



Adopted	Rejected
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## 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       **(e) (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

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

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

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

14 (1) The patient's:

15 (A) length of stay;

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

18 (C) date of:

19 (i) admission;

20 (ii) discharge; and

21 (iii) birth;

22 (D) type of admission;

23 (E) admission source;

24 (F) gender;

25 (G) race;

26 (H) discharge disposition; and

27 (I) payor, including:

28 (i) Medicare;

29 (ii) Medicaid;

30 (iii) a local government program;

31 (iv) commercial insurance;

32 (v) self-pay; and

33 (vi) charity care.

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

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

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

38 **(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**