

PROPOSED AMENDMENT

SB 78 # 4

DIGEST

Civil immunity. Provides that a school corporation, a school maintained by a school corporation, and a charter school (school), including school personnel, are immune from civil liability for any actions taken in good faith to comply with the school's wireless communication device policy, with exceptions.

1 Page 3, after line 4, begin a new paragraph and insert:

2 **"(g) A school corporation, a school maintained by a school**
3 **corporation, and a charter school, and personnel of a school**
4 **corporation, a school maintained by a school corporation, or a**
5 **charter school, are immune from civil liability for any actions**
6 **taken in good faith to comply with this section. The civil immunity**
7 **under this subsection does not apply to an act or omission that**
8 **constitutes gross negligence or willful, wanton, or intentional**
9 **misconduct.**

10 SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: Sec. 271.5. IC 20-26-5-40.7
13 **(Concerning school corporations, schools maintained by school**
14 **corporations, charter schools, school personnel, and compliance**
15 **with a school's wireless communication device policy).".**

(Reference is to SB 78 as introduced.)