginning October 1, 2013, all diagnosed external causes of injury codes.

(5) Beginning January 1, 2027, in cases where Medicaid is the

1 patient's payor, the form of identification, if any, used by the
 2 patient when the patient was admitted, including whether the
 3 patient used an Indiana driver's license or identification card,
 4 a temporary Indiana driver's license or identification card, a
 5 driver's license or identification card issued by another state,
 6 a form of identification issued by a foreign government, or no
 7 identification."

8 Page 7, line 8, delete "to confirm work eligibility of an" and insert
 9 "as may be prescribed by the attorney general through guidance
 10 that shall be".

11 Page 7, line 9, delete "individual in a manner that is".

12 Page 7, line 10, delete "practices." and insert "**practices for**
 13 **confirming work eligibility.**".

14 Page 7, line 25, after "submitted" insert "**to the attorney general**".

15 Page 7, line 26, delete "(c)," and insert "**(c) or evidence under this**
 16 **subsection,**".

17 Page 9, delete lines 37 through 42, begin a new paragraph and
 18 insert:

19 "SECTION 14. IC 32-30-7-1, AS AMENDED BY P.L.144-2018,
 20 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 UPON PASSAGE]: Sec. 1. As used in this chapter, "indecent nuisance"
 22 means a:

23 (1) place in or upon which prostitution (as described in
 24 IC 35-45-4);

25 (2) public place in or upon which other sexual conduct (as defined
 26 in IC 35-31.5-2-221.5) or sexual intercourse (as defined in
 27 IC 35-31.5-2-302);

28 (3) public place in or upon which the fondling of the genitals of
 29 a person; or

30 (4) ~~public~~ place in or upon which human trafficking (as described
 31 in IC 35-42-3.5-1 through IC 35-42-3.5-1.4);

32 is conducted, permitted, continued, or exists, and the personal property
 33 and contents used in conducting and maintaining the place for such a
 34 purpose."

35 Delete page 10.

36 Page 12, delete lines 1 through 6, begin a new paragraph and insert:

37 "SECTION 16. IC 34-30-2.1-32.5 IS ADDED TO THE INDIANA
 38 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

1 [EFFECTIVE JULY 1, 2026]: **Sec. 32.5. IC 5-2-18.2-9 (Concerning**
2 **federal immigration detention orders).**".

3 Renumber all SECTIONS consecutively.

(Reference is to SB 76 Digest Correction as reprinted January 23,
2026.)

and when so amended that said bill do pass.

Representative Jeter