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## SENATE BILL No. 80

Proposed Changes to December 11, 2025 printing by AM008001

### DIGEST OF PROPOSED AMENDMENT

Code publication. Resolves technical conflicts between SB 80-2025 and HB 1088-2025 (the annual Technical Corrections bill) and makes a technical correction in SB 80.

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

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

- 1 SECTION 1. IC 2-5-55.7-3, AS ADDED BY P.L.162-2025,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 3. (a) The task force consists of the following  
4 twenty-two (22) members, all of whom are voting members:  
5 (1) Five (5) members of the senate, appointed as follows:  
6 (A) Three (3) members appointed by the president pro  
7 tempore, one (1) of whom serves as co-chair of the task  
8 force.  
9 (B) Two (2) members appointed by the minority leader.  
10 (2) Five (5) members of the house of representatives, appointed  
11 as follows:  
12 (A) Three (3) members appointed by the speaker, one (1) of  
13 whom serves as co-chair of the task force.  
14 (B) Two (2) members appointed by the minority leader.  
15 (3) One (1) member who is a judge appointed by the chief justice  
16 of the supreme court.  
17 (4) One (1) member appointed by the speaker who represents a  
18 child placing agency (as defined in ~~IC 31-9-2-17.5~~;  
19 IC 31-9-2.1-46).  
20 (5) One (1) member appointed by the president pro tempore who

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either:

(A) is an in-home provider; or

(B) provides family preservation services (as defined in ~~IC 31-9-2-44.8~~; IC 31-9-2.1-94).

(6) One (1) member appointed by the speaker who represents a:

(A) child caring institution (as defined in ~~IC 31-9-2-16.7~~; IC 31-9-2.1-42); or

(B) private secure facility (as defined in ~~IC 31-9-2-96.5~~; IC 31-9-2.1-186).

(7) One (1) member appointed by the president pro tempore who is a group home (as defined in ~~IC 31-9-2-48.5~~; IC 31-9-2.1-115) provider.

(8) One (1) member appointed by the speaker who is an older foster youth services provider.

(9) One (1) member appointed by the president pro tempore who is a preventative provider that runs a child welfare program (as defined in IC 31-26-3.5-1).

(10) One (1) member appointed by the speaker who is at least eighteen (18) years of age and who has lived experience as a child within the child welfare system.

(11) One (1) member appointed by the president pro tempore who is a juvenile probation officer.

(12) The director of the department of child services.

(13) A deputy director of the department of child services.

(14) The chief of staff or director of the division of mental health and addiction.

(b) The president pro tempore shall designate one (1) member appointed under subsection (a)(1)(A) to serve as a co-chair of the task force for the duration of the task force.

(c) The speaker shall designate one (1) member appointed under subsection (a)(2)(A) to serve as a co-chair of the task force for the duration of the task force.

(d) A member of the task force serves at the will of the member's appointing authority for the duration of the task force.

SECTION 2. IC 3-5-2-49.3, AS AMENDED BY P.L.238-2025, SECTION 2, IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 49.3.~~

"Uniformed services" means any of the following:

(1) ~~The United States Army.~~

(2) ~~The United States Navy.~~

(3) ~~The United States Air Force.~~

(4) ~~The United States Marine Corps.~~

(5) ~~The United States Coast Guard.~~

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(6) ~~The United States Space Force.~~

(7) ~~The commissioned corps of the Public Health Service.~~

(8) ~~The commissioned corps of the National Oceanic and Atmospheric Administration.~~

SECTION 3. IC 3-5-2.1-100, AS ADDED BY P.L.186-2025, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 100. "Uniformed services" means any of the following:

(1) The **United States** Army.

(2) The **United States** Navy.

(3) The **United States** Air Force.

(4) The **United States** Marine Corps.

(5) The **United States** Coast Guard.

(6) The **United States** Space Force.

(7) The commissioned corps of the Public Health Service.

(8) The commissioned corps of the National Oceanic and Atmospheric Administration.

SECTION 4. IC 4-4-28-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. Money in an account may not be considered:

(1) an asset of an individual when determining the individual's eligibility for assistance under IC 12-14; or

(2) a countable asset (as defined in ~~IC 12-7-2-44.6~~; IC 12-7-2.1-91).

SECTION 5. IC 4-10-15-2, AS AMENDED BY P.L.218-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The warrants may be drawn for the necessary and current expenses of the following:

(1) All psychiatric hospitals (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).

(2) The Indiana School for the Deaf, established by IC 20-22-2-1.

(3) The Indiana School for the Blind and Visually Impaired, established by IC 20-21-2-1.

(4) The Indiana Veterans' Home.

(5) The Plainfield Juvenile Correctional Facility.

SECTION 6. IC 4-15-2.2-11, AS AMENDED BY P.L.189-2018, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. As used in this chapter, "state institution" means any of the following:

(1) A state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).

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(2) A correctional facility owned by the state and operated by the department of correction.

(3) The Indiana School for the Deaf established by IC 20-22-2-1.

(4) The Indiana School for the Blind and Visually Impaired established by IC 20-21-2-1.

(5) The Indiana Veterans' Home as described in IC 10-17-9.

(6) Any other facility owned and operated by the state whose employees participate in the state civil service.

SECTION 7. IC 4-20.5-1-12, AS AMENDED BY P.L.56-2023, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. "State institution" refers to any of the following:

(1) A state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).

(2) An institution under the administrative control of the Indiana department of health.

(3) A correctional facility under the administrative control of the department of correction.

SECTION 8. IC 4-20.5-4-2, AS AMENDED BY P.L.56-2023, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies only to the following agencies:

(1) A division (as defined in ~~IC 12-7-2-69(c)~~; IC 12-7-2.1-124(c)), for a state institution under the administrative control of the division.

(2) The Indiana department of health, for an institution under the administrative control of the Indiana department of health.

(3) The department of correction, for a correctional facility under the administrative control of the department of correction.

(b) An agency may acquire property by eminent domain.

(c) Before an agency may acquire property under this section, the governor must approve the acquisition in writing.

SECTION 9. IC 4-20.5-10-1, AS AMENDED BY P.L.56-2023, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies only to the following agencies:

(1) A division (as defined in ~~IC 12-7-2-69(c)~~; IC 12-7-2.1-124(c)), for a state institution under the administrative control of the division.

(2) The Indiana department of health, for an institution under the administrative control of the Indiana department of health.

(3) The department of correction, for a correctional facility under

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the administrative control of the department of correction.

SECTION 10. IC 4-20.5-11-1, AS AMENDED BY P.L.56-2023, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies only to the following agencies:

(1) A division (as defined in ~~IC 12-7-2-69(c)~~; IC 12-7-2.1-124(c)), for a state institution under the administrative control of the division.

(2) The Indiana department of health, for an institution under the administrative control of the Indiana department of health.

(3) The department of correction, for a correctional facility under the administrative control of the department of correction.

SECTION 11. IC 4-24-1-1, AS AMENDED BY P.L.67-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The warden of any state penal or correctional institution or of any state institution (as defined by ~~IC 12-7-2-184~~) **in IC 12-7-2.1-318**) may compensate any employee of the institution for damages to the personal property of the employee which damages occurred in the ordinary course of the employees' employment and which damages were in no way caused by the negligence of the employee.

SECTION 12. IC 4-24-7-1, AS AMENDED BY P.L.136-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. For all claims that any state institution (as defined by ~~IC 12-7-2-184~~) **in IC 12-7-2.1-318**) may have against any county for the payment of clothing furnished to any patient of such institution, which patient was admitted to such institution from such county, the superintendent or warden of such institution shall make out an account therefor against such county, in a manner as provided under this chapter.

SECTION 13. IC 5-1.2-2-32, AS ADDED BY P.L.189-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. "Health facility", for purposes of IC 5-1.2-7, means any facility or building that is:

(1) owned or used by a participating provider;

(2) located:

(A) in Indiana; or

(B) outside Indiana, if the participating provider that operates the facility or building, or an affiliate of the participating provider, also operates a substantial health facility or facilities, as determined by the authority, in Indiana; and

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(3) utilized, directly or indirectly:

(A) in:

- (i) health care;
- (ii) habilitation, rehabilitation, or therapeutic services;
- (iii) medical research;
- (iv) the training or teaching of health care personnel; or
- (v) any related supporting services;

(B) to provide:

- (i) a residential facility for individuals with a physical, mental, or emotional disability;
- (ii) a residential facility for individuals with a physical or mental illness; or
- (iii) a residential facility for the elderly; or

(C) as a licensed child caring institution that provides residential care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1) or corresponding provisions of the laws of the state in which the facility or building is located.

SECTION 14. IC 5-1.2-2-33, AS ADDED BY P.L.189-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 33. "Health facility property", for purposes of IC 5-1.2-7, means any tangible or intangible property or asset owned or used by a participating provider that:

(1) is determined by the authority to be necessary or helpful, directly or indirectly, to provide:

- (A) health care;
- (B) medical research;
- (C) training or teaching of health care personnel;
- (D) habilitation, rehabilitation, or therapeutic services; or
- (E) any related supporting services;

regardless of whether the property is in existence at the time of, or is to be provided after the making of, the finding;

(2) is:

- (A) a residential facility for individuals with a physical, mental, or emotional disability;
- (B) a residential facility for individuals with a physical or mental illness; or
- (C) a residential facility for the elderly; or

(3) is a licensed child caring institution providing residential care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1) or corresponding provisions of the laws of the state in which the property is located.

SECTION 15. IC 5-1.2-2-55, AS ADDED BY P.L.189-2018,

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SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 55. "Participating provider", for purposes of financing a health facility and health facility property under IC 5-1.2-7, means a person, corporation, municipal corporation, political subdivision, or other entity, public or private, that:

- (1) is located in Indiana or outside Indiana;
- (2) contracts with the authority for the financing or refinancing of, or the lease or other acquisition of, health facility property that is located:

- (A) in Indiana; or

- (B) outside Indiana, if the financing, refinancing, lease, or other acquisition also includes a substantial component, as determined by the authority, for the benefit of a health facility or facilities located in Indiana;

(3) is:

- (A) licensed under IC 12-25, IC 16-21, IC 16-28, or corresponding laws of the state in which the property is located;

- (B) a regional blood center;

- (C) a community mental health center or community intellectual disability and other developmental disabilities center (as defined in ~~IC 12-7-2-38~~ and ~~IC 12-7-2-39~~ IC 12-7-2.1-78 and IC 12-7-2.1-77 or corresponding provisions of laws of the state in which the property is located);

- (D) an entity that:

- (i) contracts with the division of disability and rehabilitative services or the division of mental health and addiction to provide the program described in IC 12-11-1.1-1(e) or IC 12-22-2; or

- (ii) provides a similar program under the laws of the state in which the entity is located;

- (E) a vocational rehabilitation center established under IC 12-12-1-4.1(a)(1) or corresponding provisions of the laws of the state in which the property is located;

- (F) the owner or operator of a facility that is utilized, directly or indirectly, to provide health care, habilitation, rehabilitation, therapeutic services, medical research, the training or teaching of health care personnel, or any related supporting services, or of a residential facility for individuals with a physical, mental, or emotional disability, individuals with a physical or mental illness, or the elderly;

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(G) a licensed child caring institution providing residential care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1) or corresponding provisions of the laws of the state in which the property is located;

(H) an integrated health care system between or among providers, a health care purchasing alliance, a health insurer or third party administrator that is a participant in an integrated health care system, a health maintenance or preferred provider organization, or a foundation that supports a health care provider; or

(I) an individual, business entity, or governmental entity that owns an equity or membership interest in any of the organizations described in clauses (A) through (H); and

(4) in the case of a person, corporation, municipal corporation, political subdivision, or other entity located outside Indiana, is owned or controlled by, under common control with, affiliated with, or part of an obligated group that includes an entity that provides one (1) or more of the following services or facilities in Indiana:

(A) A facility that provides:

- (i) health care;
- (ii) habilitation, rehabilitation, or therapeutic services;
- (iii) medical research;
- (iv) training or teaching of health care personnel; or
- (v) any related supporting services.

(B) A residential facility for:

- (i) individuals with a physical, mental, or emotional disability;
- (ii) individuals with a physical or mental illness; or
- (iii) the elderly.

(C) A licensed child caring institution providing residential care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1).

SECTION 16. IC 5-2-1-9, AS AMENDED BY P.L.170-2023, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The board shall adopt in accordance with IC 4-22-2 all necessary rules to carry out the provisions of this chapter. The rules, which shall be adopted only after necessary and proper investigation and inquiry by the board, shall include the establishment of the following:

- (1) A consistent and uniform statewide deadly force policy and training program, that is consistent with state and federal law. Upon adoption by the law enforcement training board, the policy

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and training program must be implemented, without modification, by all Indiana law enforcement agencies, offices, or departments.

(2) A consistent and uniform statewide defensive tactics policy and training program, that is consistent with state and federal law. Upon adoption by the law enforcement training board, the policy and training program must be implemented, without modification, by all Indiana law enforcement agencies, offices, or departments.

(3) A uniform statewide minimum standard for vehicle pursuits consistent with state and federal law.

(4) Minimum standards of physical, educational, mental, and moral fitness which shall govern the acceptance of any person for training by any law enforcement training school or academy meeting or exceeding the minimum standards established pursuant to this chapter.

(5) Minimum standards for law enforcement training schools administered by towns, cities, counties, law enforcement training centers, agencies, or departments of the state.

(6) Minimum standards for courses of study, attendance requirements, equipment, and facilities for approved town, city, county, and state law enforcement officer, police reserve officer, and conservation reserve officer training schools.

(7) Minimum standards for a course of study on cultural diversity awareness, including training on the U nonimmigrant visa created through the federal Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386) that must be required for each person accepted for training at a law enforcement training school or academy. Cultural diversity awareness study must include an understanding of cultural issues related to race, religion, gender, age, domestic violence, national origin, and physical and mental disabilities.

(8) Minimum qualifications for instructors at approved law enforcement training schools.

(9) Minimum basic training requirements which law enforcement officers appointed to probationary terms shall complete before being eligible for continued or permanent employment.

(10) Minimum basic training requirements which law enforcement officers appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment.

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(11) Minimum basic training requirements which law enforcement officers appointed on a permanent basis shall complete in order to be eligible for continued employment.

(12) Minimum basic training requirements for each person accepted for training at a law enforcement training school or academy that include six (6) hours of training in interacting with:

(A) persons with autism, mental illness, addictive disorders, intellectual disabilities, and developmental disabilities;

(B) missing endangered adults (as defined in ~~IC 12-7-2-131.3~~; IC 12-7-2.1-227); and

(C) persons with Alzheimer's disease or related senile dementia;

to be provided by persons approved by the secretary of family and social services and the board. The training must include an overview of the crisis intervention teams.

(13) Minimum standards for a course of study on human and sexual trafficking that must be required for each person accepted for training at a law enforcement training school or academy and for inservice training programs for law enforcement officers. The course must cover the following topics:

(A) Examination of the human and sexual trafficking laws (IC 35-42-3.5).

(B) Identification of human and sexual trafficking.

(C) Communicating with traumatized persons.

(D) Therapeutically appropriate investigative techniques.

(E) Collaboration with federal law enforcement officials.

(F) Rights of and protections afforded to victims.

(G) Providing documentation that satisfies the Declaration of Law Enforcement Officer for Victim of Trafficking in Persons (Form I-914, Supplement B) requirements established under federal law.

(H) The availability of community resources to assist human and sexual trafficking victims.

(14) Minimum standards for ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault cases involving adult victims. This training must include instruction on:

(A) the neurobiology of trauma;

(B) trauma informed interviewing; and

(C) investigative techniques.

(15) Minimum standards for de-escalation training. De-escalation training shall be taught as a part of existing

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1 use-of-force training and not as a separate topic.

2 (16) Minimum standards regarding best practices for crowd  
3 control, protests, and First Amendment activities.

4 (17) Minimum standards for basic training and inservice training  
5 programs, which may be completed online or by other means of  
6 virtual instruction, that occur after December 31, 2024, and that  
7 address the mental health and wellness of law enforcement  
8 officers including:

9 (A) healthy coping skills to preserve the mental health of  
10 law enforcement officers and manage the stress and trauma  
11 of policing;

12 (B) recognizing:

13 (i) symptoms of posttraumatic stress disorder; and

14 (ii) signs of suicidal behavior; and

15 (C) information on mental health resources available for  
16 law enforcement officers.

17 All statewide policies and minimum standards shall be documented in  
18 writing and published on the Indiana law enforcement academy (ILEA)  
19 website. Any policy, standard, or training program implemented,  
20 adopted, or promulgated by a vote of the board may only subsequently  
21 be modified or rescinded by a two-thirds (2/3) majority vote of the  
22 board.

23 (b) A law enforcement officer appointed after July 5, 1972, and  
24 before July 1, 1993, may not enforce the laws or ordinances of the state  
25 or any political subdivision unless the officer has, within one (1) year  
26 from the date of appointment, successfully completed the minimum  
27 basic training requirements established under this chapter by the board.  
28 If a person fails to successfully complete the basic training  
29 requirements within one (1) year from the date of employment, the  
30 officer may not perform any of the duties of a law enforcement officer  
31 involving control or direction of members of the public or exercising  
32 the power of arrest until the officer has successfully completed the  
33 training requirements. This subsection does not apply to any law  
34 enforcement officer appointed before July 6, 1972, or after June 30,  
35 1993.

36 (c) Military leave or other authorized leave of absence from law  
37 enforcement duty during the first year of employment after July 6,  
38 1972, shall toll the running of the first year, which shall be calculated  
39 by the aggregate of the time before and after the leave, for the purposes  
40 of this chapter.

41 (d) Except as provided in subsections (e), (m), (t), and (u), a law  
42 enforcement officer appointed to a law enforcement department or

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agency after June 30, 1993, may not:

- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property; or
- (3) carry a firearm;

unless the law enforcement officer successfully completes, at a board certified law enforcement academy or at a law enforcement training center under section 10.5 or 15.2 of this chapter, the basic training requirements established by the board under this chapter.

(e) This subsection does not apply to:

- (1) a gaming agent employed as a law enforcement officer by the Indiana gaming commission; or
- (2) an:
  - (A) attorney; or
  - (B) investigator;

designated by the securities commissioner as a police officer of the state under IC 23-19-6-1(k).

Before a law enforcement officer appointed after June 30, 1993, completes the basic training requirements, the law enforcement officer may exercise the police powers described in subsection (d) if the officer successfully completes the pre-basic course established in subsection (f). Successful completion of the pre-basic course authorizes a law enforcement officer to exercise the police powers described in subsection (d) for one (1) year after the date the law enforcement officer is appointed.

(f) The board shall adopt rules under IC 4-22-2 to establish a pre-basic course for the purpose of training:

- (1) law enforcement officers;
- (2) police reserve officers (as described in IC 36-8-3-20); and
- (3) conservation reserve officers (as described in IC 14-9-8-27);

regarding the subjects of arrest, search and seizure, the lawful use of force, de-escalation training, interacting with individuals with autism, and the operation of an emergency vehicle. The pre-basic course must be offered on a periodic basis throughout the year at regional sites statewide. The pre-basic course must consist of at least forty (40) hours of course work. The board may prepare the classroom part of the pre-basic course using available technology in conjunction with live instruction. The board shall provide the course material, the instructors, and the facilities at the regional sites throughout the state that are used for the pre-basic course. In addition, the board may certify pre-basic courses that may be conducted by other public or private training entities, including postsecondary educational institutions.

(g) Subject to subsection (h), the board shall adopt rules under

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IC 4-22-2 to establish a mandatory inservice training program for police officers and police reserve officers (as described in IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has satisfactorily completed basic training and has been appointed to a law enforcement department or agency on either a full-time or part-time basis is not eligible for continued employment unless the officer satisfactorily completes the mandatory inservice training requirements established by rules adopted by the board. Inservice training must include de-escalation training. Inservice training must also include:

(1) training:

(A) in interacting with persons with mental illness, addictive disorders, intellectual disabilities, autism, developmental disabilities, and Alzheimer's disease or related senile dementia; and

(B) provided by persons approved by the secretary of family and social services and the board;

(2) after December 31, 2024, annual training, which may be completed online or by other means of virtual instruction, that addresses the mental health and wellness of law enforcement officers including:

(A) healthy coping skills to preserve the mental health of law enforcement officers and manage the stress and trauma of policing;

(B) recognizing:

(i) symptoms of posttraumatic stress disorder; and

(ii) signs of suicidal behavior; and

(C) information on mental health resources available for law enforcement officers; and

(3) training concerning:

(A) human and sexual trafficking; and

(B) high risk missing persons (as defined in IC 5-2-17-1).

The board may approve courses offered by other public or private training entities, including postsecondary educational institutions, as necessary in order to ensure the availability of an adequate number of inservice training programs. The board may waive an officer's inservice training requirements if the board determines that the officer's reason for lacking the required amount of inservice training hours is due to either an emergency situation or the unavailability of courses.

(h) This subsection applies only to a mandatory inservice training program under subsection (g). Notwithstanding subsection (g), the board may, without adopting rules under IC 4-22-2, modify the course work of a training subject matter, modify the number of hours of

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training required within a particular subject matter, or add a new subject matter, if the board satisfies the following requirements:

(1) The board must conduct at least two (2) public meetings on the proposed modification or addition.

(2) After approving the modification or addition at a public meeting, the board must post notice of the modification or addition on the Indiana law enforcement academy's website at least thirty (30) days before the modification or addition takes effect.

If the board does not satisfy the requirements of this subsection, the modification or addition is void. This subsection does not authorize the board to eliminate any inservice training subject matter required under subsection (g).

(i) The board shall also adopt rules establishing a town marshal and conservancy district marshal basic training program, subject to the following:

(1) The program must require fewer hours of instruction and class attendance and fewer courses of study than are required for the mandated basic training program.

(2) Certain parts of the course materials may be studied by a candidate at the candidate's home in order to fulfill requirements of the program.

(3) Law enforcement officers successfully completing the requirements of the program are eligible for appointment only in towns employing the town marshal system (IC [§ 36-5-7](#)) or a conservancy district that employs a conservancy district marshal under IC 14-33-25 and having not more than one (1) marshal and six (6) deputies.

(4) The limitation imposed by subdivision (3) does not apply to an officer who has successfully completed the mandated basic training program.

(5) The time limitations imposed by subsections (b) and (c) for completing the training are also applicable to the marshal basic training program.

(6) The program must require training in interacting with individuals with autism.

(j) The board shall adopt rules under IC 4-22-2 to establish an executive training program. The executive training program must include training in the following areas:

(1) Liability.

(2) Media relations.

(3) Accounting and administration.

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- 1 (4) Discipline.  
 2 (5) Department policy making.  
 3 (6) Lawful use of force and de-escalation training.  
 4 (7) Department programs.  
 5 (8) Emergency vehicle operation.  
 6 (9) Cultural diversity.  
 7 (10) After December 31, 2024, mental health and wellness and  
 8 suicide prevention of law enforcement officers. The training  
 9 requirement under this subdivision may be provided as part of an  
 10 online course or by other means of virtual instruction.
- 11 (k) A police chief shall apply for admission to the executive  
 12 training program within two (2) months of the date the police chief  
 13 initially takes office. A police chief must successfully complete the  
 14 executive training program within six (6) months of the date the police  
 15 chief initially takes office. However, if space in the executive training  
 16 program is not available at a time that will allow completion of the  
 17 executive training program within six (6) months of the date the police  
 18 chief initially takes office, the police chief must successfully complete  
 19 the next available executive training program that is offered after the  
 20 police chief initially takes office.
- 21 (l) A police chief who fails to comply with subsection (k) may not  
 22 continue to serve as the police chief until completion of the executive  
 23 training program. For the purposes of this subsection and subsection  
 24 (k), "police chief" refers to:  
 25 (1) the police chief of any city;  
 26 (2) the police chief of any town having a metropolitan police  
 27 department; and  
 28 (3) the chief of a consolidated law enforcement department  
 29 established under IC 36-3-1-5.1.
- 30 A town marshal or a conservancy district marshal is not considered to  
 31 be a police chief for these purposes, but a town marshal or a  
 32 conservancy district marshal may enroll in the executive training  
 33 program.
- 34 (m) A fire investigator in the department of homeland security  
 35 appointed after December 31, 1993, is required to comply with the  
 36 basic training standards established under this chapter.
- 37 (n) The board shall adopt rules under IC 4-22-2 to establish a  
 38 program to certify handgun safety courses, including courses offered  
 39 in the private sector, that meet standards approved by the board for  
 40 training probation officers in handgun safety as required by  
 41 IC 11-13-1-3.5(2).
- 42 (o) The board shall adopt rules under IC 4-22-2 to establish a

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- 1 refresher course for an officer who:
- 2 (1) is hired by an Indiana law enforcement department or agency
- 3 as a law enforcement officer;
- 4 (2) has not been employed as a law enforcement officer for:
- 5 (A) at least two (2) years; and
- 6 (B) less than six (6) years before the officer is hired under
- 7 subdivision (1); and
- 8 (3) completed at any time a basic training course certified or
- 9 recognized by the board before the officer is hired under
- 10 subdivision (1).
- 11 (p) An officer to whom subsection (o) applies must successfully
- 12 complete the refresher course described in subsection (o) not later than
- 13 six (6) months after the officer's date of hire, or the officer loses the
- 14 officer's powers of:
- 15 (1) arrest;
- 16 (2) search; and
- 17 (3) seizure.
- 18 (q) The board shall adopt rules under IC 4-22-2 to establish a
- 19 refresher course for an officer who:
- 20 (1) is appointed by an Indiana law enforcement department or
- 21 agency as a reserve police officer; and
- 22 (2) has not worked as a reserve police officer for at least two (2)
- 23 years after:
- 24 (A) completing the pre-basic course; or
- 25 (B) leaving the individual's last appointment as a reserve
- 26 police officer.
- 27 An officer to whom this subsection applies must successfully complete
- 28 the refresher course established by the board in order to work as a
- 29 reserve police officer.
- 30 (r) This subsection applies to an individual who, at the time the
- 31 individual completes a board certified or recognized basic training
- 32 course, has not been appointed as a law enforcement officer by an
- 33 Indiana law enforcement department or agency. If the individual is not
- 34 employed as a law enforcement officer for at least two (2) years after
- 35 completing the basic training course, the individual must successfully
- 36 retake and complete the basic training course as set forth in subsection
- 37 (d).
- 38 (s) The board shall adopt rules under IC 4-22-2 to establish a
- 39 refresher course for an individual who:
- 40 (1) is appointed as a board certified instructor of law
- 41 enforcement training; and
- 42 (2) has not provided law enforcement training instruction for

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1 more than one (1) year after the date the individual's instructor  
2 certification expired.

3 An individual to whom this subsection applies must successfully  
4 complete the refresher course established by the board in order to  
5 renew the individual's instructor certification.

6 (t) This subsection applies only to a gaming agent employed as a  
7 law enforcement officer by the Indiana gaming commission. A gaming  
8 agent appointed after June 30, 2005, may exercise the police powers  
9 described in subsection (d) if:

10 (1) the agent successfully completes the pre-basic course  
11 established in subsection (f); and

12 (2) the agent successfully completes any other training courses  
13 established by the Indiana gaming commission in conjunction  
14 with the board.

15 (u) This subsection applies only to a securities enforcement officer  
16 designated as a law enforcement officer by the securities  
17 commissioner. A securities enforcement officer may exercise the police  
18 powers described in subsection (d) if:

19 (1) the securities enforcement officer successfully completes the  
20 pre-basic course established in subsection (f); and

21 (2) the securities enforcement officer successfully completes any  
22 other training courses established by the securities commissioner  
23 in conjunction with the board.

24 (v) This subsection applies only to a correctional police officer  
25 employed by the department of correction. A correctional police officer  
26 may exercise the police powers described in subsection (d) if:

27 (1) the officer successfully completes the pre-basic course  
28 described in subsection (f); and

29 (2) the officer successfully completes any other training courses  
30 established by the department of correction in conjunction with  
31 the board.

32 (w) This subsection applies only to the sexual assault training  
33 described in subsection (a)(14). The board shall:

34 (1) consult with experts on the neurobiology of trauma, trauma  
35 informed interviewing, and investigative techniques in  
36 developing the sexual assault training; and

37 (2) develop the sexual assault training and begin offering the  
38 training not later than July 1, 2022.

39 (x) After July 1, 2023, a law enforcement officer who regularly  
40 investigates sexual assaults involving adult victims must complete the  
41 training requirements described in subsection (a)(14) within one (1)  
42 year of being assigned to regularly investigate sexual assaults involving

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1 adult victims.

2 (y) A law enforcement officer who regularly investigates sexual  
3 assaults involving adult victims may complete the training  
4 requirements described in subsection (a)(14) by attending a:

5 (1) statewide or national training; or

6 (2) department hosted local training.

7 (z) Notwithstanding any other provisions of this section, the board  
8 is authorized to establish certain required standards of training and  
9 procedure.

10 SECTION 17. IC 5-2-17-1, AS AMENDED BY P.L.40-2024,  
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2026]: Sec. 1. As used in this chapter, "high risk missing  
13 person" means a person whose whereabouts are not known and who  
14 may be at risk of injury or death. The term includes the following:

15 (1) A person who is missing as the result of abduction by a  
16 stranger.

17 (2) A person whose disappearance may be the result of the  
18 commission of a crime.

19 (3) A person whose disappearance occurred under circumstances  
20 that are inherently dangerous.

21 (4) A person who is missing for more than thirty (30) days.

22 (5) A missing person who is in need of medical attention or  
23 prescription medication.

24 (6) A missing person who may be at risk due to abduction by a  
25 noncustodial parent.

26 (7) A missing person who is mentally impaired.

27 (8) A missing person who is less than twenty-one (21) years of  
28 age.

29 (9) A missing person who has previously been the victim of a  
30 threat of violence or an act of violence.

31 (10) A missing person who has been determined by a law  
32 enforcement agency to be:

33 (A) at risk of injury or death; or

34 (B) a person that meets any of the descriptions in  
35 subdivisions (1) through (9).

36 (11) A missing person who is an endangered adult (as defined in  
37 ~~IC 12-7-2-131.3~~; IC 12-7-2.1-227).

38 (12) A missing person who is a veteran at risk (as defined in  
39 ~~IC 12-7-2-197.3~~; IC 12-7-2.1-346).

40 SECTION 18. IC 5-2-17-3, AS AMENDED BY P.L.40-2024,  
41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2026]: Sec. 3. A law enforcement agency receiving a report

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1 of a missing:

- 2 (1) child less than eighteen (18) years of age shall comply with  
 3 the requirements of IC 31-36-2;  
 4 (2) endangered adult (as defined in ~~IC 12-7-2-131.3~~)  
 5 IC 12-7-2.1-227) shall comply with the requirements of  
 6 IC 12-10-18; or  
 7 (3) veteran at risk (as defined in ~~IC 12-7-2-197.3~~)  
 8 IC 12-7-2.1-346) shall comply with the requirements of  
 9 IC 12-10-18;

10 in addition to the procedures described in this chapter.

11 SECTION 19. IC 5-11-1-16, AS AMENDED BY P.L.157-2020,  
 12 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2026]: Sec. 16. (a) As used in this article, "municipality"  
 14 means any county, township, city, town, school corporation, special  
 15 taxing district, or other political subdivision of Indiana.

16 (b) As used in this article, "state" means any board, commission,  
 17 department, division, bureau, committee, agency, governmental  
 18 subdivision, military body, authority, or other instrumentality of the  
 19 state, but does not include a municipality.

20 (c) As used in this article, "public office" means the office of any  
 21 and every individual who for or on behalf of the state or any  
 22 municipality or any public hospital holds, receives, disburses, or keeps  
 23 the accounts of the receipts and disbursements of any public funds.

24 (d) As used in this article, "public officer" means any individual  
 25 who holds, receives, disburses, or is required by law to keep any  
 26 account of public funds or other funds for which the individual is  
 27 accountable by virtue of the individual's public office.

28 (e) As used in this article, "entity" means any provider of goods,  
 29 services, or other benefits that is:

- 30 (1) maintained in whole or in part at public expense; or  
 31 (2) supported in whole or in part by appropriations or public  
 32 funds or by taxation.

33 The term does not include the state or a municipality (as defined in this  
 34 section).

35 (f) As used in this article, a "public hospital" means either of the  
 36 following:

- 37 (1) An institution licensed under IC 16-21 and which is owned  
 38 by the state or an agency of the state or one which is a municipal  
 39 corporation. A hospital is a municipal corporation if its  
 40 governing board members are appointed by elected officials of  
 41 a municipality.  
 42 (2) A state institution (as defined in ~~IC 12-7-2-184~~).

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IC 12-7-2.1-318).

(g) As used in this article, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3.

(h) As used in this article, "audited entity" has the meaning set forth in IC 2-5-1.1-6.3.

(i) As used in this article, "development authority" has the meaning set forth in the following:

(1) IC 36-7.5-1-8.

(2) IC 36-7.6-1-8.

(j) As used in this article, "responsible officer of an audited entity" refers to the chief executive officer or another individual who has executive decision making authority for the audited entity with respect to a compliance obligation prescribed by or established under this article or another law.

SECTION 20. IC 5-16-15-5, AS ADDED BY P.L.149-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this chapter, "public works project" refers to a construction project governed by an applicable public works statute.

(b) The term does not include any of the following:

(1) A project on the state highway system (as defined in ~~IC 8-23-1-40~~; IC 8-23-1.1-39).

(2) A railroad project (as defined in IC 8-5-15-1).

SECTION 21. IC 5-22-12-1, AS AMENDED BY P.L.143-2022, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies only to the following governmental bodies:

(1) A state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).

(2) A penal facility operated by the department of correction.

(3) A political subdivision.

SECTION 22. IC 5-22-15-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) This section applies in addition to any requirements placed upon a governmental entity by the United States Department of Agriculture under the National School Lunch Program or the School Breakfast Program.

(b) This section applies to:

(1) a governmental entity listed in section 1 of this chapter; or

(2) a business that contracts with a governmental entity listed in section 1 of this chapter;

that purchases food or beverages to be processed and served in a

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building or room owned or operated by the governmental entity.

(c) High calcium foods and beverages are preferred supplies. A purchasing agent shall give a preference to foods and beverages that:

(1) contain a higher level of calcium than products of the same type and quality; and

(2) are equal in price to or lower in price than products of the same type and quality.

(d) Notwithstanding subsection (c), if the director of a state institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318) determines that a high calcium food or beverage that is preferred under subsection (c) would interfere with the proper treatment and care of a patient of the state institution, the purchasing agent for the state institution is not required to purchase the high calcium food or beverage for that patient.

SECTION 23. IC 6-1.1-10-51, AS ADDED BY P.L.230-2025, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 51. (a) As used in this section, "child care" has the meaning set forth in ~~IC 12-7-2-28.2~~ IC 12-7-2.1-54.

(b) As used in this section, "early learning advisory committee" refers to the early learning advisory committee established by IC 12-17.2-3.8-5.

(c) As used in this section, "employer" means any person, corporation, limited liability company, partnership, or other entity with employees employed at a physical location in Indiana. The term includes a pass through entity. However, the term does not include an employer who is in the business of operating a child care facility.

(d) As used in this section, "office" refers to the office of the secretary of family and social services established by IC 12-8-1.5-1.

(e) The part of the gross assessed value of tangible property that is attributable to tangible property owned and used by an employer, or a parent company, subsidiary, or affiliate company of an employer, to provide child care for children of the employer's employees and children of the employees of another business in accordance with an agreement entered into under subsection (g) is exempt from property taxation if the following conditions are met:

(1) The child care is provided in a facility located on the employer's property.

(2) Subject to subsection (g), the child care is provided only for children of the employer's employees.

(3) The child care facility is licensed by the division of family resources under IC 12-17.2.

(4) The part of the employer's property used to provide child care meets standards established by the office and the early learning

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1 advisory committee for the number of children to be served by  
2 the child care facility.

3 (f) The child care facility may be operated by the employer or  
4 under a contract described in Section 45F(c)(1)(A)(iii) of the Internal  
5 Revenue Code to provide child care services to the employer's  
6 employees.

7 (g) An employer may provide child care in a facility described in  
8 subsection (e)(1) for the children of the employees of another business  
9 if the employer and the other business enter into an agreement that  
10 outlines the terms under which the child care is to be provided to the  
11 children of the employees of the other business.

12 SECTION 24. IC 6-1.1-12-11, AS AMENDED BY P.L.68-2025,  
13 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2026]: Sec. 11. (a) Except as provided in section 40.5 of this  
15 chapter, an individual may have the sum of twelve thousand four  
16 hundred eighty dollars (\$12,480) deducted from the assessed value of  
17 real property, mobile home not assessed as real property, or  
18 manufactured home not assessed as real property that the individual  
19 owns, or that the individual is buying under a contract that provides  
20 that the individual is to pay property taxes on the real property, mobile  
21 home, or manufactured home, if the contract or a memorandum of the  
22 contract is recorded in the county recorder's office, and if:

23 (1) the individual is blind or the individual has a disability;  
24 (2) the real property, mobile home, or manufactured home is  
25 principally used and occupied by the individual as the  
26 individual's residence;  
27 (3) the individual's taxable gross income for the calendar year  
28 preceding the year in which the deduction is claimed did not  
29 exceed seventeen thousand dollars (\$17,000); and

30 (4) the individual:  
31 (A) owns the real property, mobile home, or manufactured  
32 home; or  
33 (B) is buying the real property, mobile home, or  
34 manufactured home under contract;  
35 on the date the statement required by section 12 of this chapter  
36 is filed.

37 (b) For purposes of this section, taxable gross income does not  
38 include income which is not taxed under the federal income tax laws.

39 (c) For purposes of this section, "blind" has the same meaning as  
40 the definition contained in ~~IC 12-7-2-21(1)~~. **IC 12-7-2.1-38(1)**.

41 (d) For purposes of this section, "individual with a disability"  
42 means a person unable to engage in any substantial gainful activity by

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1 reason of a medically determinable physical or mental impairment  
2 which:

- 3 (1) can be expected to result in death; or  
4 (2) has lasted or can be expected to last for a continuous period  
5 of not less than twelve (12) months.

6 (e) An individual with a disability filing a claim under this section  
7 shall submit proof of the disability. Proof that a claimant is eligible to  
8 receive disability benefits under the federal Social Security Act (42  
9 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of  
10 this section.

11 (f) An individual with a disability not covered under the federal  
12 Social Security Act shall be examined by a physician and the  
13 individual's status as an individual with a disability determined by  
14 using the same standards as used by the Social Security Administration.  
15 The costs of this examination shall be borne by the claimant.

16 (g) An individual who has sold real property, a mobile home not  
17 assessed as real property, or a manufactured home not assessed as real  
18 property to another person under a contract that provides that the  
19 contract buyer is to pay the property taxes on the real property, mobile  
20 home, or manufactured home may not claim the deduction provided  
21 under this section against that real property, mobile home, or  
22 manufactured home.

23 (h) This section applies only to property taxes imposed for an  
24 assessment date before January 1, 2025.

25 (i) This section expires January 1, 2027.

26 SECTION 25. IC 6-1.1-51.3-2, AS AMENDED BY P.L.230-2025,  
27 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2026]: Sec. 2. (a) An individual is entitled to a credit against  
29 local property taxes imposed on the individual's real property, or  
30 mobile home or manufactured home within the county, if:

- 31 (1) the individual is blind or the individual has a disability;  
32 (2) the real property, mobile home, or manufactured home is  
33 principally used and occupied by the individual as the  
34 individual's residence; and

35 (3) the individual:

36 (A) owns the real property, mobile home, or manufactured  
37 home; or

38 (B) is buying the real property, mobile home, or  
39 manufactured home under contract;

40 on the date the credit is claimed, and in the case of clause (B),  
41 the contract or a memorandum of the contract is recorded in the  
42 county recorder's office.

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(b) The amount of the credit is equal to one hundred twenty-five dollars (\$125).

(c) For purposes of this section, "blind" has the same meaning as the definition contained in ~~IC 12-7-2-21(1)~~. IC 12-7-2.1-38(1).

(d) For purposes of this section, "individual with a disability" means a person unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment which:

(1) can be expected to result in death; or

(2) has lasted or can be expected to last for a continuous period of not less than twelve (12) months.

(e) An individual with a disability filing a claim under this section shall submit proof of the disability. Proof that a claimant is eligible to receive disability benefits under the federal Social Security Act (42 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of this section.

(f) An individual with a disability not covered under the federal Social Security Act shall be examined by a physician and the individual's status as an individual with a disability determined by using the same standards as used by the Social Security Administration. The costs of this examination shall be borne by the claimant.

(g) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the credit provided under this section against that real property, mobile home, or manufactured home.

(h) An individual wishing to claim a credit under this section must file a statement, on forms prescribed by the department of local government finance, with the county auditor and provide documentation necessary to substantiate the individual's eligibility for the credit. The statement must be completed and dated on or before January 15 of the calendar year in which the property taxes are first due and payable. The statement may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing. An individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year. However, an individual who receives a credit under this section in a particular year and who becomes ineligible for the credit in the following year shall notify the auditor of the county in which the homestead is located of the individual's ineligibility not later

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than sixty (60) days after the individual becomes ineligible.

SECTION 26. IC 6-3.6-3-6, AS AMENDED BY P.L.223-2025, SECTION 6, IS REPEALED [EFFECTIVE JULY 1, 2027]. See: 6: (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) In the case of a city or town that lies within more than one (1) county, the county auditor of each county shall base the allocations required by subsections (d) and (e) on the population of that part of the city or town that lies within the county for which the allocations are being made.

(c) Each local income tax council has a total of one hundred (100) votes.

(d) Each county, city, or town that is a member of a local income tax council is allocated a percentage of the total one hundred (100) votes that may be cast. The percentage that a city or town is allocated for a year equals the same percentage that the population of the city or town bears to the population of the county. The percentage that the county is allocated for a year equals the same percentage that the population of all areas in the county not located in a city or town bears to the population of the county.

(e) This subsection applies only to a county with a single voting bloc. Each individual who sits on the fiscal body of a county, city, or town that is a member of the local income tax council is allocated for a year the number of votes equal to the total number of votes allocated to the particular county, city, or town under subsection (d) divided by the number of members on the fiscal body of the county, city, or town. This subsection expires May 31, 2027.

(f) On or before January 1 of each year, the county auditor shall certify to each member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01); each member has for that year.

(g) This subsection applies only to a county with a single voting bloc. On or before January 1 of each year, in addition to the certification to each member of the local income tax council under subsection (f), the county auditor shall certify to each individual who sits on the fiscal body of each county, city, or town that is a member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01); each individual has under subsection (e) for that year. This subsection expires May 31, 2027.

SECTION 27. IC 6-3.6-3-8, AS AMENDED BY P.L.223-2025, SECTION 7, IS REPEALED [EFFECTIVE JULY 1, 2027]. See: 8: (a) This section applies to a county in which the county adopting body is

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1 a local income tax council.

2 (b) Except as provided in subsection (e), any member of a local  
3 income tax council may present an ordinance for passage. To do so, the  
4 member must adopt a resolution to propose the ordinance to the local  
5 income tax council and distribute a copy of the proposed ordinance to  
6 the county auditor. The county auditor shall treat any proposed  
7 ordinance distributed to the auditor under this section as a casting of all  
8 that member's votes in favor of the proposed ordinance.

9 (c) Except as provided in subsection (f), the county auditor shall  
10 deliver copies of a proposed ordinance the auditor receives to all  
11 members of the local income tax council within ten (10) days after  
12 receipt. Subject to subsection (d), once a member receives a proposed  
13 ordinance from the county auditor, the member shall vote on it within  
14 thirty (30) days after receipt.

15 (d) Except as provided in subsection (h), if, before the elapse of  
16 thirty (30) days after receipt of a proposed ordinance, the county  
17 auditor notifies the member that the members of the local income tax  
18 council have cast a majority of the votes on the local income tax  
19 council for or against the proposed ordinance the member need not  
20 vote on the proposed ordinance.

21 (e) This subsection applies only to a county with a single voting  
22 bloc that proposes to increase (but not decrease) a tax rate in the  
23 county. The fiscal body of any county, city, or town that is a member  
24 of a local income tax council may adopt a resolution to propose an  
25 ordinance to increase a tax rate in the county to be voted on by the local  
26 income tax council as a whole as required under section 9.5 of this  
27 chapter and distribute a copy of the proposed ordinance to the county  
28 auditor. The county auditor shall treat the vote tally on the resolution  
29 adopted under this subsection for each individual who is a member of  
30 the fiscal body of the county, city, or town as the voting record for that  
31 individual either for or against the ordinance being proposed for  
32 consideration by the local income tax council as a whole under section  
33 9.5 of this chapter. This subsection expires May 31, 2027.

34 (f) This subsection applies only to a county with a single voting  
35 bloc that proposes to increase (but not decrease) a tax rate in the  
36 county. The county auditor shall deliver copies of a proposed ordinance  
37 the auditor receives under subsection (e) to the fiscal officers of all  
38 members of the local income tax council (other than the member  
39 proposing the ordinance under subsection (e)) within ten (10) days  
40 after receipt. Subject to subsection (h), once a member receives a  
41 proposed ordinance from the county auditor, the member shall vote on  
42 it within thirty (30) days after receipt. This subsection expires May 31,

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(g) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The fiscal body of each county, city, or town voting on a resolution to propose an ordinance under subsection (e), or voting on a proposed ordinance being considered by the local income tax council as a whole under section 9.5 of this chapter, must take a roll call vote on the resolution or the proposed ordinance. If an individual who sits on the fiscal body is absent from the meeting in which a vote is taken or abstains from voting on the resolution or proposed ordinance, the fiscal officer of the county, city, or town shall nevertheless consider that individual's vote as a "no" vote against the resolution or the proposed ordinance being considered, whichever is applicable, for purposes of the vote tally under this section and shall note on the vote tally that the individual's "no" vote is due to absence or abstention. The fiscal body of each county, city, or town shall certify the roll call vote on a resolution or a proposed ordinance, either for or against, to the county auditor as set forth under this chapter. This subsection expires May 31, 2027.

(h) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. If, before the elapse of thirty (30) days after receipt of a proposed ordinance under subsection (e), the county auditor notifies the member that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council for or against a proposed ordinance voting as a whole under section 9.5 of this chapter, the member need not vote on the proposed ordinance under subsection (e). This subsection expires May 31, 2027.

SECTION 28. IC 6-3.6-6-12, AS AMENDED BY P.L.230-2025, SECTION 82, IS REPEALED [EFFECTIVE JULY 1, 2027]. See: 12.

(a) Except as provided in this chapter and IC 6-3.6-11, this section applies to an allocation of certified shares in all counties.

(b) The allocation amount of a civil taxing unit during a calendar year must be based on the amounts for the calendar year preceding the distribution year and is equal to the amount determined using the following formula:

STEP ONE: Determine the sum of the total property taxes being imposed by the civil taxing unit.

STEP TWO: Determine the sum of the following:

(A) Amounts appropriated from property taxes to pay the principal of or interest on any debenture or other debt

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obligation issued after June 30, 2005; other than an obligation described in subsection (c):

(B) Amounts appropriated from property taxes to make payments on any lease entered into after June 30, 2005; other than a lease described in subsection (d):

STEP THREE: Subtract the STEP TWO amount from the STEP ONE amount:

STEP FOUR: In the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a); and only for the allocation of certified shares in 2027 and 2028; STEP THREE multiplied by seventy percent (70%):

STEP FIVE: Determine the sum of:

(A) the:

(i) STEP THREE amount; or

(ii) STEP FOUR amount in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a);

(B) the civil taxing unit's certified shares plus the amount distributed under section 3(a)(2) of this chapter for the previous calendar year; plus

(C) in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a); and only for the allocation of certified shares in 2026; the amount of the levy for the municipality's debt service and lease rental funds that was certified in 2025—multiplied by fifty-four and five-tenths percent (54.5%): This clause expires January 1, 2027.

The allocation amount is subject to adjustment as provided in IC 36-8-19-7.5:

(c) Except as provided in this subsection; an appropriation for the calendar year preceding the distribution year from property taxes to repay interest and principal of a debt obligation is not deducted from the allocation amount for a civil taxing unit if:

(1) the debt obligation was issued; and

(2) the proceeds were appropriated from property taxes;

to refund or otherwise refinance a debt obligation or a lease issued before July 1, 2005. However, an appropriation from property taxes related to a debt obligation issued after June 30, 2005; is deducted if the debt extends payments on a debt or lease beyond the time in which the debt or lease would have been payable if the debt or lease had not been refinanced or increases the total amount that must be paid on a

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1 debt or lease in excess of the amount that would have been paid if the  
 2 debt or lease had not been refinanced. The amount of the deduction is  
 3 the annual amount for each year of the extension period or the annual  
 4 amount of the increase over the amount that would have been paid.

5 (d) Except as provided in this subsection, an appropriation for the  
 6 calendar year preceding the distribution year from property taxes to  
 7 make payments on a lease is not deducted from the allocation amount  
 8 for a civil taxing unit if:

9 (1) the lease was issued; and

10 (2) the proceeds were appropriated from property taxes;  
 11 to refinance a debt obligation or lease issued before July 1, 2005.  
 12 However, an appropriation from property taxes related to a lease  
 13 entered into after June 30, 2005, is deducted if the lease extends  
 14 payments on a debt or lease beyond the time in which the debt or lease  
 15 would have been payable if the debt or lease had not been refinanced  
 16 or increases the total amount that must be paid on a debt or lease in  
 17 excess of the amount that would have been paid if the debt or lease had  
 18 not been refinanced. The amount of the deduction is the annual amount  
 19 for each year of the extension period or the annual amount of the  
 20 increase over the amount that would have been paid.

21 SECTION 29. IC 6-3.6-9-15, AS AMENDED BY P.L.230-2025,  
 22 SECTION 85, IS REPEALED [EFFECTIVE JANUARY 1, 2028]. See:  
 23 15: (a) If the budget agency determines that the balance in a county  
 24 trust account exceeds fifteen percent (15%) (or the percentage set forth  
 25 in subsection (g); if applicable) of the certified distributions to be made  
 26 to the county in the determination year, the budget agency shall make  
 27 a supplemental distribution to the county from the county's trust  
 28 account. The budget agency shall use the trust account balance as of  
 29 December 31 of the year that precedes the determination year by two  
 30 (2) years (referred to as the "trust account balance year" in this section):

31 (b) A supplemental distribution described in subsection (a) must  
 32 be:

33 (1) made at the same time as the determinations are provided to  
 34 the county auditor under subsection (d)(3); and

35 (2) allocated in the same manner as certified distributions for the  
 36 purposes described in this article:

37 (c) The amount of a supplemental distribution described in  
 38 subsection (a) is equal to the amount by which:

39 (1) the balance in the county trust account; minus

40 (2) the amount of any supplemental or special distribution that  
 41 has not yet been accounted for in the last known balance of the  
 42 county's trust account;

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exceeds fifteen percent (15%) (or the percentage set forth in subsection (g); if applicable) of the certified distributions to be made to the county in the determination year.

(d) For a county that qualifies for a supplemental distribution under this section in a year, the following apply:

(1) Before February 15, the budget agency shall update the information described in section 9 of this chapter to include the excess account balances to be distributed under this section.

(2) Before May 2, the budget agency shall provide the amount of the supplemental distribution for the county to the department of local government finance and to the county auditor.

(3) The department of local government finance shall determine for the county and each taxing unit within the county:

(A) the amount and allocation of the supplemental distribution attributable to the taxes that were imposed as of December 31 of the trust account balance year, including any specific distributions for that year; and

(B) the amount of the allocation for each of the purposes set forth in this article, using the allocation percentages in effect in the trust account balance year.

The department of local government finance shall provide these determinations to the county auditor before May 16 of the determination year.

(4) Before June 1, the county auditor shall distribute to each taxing unit the amount of the supplemental distribution that is allocated to the taxing unit under subdivision (3). However, for a county with a former tax to provide for a levy freeze under IC 6-3.6-11-1, the supplemental distribution shall first be distributed as determined in any resolution adopted under IC 6-3.6-11-1(d).

For determinations before 2019, the tax rates in effect under and the allocation methods specified in the former income tax laws shall be used for the determinations under subdivision (3).

(e) For any part of a supplemental distribution attributable to property tax credits under a former income tax or IC 6-3.6-5, the adopting body for the county may allocate the supplemental distribution to property tax credits for not more than the three (3) years after the year the supplemental distribution is received.

(f) Any income earned on money held in a trust account established for a county under this chapter shall be deposited in that trust account.

(g) This subsection applies only to counties that contain at least

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four (4) municipalities (cities or towns) each with a population greater than forty thousand (40,000); as determined by the most recent federal decennial census; in which at least one (1) of those municipalities meets the definition of a qualifying municipality under IC 6-1.1-18.5-31(d). The following percentages apply for purposes of the determinations under subsections (a) and (c):

(1) For the determination year beginning after December 31, 2025, and ending before January 1, 2027, twelve and five-tenths percent (12.5%);

(2) For the determination year beginning after December 31, 2026, and ending before January 1, 2028, ten percent (10%);

(3) For a determination year beginning after December 31, 2027, and ending before January 1, 2029, seven and five-tenths percent (7.5%);

(4) For the determination year beginning after December 31, 2028, and ending before January 1, 2030, five percent (5%);

(5) For the determination year beginning after December 31, 2029, and ending before January 1, 2031, two and one-half percent (2.5%);

(6) For the determination year beginning after December 31, 2030, one percent (1%);

SECTION 30. IC 8-1-31-5, AS AMENDED BY P.L.61-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. As used in this chapter, "eligible infrastructure improvements" means projects that:

(1) are:

(A) new water or wastewater utility distribution or collection plant projects; or

(B) projects to relocate existing utility plant, including projects to relocate utility plant or equipment to accommodate the construction, reconstruction, or improvement of a highway, street, or road (as defined in ~~IC 8-23-1-23~~), IC 8-23-1.1-22), including projects under IC 8-25;

(2) do not increase revenues by connecting to new customers, even if the projects provide greater available capacity with respect to an eligible utility's distribution or collection plant; and

(3) either:

(A) for a public utility:

(i) are in service and used and useful; and

(ii) were not included in the public utility's rate base in its most recent general rate case; or

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(B) for a municipally owned or not-for-profit utility:

- (i) are or will be extensions or replacements of projects described in subdivision (1), as described in section 5.5(2)(B) or 5.5(3)(B) of this chapter, as applicable;
- (ii) were not included on the utility's balance sheet as plant in service in the utility's most recent general rate case; and
- (iii) are not infrastructure improvements that are being recovered or have been recovered through rates or another rate adjustment mechanism.

SECTION 31. IC 8-1-31-13, AS AMENDED BY P.L.39-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) The commission may not approve a petition filed under section 8 or 10 of this chapter to the extent it would:

- (1) for a public utility, produce total adjustment revenues exceeding ten percent (10%) of the eligible utility's base revenue level approved by the commission in the eligible utility's most recent general rate proceeding; or
- (2) for a municipally owned or not-for-profit utility, produce total adjustment revenues over the course of each twelve (12) month recovery period that exceed ten percent (10%) of the eligible utility's base revenue level approved by the commission in the eligible utility's most recent general rate proceeding.

(b) Subsection (a) does not apply to:

- (1) infrastructure improvement costs associated with eligible infrastructure improvements that are placed in service due to the construction, reconstruction, or improvement of a highway, street, or road (as defined in ~~IC 8-23-1-23~~, IC 8-23-1.1-22), including projects under IC 8-25; or
- (2) property taxes associated with eligible infrastructure improvements.

SECTION 32. IC 8-4.5-1-16, AS AMENDED BY P.L.164-2020, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. "Recreational trail" means a trail or path that:

- (1) includes a corridor along any part of its length;
- (2) is intended to be used for:
  - (A) bicycling;
  - (B) exercising;
  - (C) hiking;
  - (D) running;
  - (E) riding;

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- 1 (i) in or on a vehicle of any kind, regardless of the  
 2 means of propelling the vehicle; or  
 3 (ii) on any animal;  
 4 (F) walking; or  
 5 (G) any other recreational purpose; and  
 6 (3) is funded through the recreational trails program under  
 7 IC 8-4.5-5.

8 However, the term does not include a highway, ~~road, or street, or road~~  
 9 (as defined in ~~IC 8-23-1-23~~, IC 8-23-1.1-22).

10 SECTION 33. IC 8-15.7-2-6, AS ADDED BY P.L.47-2006,  
 11 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2026]: Sec. 6. "Highway, street, or road" has the meaning set  
 13 forth in ~~IC 8-23-1-23~~, IC 8-23-1.1-22.

14 SECTION 34. IC 8-15.7-2-14, AS AMENDED BY P.L.203-2007,  
 15 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2026]: Sec. 14. (a) Subject to IC 8-15.7-1-5, "project" means  
 17 all or part of the following:

- 18 (1) A limited access facility (as defined in ~~IC 8-23-1-28~~,  
 19 IC 8-23-1.1-27).  
 20 (2) A tollway.  
 21 (3) Roads and bridges.  
 22 (4) Passenger and freight railroad systems, including:  
 23 (A) the costs of environmental impact studies;  
 24 (B) property, equipment, and appurtenances necessary to  
 25 operate a railroad, including lines, routes, roads,  
 26 rights-of-way, easements, licenses, permits, track upgrades,  
 27 rail grade crossings, locomotives, passenger cars, freight  
 28 cars, and other railroad cars of any type or class; and  
 29 (C) other costs that the department determines are necessary  
 30 to develop a passenger or freight railroad system in Indiana.  
 31 (5) All or part of a bridge, tunnel, overpass, underpass,  
 32 interchange, structure, ramp, access road, service road, entrance  
 33 plaza, approach, tollhouse, utility corridor, toll gantry, rest stop,  
 34 service area, or administration, storage, or other building or  
 35 facility, including temporary facilities and buildings or facilities  
 36 and structures that will not be tolled, that the department  
 37 determines is appurtenant, necessary, or desirable for the  
 38 development, financing, or operation of the facilities described  
 39 in subdivisions (1) through (4).  
 40 (6) An improvement, betterment, enlargement, extension, or  
 41 reconstruction of all or part of any of the facilities described in  
 42 this section, including a nontolled part, that is separately

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1 designated by name or number.

2 (b) The term does not include a passenger railroad system that is  
3 operated by a commuter transportation district established under  
4 IC 8-5-15.

5 SECTION 35. IC 8-15.7-2-21, AS ADDED BY P.L.47-2006,  
6 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2026]: Sec. 21. "Transportation plan" has the meaning set  
8 forth in ~~IC 8-23-1-41~~. IC 8-23-1.1-41.

9 SECTION 36. IC 8-23-1 IS REPEALED [EFFECTIVE JULY 1,  
10 2026]. (Definitions for Indiana Department of Transportation Law).

11 SECTION 37. IC 8-23-1.1 IS ADDED TO THE INDIANA CODE  
12 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2026]:

14 **Chapter 1.1. Definitions**

15 **Sec. 1. The definitions in this chapter apply throughout this**  
16 **article.**

17 **Sec. 2. The definitions in IC 36-1-2 apply to this article.**

18 **Sec. 3. "Abandonment" means the cessation of use of**  
19 **right-of-way activity upon a site with no intention to reclaim or use**  
20 **the site again for highway purposes.**

21 **Sec. 4. "Adjacent area" means an area that is adjacent to and**  
22 **within six hundred sixty (660) feet of the nearest edge of the**  
23 **right-of-way of an interstate or primary highway.**

24 **Sec. 5. "Agency" has the meaning set forth in IC 4-22-2-3.**

25 **Sec. 6. "Arterial highway" means a highway designed**  
26 **primarily for through traffic, usually on a continuous route.**

27 **Sec. 7. "Arterial street" means a street designed primarily for**  
28 **through traffic, usually on a continuous route.**

29 **Sec. 8. "Authority" refers to the Indiana finance authority**  
30 **established by IC 5-1.2-3.**

31 **Sec. 9. "Automobile graveyard" means an establishment or**  
32 **place of business that is maintained, used, or operated for storing,**  
33 **keeping, buying, or selling wrecked, scrapped, ruined, or**  
34 **dismantled motor vehicles or motor vehicle parts.**

35 **Sec. 10. (a) "Changeable message sign" means a sign that**  
36 **satisfies all of the following:**

37 **(1) The message on the sign may be changed mechanically,**  
38 **electronically, or by remote control.**

39 **(2) The static display on the face of the sign:**

40 **(A) does not display any copy or message that moves,**  
41 **appears to move, or flashes; and**

42 **(B) lasts at least eight (8) seconds.**

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1 (3) A message change takes no more than two (2) seconds.  
 2 (b) The term includes electronic billboards and trimovement  
 3 signs.

4 Sec. 11. "Commerce corridor" means that part of a recognized  
 5 system of highways that:

6 (1) directly facilitates intrastate, interstate, or international  
 7 commerce and travel;

8 (2) enhances economic vitality and international  
 9 competitiveness; or

10 (3) provides service to all parts of Indiana and the United  
 11 States.

12 Sec. 12. "Commissioner" refers to the commissioner of the  
 13 department.

14 Sec. 13. "County arterial highway system" means a system of  
 15 highways designated by the county highway authority as having  
 16 the greatest general importance to the county and for which  
 17 responsibility is assigned to the county highway authority.

18 Sec. 14. "County local highway system" means the roads and  
 19 streets used primarily for access to residence, business, farm, or  
 20 other abutting property and for which responsibility is assigned to  
 21 the county highway authority.

22 Sec. 15. "Curb" means a stone or row of stones, or a similar  
 23 construction of concrete or other material, along the margin of a  
 24 roadway as a limit to the roadway and a restraint upon and  
 25 protection to the adjoining sidewalk space.

26 Sec. 16. "Department" refers to the Indiana department of  
 27 transportation established by IC 8-23-2-1.

28 Sec. 17. "Directional and other official signs and notices"  
 29 includes signs and notices pertaining to natural, scenic, and  
 30 historical attractions that are required or authorized by law and  
 31 conform to the national standards adopted by the United States  
 32 Secretary of Commerce under 23 U.S.C. 131(c).

33 Sec. 18. "Electronic billboard" means a programmable sign  
 34 capable of presenting a large amount of:

35 (1) text;

36 (2) symbolic imagery; or

37 (3) both text and symbolic imagery.

38 Sec. 19. "Erect" means to construct, build, raise, assemble,  
 39 place, affix, attach, create, paint, draw, or in any way bring into  
 40 being or establish. The term does not include an activity performed  
 41 as an incident to the change of an advertising message or normal  
 42 maintenance or repair of a sign structure.

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1       **Sec. 20. "Executive"** has the meaning set forth in IC 36-1-2-5.  
 2       **However, for a consolidated city, the term means the city-county**  
 3       **council.**

4       **Sec. 21. "Extraordinary cost"** means the cost to a utility to  
 5       **relocate existing facilities that is either:**

6           (1) more than ten percent (10%) of the total operating  
 7           revenue received by the utility during the utility's most  
 8           recent full fiscal year; or

9           (2) more than fifty percent (50%) of the total estimated cost  
 10          of a proposed highway or bridge construction or  
 11          improvement project.

12       **Sec. 22. "Highway, street, or road"** means a public way for  
 13       **purposes of vehicular traffic, including the entire area within the**  
 14       **right-of-way. However, the term does not include a highway for**  
 15       **purposes of IC 8-2.1.**

16       **Sec. 23. "Information center"** means an area or site  
 17       **established and maintained at safety rest areas for the purpose of**  
 18       **informing the public of places of interest within Indiana and**  
 19       **providing other information that the department considers**  
 20       **desirable.**

21       **Sec. 24. "Interstate system"** means the part of the national  
 22       **system of interstate and defense highways located within Indiana**  
 23       **as officially designated by the department and approved by the**  
 24       **United States Secretary of Commerce under 23 U.S.C.**

25       **Sec. 25. "Junk"** means old or scrap copper, brass, rope, rags,  
 26       batteries, paper, trash, rubber debris, waste, or junked,  
 27       dismantled, or wrecked automobiles or automobile parts, iron,  
 28       steel, and other old scrap ferrous or nonferrous material.

29       **Sec. 26. "Junkyard"** means an establishment or place of  
 30       business that is maintained, operated, or used for storing, keeping,  
 31       buying, or selling junk, or for the maintenance or operation of an  
 32       automobile graveyard. The term includes garbage dumps and  
 33       sanitary fills. The term does not include a scrap metal processing  
 34       facility.

35       **Sec. 27. "Limited access facility"** means a highway or street  
 36       designed for through traffic, over, from, or to which owners or  
 37       occupiers of abutting land or other persons have either no right or  
 38       easement or a limited right or easement of direct access, light, air,  
 39       or view because their property abuts upon the limited access  
 40       facility or for any other reason. The highways or streets may be  
 41       parkways from which trucks, buses, and other commercial vehicles  
 42       are excluded or freeways open to use by all customary forms of

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highway and street traffic.

Sec. 28. "Maintain" means allow to exist.

Sec. 29. "Main-traveled way" means the traveled way of a highway on which through traffic is carried. For a divided highway, the term includes the traveled way of each of the separated roadways for traffic in opposite directions. The term does not include frontage roads, turning roadways, or parking areas.

Sec. 30. "Municipal arterial street system" means a system of arterial streets and highways designated by the municipal street authority as having the greatest importance to the municipality and for which responsibility is assigned to the municipal street authority.

Sec. 31. "Municipal local street system" means roads and streets used primarily for access to residence, business, or other abutting property and for which responsibility is assigned to the municipal street authority.

Sec. 32. "Primary system" means the part of connected main highways as officially designated by the department and approved by the United States Secretary of Commerce under 23 U.S.C.

Sec. 33. "Road paving material" means bituminous or portland concrete surfaces.

Sec. 34. "Safety rest area" means an area or site established and maintained within adjacent areas by or under public supervision or control for the convenience of the traveling public.

Sec. 35. "Scrap metal processing facility" means an establishment having facilities for processing iron, steel, or nonferrous metal and whose principal product is scrap iron, steel, or scrap for sale for remelting purposes only.

Sec. 36. "Secretary" refers to the United States Secretary of Transportation.

Sec. 37. "Sign" means an outdoor sign, display, device, notice, bulletin, figure, painting, drawing, message, placard, poster, billboard, or other thing that is designated, intended, or used to advertise or inform.

Sec. 38. "State aid director" refers to the chief administrative officer of the office of the department that administers programs of state and federal aid to local units of government, or the officer's designee.

Sec. 39. "State highway system" means the system of highways and streets that are of general economic importance to Indiana as a whole and for which responsibility is assigned to the department.

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1        **Sec. 40. "Substantial completion"** refers to the date, as  
 2 determined by the department, when the construction of the  
 3 contract is sufficiently completed in accordance with the plans and  
 4 specifications, as modified by any change orders, so that the  
 5 construction can be used for its intended purpose.

6        **Sec. 41. "Transportation plan"** means a statement evaluating  
 7 transportation policy objectives and projecting specific long range  
 8 comprehensive actions to accomplish policy objectives.

9        **Sec. 42. "Traveled way"** means the part of the roadway for the  
 10 movement of vehicles. The term does not include shoulders or  
 11 auxiliary lanes.

12        **Sec. 43. "Trimovement sign"** means a sign that displays three  
 13 (3) separate images sequentially by rotating triangular cylinders.

14        **Sec. 44. (a) "Unzoned commercial or industrial area"** means  
 15 an adjacent area not zoned under state or local statute, rule, or  
 16 ordinance on which there is located one (1) or more permanent  
 17 structures for commercial or industrial activities other than a sign  
 18 or upon which a commercial or an industrial activity is actually  
 19 conducted, whether or not there is a permanent structure located  
 20 upon the adjacent area, and the area:

21            (1) extending six hundred (600) feet beyond the edge of the  
 22 commercial or industrial activity as determined under  
 23 subsection (c); and

24            (2) located along either side of an interstate or a primary  
 25 highway.

26        The term does not include land contiguous to an interstate or a  
 27 primary highway that has been designated as scenic by the state.

28        (b) The term does not include the following areas:

29            (1) Within three hundred (300) feet of a building used  
 30 primarily as a residence, unless the owner of the building  
 31 consents in writing to the particular commercial use.

32            (2) Within five hundred (500) feet of the following:

33                    (A) A public park garden.

34                    (B) A recreation area or forest preserve.

35                    (C) A church or school.

36                    (D) An officially designated historic battlefield, museum,  
 37 or historical monument.

38                    (E) A safety rest or recreation area, publicly owned,  
 39 controlled, and maintained under 23 U.S.C. 319.

40                    (F) A sanitary or other facility for the accommodation  
 41 of motorists, publicly owned, controlled, and maintained  
 42 under 23 U.S.C. 319.

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(3) Within seven hundred fifty (750) feet of a strip of land in which an interest has been acquired by the state for the restoration, preservation, or enhancement of scenic beauty that is publicly controlled and maintained under 23 U.S.C. 319.

(c) Distance from a commercial or an industrial activity described under subsection (a):

(1) must be:

(A) measured from the outer edges of the regularly used building, parking lot, storage areas, or processing areas of the commercial or industrial activity; and

(B) parallel to the edge of the pavement of the highway; and

(2) may not be measured from the property line of the commercial or industrial activity, unless the property line is located on an area described in subdivision (1)(A).

Sec. 45. "Urban area" means:

(1) an urbanized area designated by the Bureau of the Census;

(2) if an urbanized area lies within more than one (1) state, the part of the area that lies within the boundaries of Indiana; or

(3) an urban place designated by the Bureau of the Census having a population of at least five thousand (5,000) that is not within an urbanized area and is within boundaries cooperatively established by the department and local officials.

Sec. 46. "Utility" has the meaning set forth in IC 8-1-9-2(a).

Sec. 47. "Visible" means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity using the highway system.

Sec. 48. "Work program" means a schedule of steps to be followed in implementing a transportation plan, including the following:

(1) A description of the sequence of steps.

(2) The time limit within which each step is to be completed.

(3) The product of each step.

(4) The staff and resources required.

Sec. 49. "Zoned commercial or industrial areas" means those areas that are zoned for business, industry, commerce, or trade under a zoning ordinance.

SECTION 38. IC 8-23-9.5-11, AS ADDED BY P.L.60-2023,

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SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) As used in this chapter, "project" means services provided using a two-phase contract with a CMGC or a PDB for preconstruction services and construction services to design, construct, alter, or repair:

- (1) a state highway;
- (2) a limited access facility (as defined in ~~IC 8-23-1-28~~; IC 8-23-1.1-27);
- (3) a public highway (as defined in IC 9-25-2-4);
- (4) a tollway;
- (5) a bridge; and
- (6) a passenger and freight railroad system.

(b) The term does not include a passenger railroad system that is operated by a commuter transportation district created by IC 8-5-15.

SECTION 39. IC 8-23-10-0.5, AS AMENDED BY P.L.85-2017, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. (a) The definitions in IC 5-16-13 apply to this section.

(b) For purposes of IC 5-16-13-10(c) and this section, a contractor must be qualified under this chapter before doing any work on a public works project that is the construction, improvement, alteration, repair, or maintenance of a highway, street, or road (as defined by ~~IC 8-23-1-23~~ in IC 8-23-1.1-22) or alley.

(c) Notwithstanding the applicability date specified in IC 5-16-13-10(c) and subject to subsection (d), the requirement that a contractor must be qualified under this chapter before doing any work on a public works project applies to a public works contract awarded after December 31, 2016.

(d) This subsection applies to a public works project awarded after December 31, 2016, by a local unit. A contractor in any contractor tier is not required to be qualified under this chapter before doing any work on a public works project awarded by a local unit whenever:

- (1) the total amount of the contract awarded to the contractor for work on the public works project is less than three hundred thousand dollars (\$300,000); and
- (2) the local unit complies with IC 36-1-12 in awarding the contract for the public works project.

SECTION 40. IC 8-23-20-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department and the United States Secretary of Commerce shall enter into agreements under 23 U.S.C. concerning the regulation of billboards, signs, junkyards, and scrap metal processing areas in areas adjacent to

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the interstate and primary highway systems. The agreements must conform to the provisions of 23 U.S.C. to ensure that federal funds to Indiana are continued.

(b) An agreement between the state and the United States Secretary of Commerce entered into under 23 U.S.C. 131 must contain the definition of "unzoned commercial or industrial area" found in ~~IC 8-23-1-43~~, IC 8-23-1.1-44. If the state has received from the Secretary a formal notice of a proposed determination to withhold funds from the state because of an asserted unacceptability of the definition, the governor shall modify the definition. The modification may be made during a hearing on the notice held by the Secretary under 23 U.S.C. 131, or, if as a matter of law the Secretary decides to withhold funds prior to a hearing, the governor:

(1) may modify the definition before a hearing; and

(2) shall request a hearing under 23 U.S.C. 131.

SECTION 41. IC 8-23-26-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) This chapter does not apply to a project let under IC 8-23-11.

(b) This chapter applies only to projects on the state highway system (as defined in ~~IC 8-23-1-40~~), IC 8-23-1.1-39).

SECTION 42. IC 8-23-32-1, AS ADDED BY P.L.120-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to a part of a road or bridge on the interstate system (as defined by ~~IC 8-23-1-25~~) in **IC 8-23-1.1-24**) or a U.S. route.

SECTION 43. IC 9-18.5-8-4, AS AMENDED BY P.L.129-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The bureau shall issue a permanent parking placard to an individual:

(1) who is certified by a health care provider listed in subsection

(b) as having:

(A) a permanent physical disability that requires the use of a wheelchair, a walker, braces, or crutches;

(B) permanently lost the use of one (1) or both legs; or

(C) a permanent and severe restriction in mobility due to a pulmonary or cardiovascular disability, an arthritic condition, or an orthopedic or neurological impairment;

(2) who is certified to be permanently:

(A) blind (as defined in ~~IC 12-7-2-21(2)~~); IC 12-7-2.1-38(2)); or

(B) visually impaired (as defined in ~~IC 12-7-2-198~~); IC 12-7-2.1-349);

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by an optometrist or ophthalmologist who has a valid  
unrestricted license to practice optometry or ophthalmology in  
Indiana; or

(3) who:

(A) has been issued; or

(B) is otherwise eligible to receive;

a disabled Hoosier veteran license plate under IC 9-18.5-5 and  
requests a permanent parking placard.

The certification must be provided in a manner and form prescribed by  
the bureau.

(b) A certification required under subsection (a)(1) may be  
provided by the following:

(1) A physician having a valid and unrestricted license to  
practice medicine.

(2) A physician who is a commissioned medical officer of:

(A) the armed forces of the United States; or

(B) the United States Public Health Service.

(3) A physician who is a medical officer of the United States  
Department of Veterans Affairs.

(4) A chiropractor with a valid and unrestricted license under  
IC 25-10-1.

(5) A podiatrist with a valid and unrestricted license under  
IC 25-29-1.

(6) An advanced practice registered nurse with a valid and  
unrestricted license under IC 25-23.

(7) A physician assistant with a valid and unrestricted license  
under IC 25-27.5.

(c) A permanent placard issued under this section remains in effect  
until:

(1) a health care provider listed in subsection (b); or

(2) an optometrist or ophthalmologist that has a valid  
unrestricted license to practice optometry or ophthalmology in  
Indiana;

certifies that the recipient's disability is no longer considered to be  
permanent.

SECTION 44. IC 9-18.5-8-5, AS AMENDED BY P.L.256-2017,  
SECTION 136, IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The bureau shall issue a  
temporary placard to an individual who is certified by:

(1) a health care provider listed in section 4(b) of this chapter as  
having:

(A) a temporary physical disability that requires the



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- 1 temporary use of a wheelchair, a walker, braces, or  
 2 crutches;  
 3 (B) temporarily lost the use of one (1) or both legs; or  
 4 (C) a temporary and severe restriction in mobility due to a  
 5 pulmonary or cardiovascular disability, an arthritic  
 6 condition, or an orthopedic or neurological impairment; or  
 7 (2) an optometrist or ophthalmologist who has a valid  
 8 unrestricted license to practice optometry or ophthalmology in  
 9 Indiana to be temporarily:  
 10 (A) blind (as defined in ~~IC 12-7-2-21(2)~~;  
 11 IC 12-7-2.1-38(2)); or  
 12 (B) visually impaired (as defined in ~~IC 12-7-2-198~~;  
 13 IC 12-7-2.1-349).  
 14 (b) A certification under this section must:  
 15 (1) be in a manner and form prescribed by the bureau; and  
 16 (2) state the expected duration, including an end date, of the  
 17 condition on which the certification is based.  
 18 (c) A temporary placard issued under this section expires on the  
 19 earlier of the following:  
 20 (1) One (1) year after the date on which the placard is issued.  
 21 (2) The end date set forth in the certification under subsection  
 22 (b).  
 23 SECTION 45. IC 9-20-1-3, AS AMENDED BY P.L.93-2024,  
 24 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2026]: Sec. 3. (a) This subsection does not apply to any  
 26 highway or street in the state highway system. Except as provided in  
 27 subsection (e), local authorities, with respect to highways under their  
 28 jurisdiction, may by ordinance:  
 29 (1) prohibit the operation of vehicles upon any highway; or  
 30 (2) impose restrictions as to the weight of vehicles to be operated  
 31 upon any highway;  
 32 for a total period not to exceed ninety (90) days in any one (1) year,  
 33 whenever any highway by reason of deterioration, rain, snow, or other  
 34 climatic conditions will be seriously damaged or destroyed without the  
 35 regulation of vehicles.  
 36 (b) A local authority adopting an ordinance under subsection (a)  
 37 shall erect or cause to be erected and maintained signs specifying the  
 38 terms of the ordinance at each end of that part of any highway affected  
 39 by the ordinance and at intersecting highways. The ordinance may not  
 40 be enforced until the signs are erected and maintained.  
 41 (c) Except as provided in subsection (e), local authorities with  
 42 respect to highways under their jurisdiction, except highways in the

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state highway system and state maintained routes through cities and towns, may by ordinance do the following:

- (1) Prohibit the operation of trucks or other commercial vehicles.
- (2) Impose limitations as to the weight, size, or use of those vehicles on designated highways.

The prohibitions and limitations must be designated by appropriate signs placed on the highways.

(d) The Indiana department of transportation has the same authority granted to local authorities in subsections (a) and (c) to determine by executive order and to impose restrictions as to weight, size, and use of vehicles operated upon a highway in the state highway system, including state maintained routes through cities and towns. These restrictions may not be enforced until signs giving notice of the restrictions are erected upon the highway or part of the highway affected by the order.

(e) The commissioner of the Indiana department of transportation may designate an order adopted under subsection (d) as a rule and adopt the order as a rule under IC 4-22-2.

(f) A local authority may not, in an ordinance passed under subsection (a) or (c), prohibit the operation of buses that are not more than forty-five (45) feet in length on any segment of the primary system (as defined in ~~IC 8-23-1-33~~ IC 8-23-1.1-32) that was in existence on June 1, 1991.

SECTION 46. IC 9-24-9-3, AS AMENDED BY P.L.116-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Except as provided in section 4.1 of this chapter, the application of an individual less than eighteen (18) years of age for a permit or driver's license under this chapter must be signed and sworn to or affirmed by one (1) of the following in order of preference:

- (1) The parent having custody of the minor applicant or a designee of the custodial parent specified by the custodial parent.
- (2) The noncustodial parent (as defined in ~~IC 31-9-2-83~~ IC 31-9-2.1-164) of the minor applicant or a designee of the noncustodial parent specified by the noncustodial parent.
- (3) The guardian having custody of the minor applicant.
- (4) In the absence of a person described in subdivisions (1) through (3), any other adult who is willing to assume the obligations imposed by the provisions of this chapter.

(b) The bureau shall require an individual signing an application under subsection (a) to present a valid form of identification in a

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1 manner prescribed by the bureau.

2 SECTION 47. IC 9-24-16-3, AS AMENDED BY P.L.141-2024,  
 3 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2026]: Sec. 3. (a) An identification card:

5 (1) issued in the form of a physical credential must have the  
 6 same dimensions and shape as a driver's license; and  
 7 (2) in the form of a mobile credential must contain the same data  
 8 contained in a driver's license;

9 but the card must have markings sufficient to distinguish the card from  
 10 a driver's license.

11 (b) Except as provided in subsection (g), the front side of an  
 12 identification card issued in the form of a physical credential must  
 13 contain the expiration date of the identification card and the following  
 14 information about the individual to whom the card is being issued:

15 (1) Full legal name.  
 16 (2) The address of the principal residence.  
 17 (3) Date of birth.  
 18 (4) Date of issue and date of expiration.  
 19 (5) Unique identification number.  
 20 (6) Gender.  
 21 (7) Weight.  
 22 (8) Height.  
 23 (9) Color of eyes and hair.  
 24 (10) Reproduction of the signature of the individual identified.  
 25 (11) Whether the individual is blind (as defined in  
 26 ~~IC 12-7-2-21(1)~~; IC 12-7-2.1-38(1)).  
 27 (12) If the individual is less than eighteen (18) years of age at the  
 28 time of issuance, the dates on which the individual will become:  
 29 (A) eighteen (18) years of age; and  
 30 (B) twenty-one (21) years of age.  
 31 (13) If the individual is at least eighteen (18) years of age but  
 32 less than twenty-one (21) years of age at the time of issuance, the  
 33 date on which the individual will become twenty-one (21) years  
 34 of age.  
 35 (14) Digital photograph of the individual.

36 (c) The information contained on the identification card as  
 37 required by subsection (b)(12) or (b)(13) for an individual who is less  
 38 than twenty-one (21) years of age at the time of issuance shall be  
 39 notated prominently on the identification card issued in the form of a  
 40 physical credential.

41 (d) If the individual complies with section 2(f) or 2(g) of this  
 42 chapter, an indication of the individual's veteran status or status as the

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1 surviving spouse of a veteran of the armed forces of the United States,  
 2 as applicable, shall be shown on the identification card issued in the  
 3 form of a physical credential.

4 (e) If the applicant for an identification card issued in the form of  
 5 a physical credential submits information to the bureau concerning the  
 6 applicant's medical condition, the bureau shall place an identifying  
 7 symbol on the face of the identification card issued in the form of a  
 8 physical credential to indicate that the applicant has a medical  
 9 condition of note. The bureau shall include information on the  
 10 identification card issued in the form of a physical credential that  
 11 briefly describes the medical condition of the holder of the card issued  
 12 in the form of a physical credential. The information must be printed  
 13 in a manner that alerts a person reading the card issued in the form of  
 14 a physical credential to the existence of the medical condition. The  
 15 applicant for an identification card issued in the form of a physical  
 16 credential is responsible for the accuracy of the information concerning  
 17 the medical condition submitted under this subsection. The bureau  
 18 shall inform an applicant that submission of information under this  
 19 subsection is voluntary.

20 (f) An identification card issued by the state to an individual who  
 21 has temporary lawful status as indicated by:

- 22 (1) a valid, unexpired nonimmigrant visa or has nonimmigrant  
 23 visa status for entry in the United States;
- 24 (2) a pending application for asylum in the United States;
- 25 (3) a pending or approved application for temporary protected  
 26 status in the United States;
- 27 (4) having an approved deferred action status; or
- 28 (5) a pending application for adjustment of status to that of an  
 29 alien lawfully admitted for permanent residence in the United  
 30 States or conditional permanent residence status in the United  
 31 States;

32 must be issued in the form of a physical credential and clearly  
 33 identified as a temporary identification card. A temporary identification  
 34 card issued under this subsection may not be renewed without the  
 35 presentation of valid documentary evidence proving that the holder of  
 36 the identification card's temporary status has been extended.

37 (g) For purposes of subsection (b), an individual certified as a  
 38 program participant in the address confidentiality program under  
 39 IC 5-26.5 is not required to provide the address of the individual's  
 40 principal residence, but may provide an address designated by the  
 41 office of the attorney general under IC 5-26.5 as the address of the  
 42 individual's principal residence.

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(h) The bureau shall validate an identification card issued in the form of a physical credential for motor driven cycle operation upon a highway by endorsement to an individual who:

- (1) applies for or has previously been issued an identification card under this chapter;
- (2) makes the appropriate application for endorsement; and
- (3) satisfactorily completes the test required under section 3.6 of this chapter.

The bureau shall place a designation on the face of the identification card issued in the form of a physical credential to indicate that the individual has received a motor driven cycle endorsement.

SECTION 48. IC 9-30-14-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. To qualify as a victim impact program under section 2 of this chapter, a program must do the following:

- (1) Provide an opportunity to participate in a victim impact program in the county in which the court is located.
- (2) Present each victim impact program described in subdivision (1) with at least one (1) speaker who is one (1) of the following:
  - (A) A person who was injured as a result of the operation of a vehicle by another person who operated the vehicle under the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2.
  - (B) A family member or a friend of a person who was injured or died as a result of the operation of a vehicle by another person who operated the vehicle under the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2.
  - (C) A person who was convicted in Indiana of a covered offense or in another state of an offense that is substantially similar to a covered offense.
  - (D) A person who has been or is involved in a program designed to control the use or otherwise rehabilitate a person who is an alcohol abuser (as defined in ~~IC 12-7-2-11~~; IC 12-7-2.1-18), a drug abuser (as defined in ~~IC 12-7-2-73~~; IC 12-7-2.1-129), or both.
- (3) Require a person to visit a specified emergency medical care facility, a coroner facility, or a chronic alcoholism treatment center under supervision, as specified by the court.

SECTION 49. IC 10-13-3-2.5, AS ADDED BY P.L.146-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. As used in this chapter, "caseworker" has the

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1 meaning set forth in ~~IC 31-9-2-11~~, IC 31-9-2.1-29.

2 SECTION 50. IC 10-13-3-36, AS AMENDED BY P.L.51-2016,  
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 36. (a) The department may not charge a fee for  
5 responding to a request for the release of a limited criminal history  
6 record if the request is made by a nonprofit organization:

7 (1) that has been in existence for at least ten (10) years; and

8 (2) that:

9 (A) has a primary purpose of providing an individual  
10 relationship for a child with an adult volunteer if the request  
11 is made as part of a background investigation of a  
12 prospective adult volunteer for the organization;

13 (B) is a community intellectual disability and other  
14 developmental disabilities center (as defined in  
15 ~~IC 12-7-2-39~~); IC 12-7-2.1-77);

16 (C) is a supervised group living facility licensed under  
17 IC 12-28-5;

18 (D) is an area agency on aging designated under IC 12-10-1;

19 (E) is a community action agency (as defined in  
20 IC 12-14-23-2);

21 (F) is the owner or operator of a hospice program licensed  
22 under IC 16-25-3; or

23 (G) is a community mental health center (as defined in  
24 ~~IC 12-7-2-38~~); IC 12-7-2.1-78).

25 (b) Except as provided in subsection (d), the department may not  
26 charge a fee for responding to a request for the release of a limited  
27 criminal history record made by the department of child services or the  
28 division of family resources if the request is made as part of a  
29 background investigation of an applicant for a license under IC 12-17.2  
30 or IC 31-27.

31 (c) The department may not charge a fee for responding to a  
32 request for the release of a limited criminal history if the request is  
33 made by a school corporation, special education cooperative, or  
34 nonpublic school (as defined in IC 20-18-2-12) as part of a background  
35 investigation of a prospective or current employee or a prospective or  
36 current adult volunteer for the school corporation, special education  
37 cooperative, or nonpublic school.

38 (d) As used in this subsection, "state agency" means an authority,  
39 a board, a branch, a commission, a committee, a department, a division,  
40 or another instrumentality of state government, including the executive  
41 and judicial branches of state government, the principal secretary of the  
42 senate, the principal clerk of the house of representatives, the executive

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1 director of the legislative services agency, a state elected official's  
 2 office, or a body corporate and politic, but does not include a state  
 3 educational institution. The department may not charge a fee for  
 4 responding to a request for the release of a limited criminal history if  
 5 the request is made:

6 (1) by a state agency; and

7 (2) through the computer gateway that is administered by the  
 8 office of technology established by IC 4-13.1-2-1.

9 (e) The department may not charge a fee for responding to a  
 10 request for the release of a limited criminal history record made by the  
 11 Indiana professional licensing agency established by IC 25-1-5-3 if the  
 12 request is:

13 (1) made through the computer gateway that is administered by  
 14 the office of technology; and

15 (2) part of a background investigation of a practitioner or an  
 16 individual who has applied for a license issued by a board (as  
 17 defined in IC 25-1-9-1).

18 (f) The department may not charge a church or religious society a  
 19 fee for responding to a request for the release of a limited criminal  
 20 history record if:

21 (1) the church or religious society is a religious organization  
 22 exempt from federal income taxation under Section 501 of the  
 23 Internal Revenue Code;

24 (2) the request is made as part of a background investigation of  
 25 a prospective or current employee or a prospective or current  
 26 adult volunteer; and

27 (3) the employee or volunteer works in a nonprofit program or  
 28 ministry of the church or religious society, including a child care  
 29 ministry registered under IC 12-17.2-6.

30 (g) The department may not charge the school of education of a  
 31 public or private postsecondary educational institution a fee for  
 32 responding to a request for the release of a limited criminal history  
 33 record if the request is made as part of a background investigation of  
 34 a student before or after the student begins the student's field or  
 35 classroom experience. However, the department may charge the  
 36 student a fee for responding to a request for the release of a limited  
 37 criminal history record.

38 SECTION 51. IC 10-13-3-39, AS AMENDED BY P.L.110-2023,  
 39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2026]: Sec. 39. (a) The department is designated as the  
 41 authorized agency to receive requests for, process, and disseminate the  
 42 results of national criminal history background checks that comply with

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1 this section and 42 U.S.C. 5119a.

2 (b) A qualified entity may contact the department to request a  
3 national criminal history background check on any of the following  
4 persons:

5 (1) A person who seeks to be or is employed with the qualified  
6 entity. A request under this subdivision must be made not later  
7 than three (3) months after the person is initially employed by  
8 the qualified entity.

9 (2) A person who seeks to volunteer or is a volunteer with the  
10 qualified entity. A request under this subdivision must be made  
11 not later than three (3) months after the person initially  
12 volunteers with the qualified entity.

13 (3) A person for whom a national criminal history background  
14 check is required under any law relating to the licensing of a  
15 home, center, or other facility for purposes of day care or  
16 residential care of children.

17 (4) A person for whom a national criminal history background  
18 check is permitted for purposes of:

19 (A) placement of a child in a foster family home, a  
20 prospective adoptive home, or the home of a relative, legal  
21 guardian to whom IC 29-3-8-9 applies, or other caretaker  
22 under section 27.5 of this chapter or IC 31-34;

23 (B) a report concerning an adoption as required by  
24 IC 31-19-8;

25 (C) collaborative care host homes and supervised  
26 independent living arrangements as provided in  
27 IC 31-28-5.8-5.5; or

28 (D) reunification of a child with a parent, guardian, or  
29 custodian as provided in IC 31-34-21-5.5.

30 (5) A person for whom a national criminal history background  
31 check is required for the licensing of a group home, child caring  
32 institution, child placing agency, or foster home under IC 31-27.

33 (6) A person for whom a national criminal history background  
34 check is required for determining the individual's suitability as  
35 an employee of a contractor of the state under section 38.5(a)(1)  
36 of this chapter.

37 (c) A qualified entity must submit a request under subsection (b)  
38 in the form required by the department and provide a set of the person's  
39 fingerprints and any required fees with the request.

40 (d) If a qualified entity makes a request in conformity with  
41 subsection (b), the department shall submit the set of fingerprints  
42 provided with the request to the Federal Bureau of Investigation for a

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national criminal history background check. The department shall respond to the request in conformity with:

- (1) the requirements of 42 U.S.C. 5119a; and
- (2) the regulations prescribed by the Attorney General of the United States under 42 U.S.C. 5119a.

(e) Subsection (f):

(1) applies to a qualified entity that:

(A) is not a school corporation or a special education cooperative; or

(B) is a school corporation or a special education cooperative and seeks a national criminal history background check for a volunteer; and

(2) does not apply to a qualified entity that is a:

(A) home health agency licensed under IC 16-27-1; or

(B) personal services agency licensed under IC 16-27-4.

(f) After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall make a determination whether the person who is the subject of a request has been convicted of:

(1) an offense described in IC 20-26-5-11.2;

(2) in the case of a foster family home, a nonwaivable offense as defined in ~~IC 31-9-2-84.8~~; IC 31-9-2.1-168;

(3) in the case of a prospective adoptive home, a nonwaivable offense under ~~IC 31-9-2-84.8~~; IC 31-9-2.1-168;

(4) any other felony; or

(5) any misdemeanor;

and convey the determination to the requesting qualified entity.

(g) This subsection applies to a qualified entity that:

(1) is a school corporation or a special education cooperative; and

(2) seeks a national criminal history background check to determine whether to employ or continue the employment of a certificated employee, a noncertificated employee, or an adjunct teacher who holds a permit under IC 20-28-5-27 of a school corporation or an equivalent position with a special education cooperative.

After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department may exchange identification records concerning convictions for offenses described in IC 20-26-5-11.2 with the school corporation or special education cooperative solely for purposes of making an employment determination. The exchange may be made only for the official use of

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the officials with authority to make the employment determination. The exchange is subject to the restrictions on dissemination imposed under P.L.92-544, (86 Stat. 1115) (1972).

(h) This subsection applies to a qualified entity (as defined in ~~IC 10-13-3-16~~) **section 16 of this chapter**) that is a public agency under IC 5-14-1.5-2(a)(1). After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall provide a copy to the public agency. Except as permitted by federal law, the public agency may not share the information contained in the national criminal history background check with a private agency.

(i) This subsection applies to a qualified entity that is a:

- (1) home health agency licensed under IC 16-27-1; or
- (2) personal services agency licensed under IC 16-27-4.

After receiving the results of a national criminal history background check from the Federal Bureau of Investigation, the department shall make a determination whether the applicant has been convicted of an offense described in IC 16-27-2-5(a) and convey the determination to the requesting qualified entity.

(j) The department:

- (1) may permanently retain an applicant's fingerprints submitted under this section; and
- (2) shall retain the applicant's fingerprints separately from fingerprints collected under section 24 of this chapter.

SECTION 52. IC 10-16-7-22, AS AMENDED BY P.L.68-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. If a member of the Indiana National Guard or a member of a reserve component of the armed forces of the United States:

- (1) is a noncustodial parent (as defined in ~~IC 31-9-2-83~~; IC 31-9-2.1-164);
- (2) misses parenting time as provided in an order issued under IC 31-14-14 or IC 31-17-4 due to participating in an activity required under this chapter; and
- (3) notifies the custodial parent at least seven (7) days before the member misses the anticipated parenting time described in subdivision (2), unless the member is unable to provide notice due to a government emergency;

the member shall be allowed to make up the lost parenting time at the member's earliest convenience but not later than one (1) month after the member misses the parenting time under this section, if exercising the lost parenting time does not conflict with the child's school

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1 schedule.

2 SECTION 53. IC 11-8-8-4.5, AS AMENDED BY P.L.218-2025,  
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 4.5. (a) Except as provided in section 22 of this  
5 chapter, as used in this chapter, "sex offender" means a person  
6 convicted of any of the following offenses:

- 7 (1) Rape (IC [ ] 35-42-4-1).
- 8 (2) Criminal deviate conduct (IC [ ] 35-42-4-2) (before its repeal).
- 9 (3) Child molesting (IC [ ] 35-42-4-3).
- 10 (4) Child exploitation (IC [ ] 35-42-4-4(b) or IC 35-42-4-4(c)).
- 11 (5) Vicarious sexual gratification (including performing sexual  
12 conduct in the presence of a minor) (IC [ ] 35-42-4-5).
- 13 (6) Child solicitation (IC [ ] 35-42-4-6).
- 14 (7) Child seduction (IC [ ] 35-42-4-7).
- 15 (8) Sexual misconduct with a minor (IC [ ] 35-42-4-9) as a Class  
16 A, Class B, or Class C felony (for a crime committed before July  
17 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a  
18 crime committed after June 30, 2014), unless:
  - 19 (A) the person is convicted of sexual misconduct with a  
20 minor as a Class C felony (for a crime committed before  
21 July 1, 2014) or a Level 5 felony (for a crime committed  
22 after June 30, 2014);
  - 23 (B) the person is not more than:
    - 24 (i) four (4) years older than the victim if the offense  
25 was committed after June 30, 2007; or
    - 26 (ii) five (5) years older than the victim if the offense  
27 was committed before July 1, 2007; and
  - 28 (C) the sentencing court finds that the person should not be  
29 required to register as a sex offender.
- 30 (9) Incest (IC [ ] 35-46-1-3).
- 31 (10) Sexual battery (IC [ ] 35-42-4-8).
- 32 (11) Kidnapping (IC [ ] 35-42-3-2), if the victim is less than  
33 eighteen (18) years of age, and the person who kidnapped the  
34 victim is not the victim's parent or guardian.
- 35 (12) Criminal confinement (IC [ ] 35-42-3-3), if the victim is less  
36 than eighteen (18) years of age, and the person who confined or  
37 removed the victim is not the victim's parent or guardian.
- 38 (13) Possession of child sex abuse material (IC [ ] 35-42-4-4(d) or  
39 IC 35-42-4-4(e)).
- 40 (14) Promoting prostitution (IC [ ] 35-45-4-4) as a Class B felony  
41 (for a crime committed before July 1, 2014) or a Level 4 felony  
42 (for a crime committed after June 30, 2014).

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- 1 (15) Promotion of human sexual trafficking under  
 2 IC 35-42-3.5-1.1.  
 3 (16) Promotion of child sexual trafficking under  
 4 IC 35-42-3.5-1.2(a).  
 5 (17) Promotion of sexual trafficking of a younger child  
 6 (IC 35-42-3.5-1.2(c)).  
 7 (18) Child sexual trafficking (IC 35-42-3.5-1.3).  
 8 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is  
 9 less than eighteen (18) years of age.  
 10 (20) Sexual misconduct by a service provider with a detained or  
 11 supervised child (IC 35-44.1-3-10(c)).  
 12 (b) The term includes:  
 13 (1) a person who is required to register as a sex offender in any  
 14 jurisdiction; and  
 15 (2) a child who has committed a delinquent act, or a person  
 16 prosecuted under IC 31-30-1-4(d) for an offense described in  
 17 subsection (a) committed when the person was less than eighteen  
 18 (18) years of age, but who was at least twenty-one (21) years of  
 19 age when the charge was filed, and who:  
 20 (A) is at least fourteen (14) years of age;  
 21 (B) is on probation, is on parole, is discharged from a  
 22 facility by the department of correction, is discharged from  
 23 a secure private facility (as defined in ~~IC 31-9-2-115~~;  
 24 **IC 31-9-2.1-223**), or is discharged from a juvenile detention  
 25 facility as a result of an adjudication as a delinquent child  
 26 for an act that would be an offense described in subsection  
 27 (a) if committed by an adult; and  
 28 (C) is found by a court by clear and convincing evidence to  
 29 be likely to repeat an act that would be an offense described  
 30 in subsection (a) if committed by an adult.  
 31 (c) In making a determination under subsection (b)(2)(C), the  
 32 court shall consider expert testimony concerning whether a child is  
 33 likely to repeat an act that would be an offense described in subsection  
 34 (a) if committed by an adult.  
 35 (d) A person ordered to register under subsection (b)(2) may  
 36 petition the court to reconsider the order at any time after completing  
 37 court ordered sex offender treatment. The court shall consider expert  
 38 testimony concerning whether a child or person is likely to repeat an  
 39 offense described in subsection (a) or an act that would be an offense  
 40 described in subsection (a) if committed by an adult.  
 41 SECTION 54. IC 11-8-8-5, AS AMENDED BY P.L.218-2025,  
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex or violent offender" means a person convicted of any of the following offenses:

- (1) Rape (IC [ ] 35-42-4-1).
- (2) Criminal deviate conduct (IC [ ] 35-42-4-2) (before its repeal).
- (3) Child molesting (IC [ ] 35-42-4-3).
- (4) Child exploitation (IC [ ] 35-42-4-4(b) or IC 35-42-4-4(c)).
- (5) Vicarious sexual gratification (including performing sexual conduct in the presence of a minor) (IC [ ] 35-42-4-5).
- (6) Child solicitation (IC [ ] 35-42-4-6).
- (7) Child seduction (IC [ ] 35-42-4-7).
- (8) Sexual misconduct with a minor (IC [ ] 35-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:
  - (A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);
  - (B) the person is not more than:
    - (i) four (4) years older than the victim if the offense was committed after June 30, 2007; or
    - (ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and
  - (C) the sentencing court finds that the person should not be required to register as a sex offender.
- (9) Incest (IC [ ] 35-46-1-3).
- (10) Sexual battery (IC [ ] 35-42-4-8).
- (11) Kidnapping (IC [ ] 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.
- (12) Criminal confinement (IC [ ] 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.
- (13) Possession of child sex abuse material (IC [ ] 35-42-4-4(d) or IC 35-42-4-4(e)).
- (14) Promoting prostitution (IC [ ] 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).
- (15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.
- (16) Promotion of child sexual trafficking under

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- 1 IC 35-42-3.5-1.2(a).  
 2 (17) Promotion of sexual trafficking of a younger child  
 3 (IC 35-42-3.5-1.2(c)).  
 4 (18) Child sexual trafficking (IC 35-42-3.5-1.3).  
 5 (19) Human trafficking under IC 35-42-3.5-1.4 if the victim is  
 6 less than eighteen (18) years of age.  
 7 (20) Murder (IC 35-42-1-1).  
 8 (21) Voluntary manslaughter (IC 35-42-1-3).  
 9 (22) Sexual misconduct by a service provider with a detained or  
 10 supervised child (IC 35-44.1-3-10(c)).  
 11 (b) The term includes:  
 12 (1) a person who is required to register as a sex or violent  
 13 offender in any jurisdiction; and  
 14 (2) a child who has committed a delinquent act, or a person  
 15 prosecuted under IC 31-30-1-4(d) for an offense described in  
 16 subsection (a) committed when the person was less than eighteen  
 17 (18) years of age, but who was at least twenty-one (21) years of  
 18 age when the charge was filed, and who:  
 19 (A) is at least fourteen (14) years of age;  
 20 (B) is on probation, is on parole, is discharged from a  
 21 facility by the department of correction, is discharged from  
 22 a secure private facility (as defined in ~~IC 31-9-2-115~~;  
 23 IC 31-9-2.1-223), or is discharged from a juvenile detention  
 24 facility as a result of an adjudication as a delinquent child  
 25 for an act that would be an offense described in subsection  
 26 (a) if committed by an adult; and  
 27 (C) is found by a court by clear and convincing evidence to  
 28 be likely to repeat an act that would be an offense described  
 29 in subsection (a) if committed by an adult.  
 30 (c) In making a determination under subsection (b)(2)(C), the  
 31 court shall consider expert testimony concerning whether a child is  
 32 likely to repeat an act that would be an offense described in subsection  
 33 (a) if committed by an adult.  
 34 (d) A person ordered to register under subsection (b)(2) may  
 35 petition the court to reconsider the order at any time after completing  
 36 court ordered sex offender treatment. The court shall consider expert  
 37 testimony concerning whether a child or person is likely to repeat an  
 38 offense described in subsection (a) or an act that would be an offense  
 39 described in subsection (a) if committed by an adult.  
 40 SECTION 55. IC 11-8-8-7, AS AMENDED BY ~~<P.L.1-2025;~~  
 41 ~~SECTION 155>~~ [THE TECHNICAL CORRECTIONS BILL OF THE  
 42 2026 GENERAL ASSEMBLY], IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to section 19 of this chapter, the following persons must register under this chapter:

(1) A sex or violent offender who resides in Indiana. A sex or violent offender resides in Indiana if either of the following applies:

(A) The sex or violent offender spends or intends to spend at least seven (7) days (including part of a day) in Indiana during a one hundred eighty (180) day period.

(B) The sex or violent offender owns real property in Indiana and returns to Indiana at any time.

(2) A sex or violent offender who works or carries on a vocation or intends to work or carry on a vocation full time or part time ~~for a period of~~ for a period

(A) for a period exceeding seven (7) consecutive days; or

(B) for a total period exceeding fourteen (14) days;

during any calendar year in Indiana regardless of whether the sex or violent offender is financially compensated, volunteered, or is acting for the purpose of government or educational benefit.

(3) A sex or violent offender who is enrolled or intends to be enrolled on a full-time or part-time basis in any public or private educational institution, including any secondary school, trade, or professional institution, or postsecondary educational institution.

(b) Except as provided in subsection (e), a sex or violent offender who resides in Indiana shall register with the local law enforcement authority in the county where the sex or violent offender resides. If a sex or violent offender resides in more than one (1) county, the sex or violent offender shall register with the local law enforcement authority in each county in which the sex or violent offender resides. If the sex or violent offender is also required to register under subsection (a)(2) or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (c) or (d).

(c) A sex or violent offender described in subsection (a)(2) shall register with the local law enforcement authority in the county where the sex or violent offender is or intends to be employed or carry on a vocation. If a sex or violent offender is or intends to be employed or carry on a vocation in more than one (1) county, the sex or violent offender shall register with the local law enforcement authority in each county. If the sex or violent offender is also required to register under subsection (a)(1) or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the

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offender is required to register under subsection (b) or (d).

(d) A sex or violent offender described in subsection (a)(3) shall register with the local law enforcement authority in the county where the sex or violent offender is enrolled or intends to be enrolled as a student. If the sex or violent offender is also required to register under subsection (a)(1) or (a)(2), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (b) or (c).

(e) A sex or violent offender described in subsection (a)(1)(B) shall register with the local law enforcement authority in the county in which the real property is located. If the sex or violent offender is also required to register under subsection (a)(1)(A), (a)(2), or (a)(3), the sex or violent offender shall also register with the local law enforcement authority in the county in which the offender is required to register under subsection (b), (c), or (d).

(f) A sex or violent offender committed to the department shall register with the department before the sex or violent offender is placed in a community transition program, placed in a work release program, or released from incarceration, whichever occurs first. The department shall forward the sex or violent offender's registration information to the local law enforcement authority of every county in which the sex or violent offender is required to register. If a sex or violent offender released from the department under this subsection:

(1) informs the department of the offender's intended location of residence upon release; and

(2) does not move to this location upon release;

the offender shall, not later than seventy-two (72) hours after the date on which the offender is released, report in person to the local law enforcement authority having jurisdiction over the offender's current address or location.

(g) This subsection does not apply to a sex or violent offender who is a sexually violent predator. A sex or violent offender not committed to the department shall register not more than seven (7) days after the sex or violent offender:

(1) is released from a penal facility (as defined in IC 35-31.5-2-232);

(2) is released from a secure private facility (as defined in ~~IC 31-9-2-115~~; IC 31-9-2.1-223);

(3) is released from a juvenile detention facility;

(4) is transferred to a community transition program;

(5) is placed on parole;

(6) is placed on probation;

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(7) is placed on home detention; or  
 (8) arrives at the place where the sex or violent offender is required to register under subsection (b), (c), or (d);  
 whichever occurs first. A sex or violent offender required to register in more than one (1) county under subsection (b), (c), (d), or (e) shall register in each appropriate county not more than seventy-two (72) hours after the sex or violent offender's arrival in that county or acquisition of real estate in that county.

(h) This subsection applies to a sex or violent offender who is a sexually violent predator. A sex or violent offender who is a sexually violent predator shall register not more than seventy-two (72) hours after the sex or violent offender:

(1) is released from a penal facility (as defined in IC 35-31.5-2-232);  
 (2) is released from a secure private facility (as defined in ~~IC 31-9-2-115~~; IC 31-9-2.1-223);  
 (3) is released from a juvenile detention facility;  
 (4) is transferred to a community transition program;  
 (5) is placed on parole;  
 (6) is placed on probation;  
 (7) is placed on home detention; or  
 (8) arrives at the place where the sexually violent predator is required to register under subsection (b), (c), or (d);  
 whichever occurs first. A sex or violent offender who is a sexually violent predator required to register in more than one (1) county under subsection (b), (c), (d), or (e) shall register in each appropriate county not more than seventy-two (72) hours after the offender's arrival in that county or acquisition of real estate in that county.

(i) The local law enforcement authority with whom a sex or violent offender registers under this section shall make and publish a photograph of the sex or violent offender on the Indiana sex and violent offender registry website established under IC 36-2-13-5.5. The local law enforcement authority shall make a photograph of the sex or violent offender that complies with the requirements of IC 36-2-13-5.5 at least once per year. The sheriff of a county containing a consolidated city shall provide the police chief of the consolidated city with all photographic and computer equipment necessary to enable the police chief of the consolidated city to transmit sex or violent offender photographs (and other identifying information required by IC 36-2-13-5.5) to the Indiana sex and violent offender registry website established under IC 36-2-13-5.5. In addition, the sheriff of a county containing a consolidated city shall provide all funding for the county's

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1 financial obligation for the establishment and maintenance of the  
 2 Indiana sex and violent offender registry website established under  
 3 IC 36-2-13-5.5.

4 (j) When a sex or violent offender registers, the local law  
 5 enforcement authority shall:

6 (1) immediately update the Indiana sex and violent offender  
 7 registry website established under IC 36-2-13-5.5;

8 (2) notify every law enforcement agency having jurisdiction in  
 9 the county where the sex or violent offender resides; and

10 (3) update the National Crime Information Center National Sex  
 11 Offender Registry data base via the Indiana data and  
 12 communications system (IDACS).

13 When a sex or violent offender from a jurisdiction outside Indiana  
 14 registers a change of address, electronic mail address, instant  
 15 messaging username, electronic chat room username, social networking  
 16 website username, employment, vocation, or enrollment in Indiana, the  
 17 local law enforcement authority shall provide the department with the  
 18 information provided by the sex or violent offender during registration.

19 SECTION 56. IC 11-8-8-9, AS AMENDED BY P.L.3-2008,  
 20 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2026]: Sec. 9. (a) Not more than seven (7) days before an  
 22 Indiana sex or violent offender who is required to register under this  
 23 chapter is scheduled to be released from a secure private facility (as  
 24 defined in ~~IC 31-9-2-115~~, IC 31-9-2.1-223), or released from a  
 25 juvenile detention facility, an official of the facility shall do the  
 26 following:

27 (1) Orally inform the sex or violent offender of the sex or violent  
 28 offender's duty to register under this chapter and require the sex  
 29 or violent offender to sign a written statement that the sex or  
 30 violent offender was orally informed or, if the sex or violent  
 31 offender refuses to sign the statement, certify that the sex or  
 32 violent offender was orally informed of the duty to register.

33 (2) Deliver a form advising the sex or violent offender of the sex  
 34 or violent offender's duty to register under this chapter and  
 35 require the sex or violent offender to sign a written statement  
 36 that the sex or violent offender received the written notice or, if  
 37 the sex or violent offender refuses to sign the statement, certify  
 38 that the sex or violent offender was given the written notice of  
 39 the duty to register.

40 (3) Obtain the address where the sex or violent offender expects  
 41 to reside after the sex or violent offender's release.

42 (4) Transmit to the local law enforcement authority in the county

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where the sex or violent offender expects to reside the sex or violent offender's name, date of release or transfer, new address, and the offense or delinquent act committed by the sex or violent offender.

(b) Not more than seventy-two (72) hours after a sex or violent offender who is required to register under this chapter is released or transferred as described in subsection (a), an official of the facility shall transmit to the state police the following:

(1) The sex or violent offender's fingerprints, photograph, and identification factors.

(2) The address where the sex or violent offender expects to reside after the sex or violent offender's release.

(3) The complete criminal history data (as defined in IC 10-13-3-5) or, if the sex or violent offender committed a delinquent act, juvenile history data (as defined in IC 10-13-4-4) of the sex or violent offender.

(4) Information regarding the sex or violent offender's past treatment for mental disorders.

(5) Information as to whether the sex or violent offender has been determined to be a sexually violent predator.

(c) This subsection applies if a sex or violent offender is placed on probation or in a community corrections program without being confined in a penal facility. The probation office serving the court in which the sex or violent offender is sentenced shall perform the duties required under subsections (a) and (b).

(d) For any sex or violent offender who is not committed to the department, the probation office of the sentencing court shall transmit to the department a copy of:

(1) the sex or violent offender's:

(A) sentencing order; and

(B) presentence investigation; and

(2) any other information required by the department to make a determination concerning sex or violent offender registration.

SECTION 57. IC 11-8-8-13, AS AMENDED BY P.L.214-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) To verify a sex or violent offender's current residence, the local law enforcement authority having jurisdiction over the area of the sex or violent offender's current principal address or location shall do the following:

(1) Contact each offender in a manner approved or prescribed by the department at least one (1) time per year.

(2) Contact each offender who is designated a sexually violent

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predator in a manner approved or prescribed by the department at least once every ninety (90) days.

(3) Personally visit each sex or violent offender in the county at the sex or violent offender's listed address at least one (1) time per year, beginning seven (7) days after the local law enforcement authority receives a notice under section 7 of this chapter or the date the sex or violent offender is:

(A) released from a penal facility (as defined in IC 35-31.5-2-232), a secure private facility (as defined in ~~IC 31-9-2-115~~, IC 31-9-2.1-223), or a juvenile detention facility;

(B) placed in a community transition program;

(C) placed in a community corrections program;

(D) placed on parole; or

(E) placed on probation;

whichever occurs first.

(4) Personally visit each sex or violent offender who is designated a sexually violent predator under IC 35-38-1-7.5 at least once every ninety (90) days, beginning seven (7) days after the local law enforcement authority receives a notice under section 7 of this chapter or the date the sex or violent offender is:

(A) released from a penal facility (as defined in IC 35-31.5-2-232), a secure private facility (as defined in ~~IC 31-9-2-115~~, IC 31-9-2.1-223), or a juvenile detention facility;

(B) placed in a community transition program;

(C) placed in a community corrections program;

(D) placed on parole; or

(E) placed on probation;

whichever occurs first.

(b) If a sex or violent offender appears not to reside at the sex or violent offender's listed address, the local law enforcement authority shall immediately notify the department and the prosecuting attorney.

SECTION 58. IC 11-10-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this chapter, the terms used in IC 12-26 have the meanings set forth in ~~IC 12-7-2~~, IC 12-7-2.1.

(b) As used in this chapter, "qualified medical personnel" has the meaning set out in IC 11-10-3-1.

SECTION 59. IC 11-10-12-5.7, AS AMENDED BY P.L.6-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.7. (a) The department shall assist a committed

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offender who has a mental illness or addictive disorder in securing treatment through an approved Medicaid program, as the authorized representative as described in IC 11-10-3-7 or as a health navigator under the requirements of IC 27-19-2-12, so that the committed offender might be eligible for treatment when the offender is:

- (1) released on parole;
- (2) assigned to a community transition program;
- (3) discharged from the department; or
- (4) required to receive inpatient psychiatric services while incarcerated to the extent authorized under federal law.

(b) The department shall provide the assistance described in subsection (a) in sufficient time to ensure that the committed offender will be able to receive treatment at the time the committed offender is:

- (1) released on parole;
- (2) assigned to a community transition program; or
- (3) discharged from the department.

(c) Subject to federal law, an inmate placed in a work release program or other department program involving alternative sentencing programs is eligible for Medicaid covered services.

(d) The department may use a community mental health center (as defined in ~~IC 12-7-2-38~~, IC 12-7-2.1-78), hospital, mental health professional, or other provider certified or licensed by the division of mental health and addiction to provide treatment for a mental illness or addictive disorder through the Medicaid program.

(e) The department may permit an offender committed to the department to remain within a treatment facility operated by the department for not more than fourteen (14) days past the offender's mandatory release date, if:

- (1) the offender has a serious physical or mental disorder or disability;
- (2) the offender is being held in the treatment facility operated by the department until the offender may be placed in a similar treatment setting outside the department;
- (3) the department made a good faith effort to timely place the offender in a treatment setting outside the department on or before the offender's mandatory release date; and
- (4) the offender:
  - (A) consents to being held in a treatment facility operated by the department beyond the offender's mandatory release date; or
  - (B) has been ordered by a court to be committed to a treatment setting outside the department.

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SECTION 60. IC 11-12-3.7-2.8, AS ADDED BY P.L.187-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.8. As used in this chapter, "developmental disability" has the meaning set forth in ~~IC 12-7-2-61~~ IC 12-7-2.1-118.

SECTION 61. IC 11-12-5-10, AS ADDED BY P.L.185-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) This section is effective beginning September 1, 2015.

(b) The sheriff, in consultation with the county executive or a person designated by the county executive, shall assist an offender who has a mental illness or addictive disorder in securing treatment for the mental illness or for substance abuse addiction, as the authorized representative as described in IC 11-10-3-7 or as a health navigator under the requirements of IC 27-19-2-12, so that the offender might be eligible for treatment when the offender is subsequently released from the county jail or required to receive inpatient psychiatric services while incarcerated to the extent authorized under federal law.

(c) The sheriff shall provide the assistance described in subsection (b) in sufficient time to ensure that the offender will be able to receive treatment at the time the committed offender is released from the county jail.

(d) A sheriff shall use a community mental health center (as defined in ~~IC 12-7-2-38~~ IC 12-7-2.1-78) or a provider certified or licensed by the division of mental health and addiction, including a hospital or outreach eligibility worker, to assist with securing treatment for a mental illness or addictive disorder through the Medicaid program under this section.

SECTION 62. IC 12-7-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Definitions for Human Services Law).

SECTION 63. IC 12-7-2.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 2.1. Definitions**

**Sec. 1. "9-8-8 crisis response center", for purposes of IC 12-21-8, has the meaning set forth in IC 12-21-8-1.**

**Sec. 2. "9-8-8 suicide and crisis lifeline", for purposes of IC 12-21-8, has the meaning set forth in IC 12-21-8-1.2.**

**Sec. 3. "ABLE account", for purposes of IC 12-11-14, has the meaning set forth in IC 12-11-14-1.**

**Sec. 4. "Activities of daily living", for purposes of IC 12-10-10 and IC 12-10-11.5, has the meaning set forth in IC 12-10-10-1.5.**

**Sec. 5. "Addiction treatment team", for purposes of**

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1 IC 12-23-19.5, has the meaning set forth in IC 12-23-19.5-1.

2 Sec. 6. "Administrator", for purposes of:

3 (1) IC 12-10-15, has the meaning set forth in IC 12-10-15-1.5;  
4 and

5 (2) IC 12-24-17, has the meaning set forth in IC 12-24-17-1.

6 Sec. 7. "Adult entertainment establishment", for purposes of  
7 IC 12-13-14-4.5, means a place that provides adult oriented  
8 entertainment in which performers disrobe or perform in an  
9 unclothed state for entertainment.

10 Sec. 8. "Adult protective services unit", for purposes of  
11 IC 12-10-3, has the meaning set forth in IC 12-10-3-1.

12 Sec. 9. "Advance", for purposes of IC 12-20-25-41, has the  
13 meaning set forth in IC 12-20-25-41.

14 Sec. 10. "Advanced practice registered nurse", for purposes of  
15 IC 12-15-5-14, has the meaning set forth in IC 12-15-5-14(a).

16 Sec. 11. "Advisory committee", for purposes of  
17 IC 12-15-35-51, has the meaning set forth in IC 12-15-35-51.

18 Sec. 12. "Advocacy", for purposes of IC 12-28-1, has the  
19 meaning set forth in IC 12-28-1-2.

20 Sec. 13. "Advocate", for purposes of IC 12-26, refers to a  
21 person who:

22 (1) is a court appointed special advocate (as defined in  
23 IC 31-9-2.1-67); or

24 (2) is a guardian ad litem (as defined in IC 31-9-2.1-117).

25 Sec. 14. "Affected agency", for purposes of IC 12-16-1, has the  
26 meaning set forth in IC 12-16-1-1.

27 Sec. 15. "Aged", for purposes of IC 12-10-1 and IC 12-10-2,  
28 means an individual who is at least sixty (60) years of age.

29 Sec. 16. "Agency" means the following:

30 (1) For purposes of IC 12-12.7-2, the meaning set forth in  
31 IC 12-12.7-2-1.

32 (2) For purposes of IC 12-32-1, the meaning set forth in  
33 IC 12-32-1-1.

34 Sec. 17. "Alcohol abuse", for purposes of IC 12-23, means  
35 repeated episodes of intoxication or drinking which impair health  
36 or interfere with an individual's effectiveness on the job, at home,  
37 in the community, or operating a motor vehicle.

38 Sec. 18. "Alcohol abuser", for purposes of IC 12-23, means an  
39 individual who has had repeated episodes of intoxication or  
40 drinking which impair the individual's health or interfere with the  
41 individual's effectiveness on the job, at home, in the community, or  
42 in operating a motor vehicle.

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1           **Sec. 19. "Alcohol and drug services program", for purposes of**  
 2 **IC 12-23, means a service for a person:**

3           (1) arrested for, charged with, or convicted of a  
 4           misdemeanor or felony;

5           (2) against whom a:

6               (A) complaint for an infraction is filed; or

7               (B) judgment for an infraction is entered; or

8           (3) who is referred to a program under IC 12-23-14-5;  
 9           which provides intervention, education, referral, treatment, or  
 10          rehabilitation, under the operation of a court or under private  
 11          contract.

12          **Sec. 20. "Alcoholic", for purposes of IC 12-23, means an**  
 13 **individual who chronically and habitually uses alcoholic beverages**  
 14 **to the extent that the individual:**

15          (1) loses the power of self-control with respect to the use of  
 16          alcoholic beverages; and

17          (2) becomes a menace to the public morals, health, safety, or  
 18          welfare of the members of society in general.

19          **Sec. 21. "Alcoholism", for purposes of IC 12-23, means the**  
 20 **abnormal condition which the effect of alcohol produces in an**  
 21 **alcoholic.**

22          **Sec. 22. "Alzheimer's and dementia special care", for purposes**  
 23 **of IC 12-10-5.5, has the meaning set forth in IC 12-10-5.5-1.**

24          **Sec. 23. "Ancillary services", for purposes of IC 12-10-17.1,**  
 25 **has the meaning set forth in IC 12-10-17.1-2.**

26          **Sec. 24. "Applicant" means the following:**

27          (1) For purposes of the following statutes, a person who has  
 28          applied for assistance for the applicant or another person  
 29          under any of the following statutes:

30               (A) IC 12-10-6.

31               (B) IC 12-13.

32               (C) IC 12-14.

33               (D) IC 12-15.

34               (E) IC 12-19.

35          (2) For purposes of IC 12-17-12, the meaning set forth in  
 36          IC 12-17-12-1.

37          (3) For purposes of IC 12-17-13, the meaning set forth in  
 38          IC 12-17-13-1.

39          (4) For purposes of IC 12-17.2, a person who seeks a license  
 40          to operate a child care center or child care home.

41          (5) For purposes of IC 31-27, a person who seeks a license to  
 42          operate a child caring institution, foster family home, group

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- 1           home, or child placing agency.
- 2           Sec. 25. "Appropriate and medically necessary", for purposes
- 3 of IC 12-15-35, has the meaning set forth in IC 12-15-35-1.
- 4           Sec. 26. "Approved postsecondary educational institution" has
- 5 the meaning set forth in IC 21-7-13-6(a).
- 6           Sec. 27. "Area agency", for purposes of IC 12-10-5.7, has the
- 7 meaning set forth in IC 12-10-5.7-1.
- 8           Sec. 28. "Asset disregard", for purposes of IC 12-15-39.6, has
- 9 the meaning set forth in IC 12-15-39.6-10.
- 10          Sec. 29. "Assistance", for purposes of the following statutes,
- 11 means money or services regardless of the source, paid or
- 12 furnished under any of the following statutes:
- 13           (1) IC 12-10-6.
- 14           (2) IC 12-13.
- 15           (3) IC 12-14.
- 16           (4) IC 12-15.
- 17           (5) IC 12-19.
- 18          Sec. 30. "Assisted living services", for purposes of IC 12-8-1.6,
- 19 has the meaning set forth in IC 12-8-1.6-1.
- 20          Sec. 31. "Attendant care services", for purposes of
- 21 IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-3.
- 22          Sec. 32. "Authority", for purposes of IC 12-11-14, has the
- 23 meaning set forth in IC 12-11-14-2.
- 24          Sec. 33. (a) "Autism", for purposes of IC 12-11-8, has the
- 25 meaning set forth in IC 12-11-8-1.
- 26           (b) "Autism", for purposes of IC 12-11-1.1-6 and
- 27 IC 12-28-4-13, refers to an autism spectrum disorder that is
- 28 described in the most recent edition of the Diagnostic and
- 29 Statistical Manual of Mental Disorders of the American
- 30 Psychiatric Association.
- 31          Sec. 34. "Automated teller machine", for purposes of
- 32 IC 12-13-14, has the meaning set forth in IC 12-13-14-1.
- 33          Sec. 35. "Basic necessities", for purposes of IC 12-20, includes
- 34 those services or items essential to meet the minimum standards of
- 35 health, safety, and decency, including the following:
- 36           (1) Medical care described in IC 12-20-16-2.
- 37           (2) Clothing and footwear.
- 38           (3) Food.
- 39           (4) Shelter.
- 40           (5) Transportation to seek and accept employment on a
- 41 reasonable basis.
- 42           (6) Household essentials.

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(7) Essential utility services.

(8) Other services or items the township trustee determines are necessities.

Sec. 36. "Basic services", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-4.

Sec. 37. "Battery", for purposes of IC 12-10-3, includes battery (IC 35-42-2-1), domestic battery (IC 35-42-2-1.3), and aggravated battery (IC 35-42-2-1.5).

Sec. 38. "Blind" means the following:

(1) For purposes of the following statutes, the term refers to an individual who has vision in the better eye with correcting glasses of 20/200 or less, or a disqualifying visual field defect as determined upon examination by an ophthalmologist or optometrist who has been designated to make such examinations by the county office and approved by the division of family resources or by the division in the manner provided in any of the following statutes:

(A) IC 12-10-6.

(B) IC 12-13.

(C) IC 12-14.

(D) IC 12-15.

(E) IC 12-19.

(2) For purposes of the following statutes, the term refers to an individual who has a central visual acuity of 20/200 or less in the individual's better eye with the best correction or a field of vision that is not greater than twenty (20) degrees at its widest diameter:

(A) IC 12-12-1.

(B) IC 12-12-3.

(C) IC 12-12-5.

(D) IC 12-12-6.

Sec. 39. "Board" has the following meaning:

(1) For purposes of IC 12-8-6.5-14, the meaning set forth in IC 12-8-6.5-14(a).

(2) For purposes of IC 12-8-6.5-14.1, the meaning set forth in IC 12-8-6.5-14.1(a).

(3) For purposes of IC 12-8-6.5-14.3, the meaning set forth in IC 12-8-6.5-14.3(a).

(4) For purposes of IC 12-8-6.5-15, the meaning set forth in IC 12-8-6.5-15(a).

(5) For purposes of IC 12-10-10 and IC 12-10-11, the community and home options to institutional care for the

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1 elderly and disabled board established by IC 12-10-11-1.

2 (6) For purposes of IC 12-11-14, the meaning set forth in  
3 IC 12-11-14-3.

4 (7) For purposes of IC 12-15-35, the meaning set forth in  
5 IC 12-15-35-2.

6 Sec. 40. "Body", for purposes of IC 12-8-2.5, has the meaning  
7 set forth in IC 12-8-2.5-1.

8 Sec. 41. "Broker", for purposes of IC 12-15-30.5, has the  
9 meaning set forth in IC 12-15-30.5-1.

10 Sec. 42. "Bureau" means the following:

11 (1) For purposes of IC 12-10, the bureau of aging and  
12 in-home services established by IC 12-10-1-1.

13 (2) For purposes of IC 12-11, the bureau of disabilities  
14 services established by IC 12-11-1.1-1.

15 (3) For purposes of IC 12-12, the rehabilitation services  
16 bureau of the division of disability and rehabilitative services  
17 established by IC 12-12-1-1.

18 Sec. 43. "Buy-in program", as used in IC 12-15-41, has the  
19 meaning set forth in IC 12-15-41-1.

20 Sec. 44. "Caregiver", for purposes of IC 12-17.2, means an  
21 individual who is assigned by a provider the responsibility for  
22 supervising a specific child in the care of the provider.

23 Sec. 45. "Caretaker", for purposes of IC 12-10.5, has the  
24 meaning set forth in IC 12-10.5-1-1.

25 Sec. 46. "Case management", for purposes of IC 12-10-1 and  
26 IC 12-10-10, has the meaning set forth in IC 12-10-10-1.

27 Sec. 47. "CCDF", for purposes of IC 12-17.2-7.2, has the  
28 meaning set forth in IC 12-17.2-7.2-0.4.

29 Sec. 48. "Center", for purposes of IC 12-26, means a  
30 community mental health center.

31 Sec. 49. "Center for independent living", for purposes of  
32 IC 12-12-8, has the meaning set forth in IC 12-12-8-1.

33 Sec. 50. "Certified community behavioral health clinic", for  
34 purposes of IC 12-15-1.3-25, has the meaning set forth in  
35 IC 12-15-1.3-25.

36 Sec. 51. "Chemical test", for purposes of IC 12-23-14, means  
37 an analysis of an individual's:

38 (1) blood;

39 (2) breath;

40 (3) hair;

41 (4) sweat;

42 (5) saliva;

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- 1 (6) urine; or  
 2 (7) other bodily substance;  
 3 to determine the presence of alcohol or a controlled substance (as  
 4 defined in IC 35-48-1.1-7).  
 5 Sec. 52. "Chief magistrate", for purposes of IC 12-28-3, has  
 6 the meaning set forth in IC 12-28-3-3.  
 7 Sec. 53. "Child" means the following:  
 8 (1) For purposes of IC 12-17.2, an individual who is less than  
 9 eighteen (18) years of age.  
 10 (2) For purposes of IC 12-26, the meaning set forth in  
 11 IC 31-9-2.1-32(d).  
 12 Sec. 54. "Child care", for purposes of IC 12-17.2, means a  
 13 service that provides for the care, health, safety, and supervision  
 14 of a child's social, emotional, and educational growth.  
 15 Sec. 55. "Child care center", for purposes of IC 12-17.2, means  
 16 a nonresidential building where at least one (1) child receives child  
 17 care from a provider:  
 18 (1) while unattended by a parent, legal guardian, or  
 19 custodian;  
 20 (2) for regular compensation; and  
 21 (3) for more than four (4) hours but less than twenty-four  
 22 (24) hours in each of ten (10) consecutive days per year,  
 23 excluding intervening Saturdays, Sundays, and holidays.  
 24 Sec. 56. "Child care employee", for purposes of IC 12-17.2-7.2,  
 25 has the meaning set forth in IC 12-17.2-7.2-0.5.  
 26 Sec. 57. (a) Except as provided in subsection (c), "child care  
 27 home", for purposes of IC 12-17.2, means a residential structure  
 28 in which at least eight (8) children, or at least four (4) children  
 29 under twelve (12) months of age, (not including the children for  
 30 whom the provider is a parent, stepparent, guardian, custodian, or  
 31 other relative) at any time receive child care from a provider:  
 32 (1) while unattended by a parent, legal guardian, or  
 33 custodian;  
 34 (2) for regular compensation; and  
 35 (3) for more than six (6) hours per day but less than  
 36 twenty-four (24) hours per day for ten (10) consecutive days,  
 37 not including Saturdays, Sundays, and holidays.  
 38 (b) The term includes:  
 39 (1) a class I child care home; and  
 40 (2) a class II child care home.  
 41 (c) A child who is:  
 42 (1) a relative of a provider;

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- 1 (2) under the custody or guardianship of a provider; or
- 2 (3) at least fourteen (14) years of age and does not require
- 3 child care;

4 is not a child described under subsection (a).

5 Sec. 58. "Child care ministry", for purposes of IC 12-17.2,  
6 means child care operated by a church or religious ministry that  
7 is a religious organization exempt from federal income taxation  
8 under Section 501 of the Internal Revenue Code.

9 Sec. 59. "Child care program", for purposes of IC 12-17.2-3.5,  
10 has the meaning set forth in IC 12-17.2-3.5-1.2.

11 Sec. 60. "Child caring institution", for purposes of section  
12 149(3) of this chapter and IC 12-26, means an institution that:

- 13 (1) operates under a license issued under IC 31-27;
- 14 (2) provides for delivery of mental health services that are
- 15 appropriate to the needs of the individual; and
- 16 (3) complies with the rules adopted under IC 4-22-2 by the
- 17 department of child services.

18 Sec. 61. "Child in need of services", for purposes of the  
19 following statutes, has the meaning set forth in IC 31-34-1-1  
20 through IC 31-34-1-9:

- 21 (1) IC 12-13.
- 22 (2) IC 12-14.
- 23 (3) IC 12-15.
- 24 (4) IC 12-19.

25 Sec. 62. "Child of a child care employee", for purposes of  
26 IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-0.6.

27 Sec. 63. "Child welfare services", for purposes of the following  
28 statutes, has the meaning set forth in IC 31-9-2.1-52:

- 29 (1) IC 12-13.
- 30 (2) IC 12-14.
- 31 (3) IC 12-15.

32 Sec. 64. "Children's hospital", for purposes of IC 12-15-15-1.2,  
33 has the meaning set forth in IC 12-15-15-1.2(a).

34 Sec. 65. "Chronic pain" means pain that:

- 35 (1) persists beyond the usual course of an acute disease or
- 36 healing of an injury; or
- 37 (2) may be associated with an acute or chronic pathologic
- 38 process that causes continuous or intermittent pain for a
- 39 period of months or years.

40 Sec. 66. "Chronic pain management", for purposes of  
41 IC 12-15-5, means evidence based health care products and  
42 services intended to relieve chronic pain that has lasted for at least

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three (3) months. The term includes:

- (1) prescription drugs;
- (2) physical therapy;
- (3) occupational therapy;
- (4) chiropractic care; and
- (5) osteopathic manipulative treatment.

Sec. 67. "Chronically medically dependent" for purposes of IC 12-15-36, has the meaning set forth in IC 12-15-36-2.

Sec. 68. (a) As used in this chapter, "class I child care home" means a child care home that serves any combination of full-time and part-time children, not to exceed at any one (1) time twelve (12) children plus three (3) children who are enrolled in at least full-day kindergarten.

(b) A child:

- (1) for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
- (2) who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

Sec. 69. (a) As used in this chapter, "class II child care home" means a child care home that serves more than twelve (12) children but not more than any combination of sixteen (16) full-time and part-time children at any one (1) time.

(b) A child:

- (1) for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative and who is at least seven (7) years of age; or
- (2) who is at least fourteen (14) years of age and does not require child care;

shall not be counted in determining whether the child care home is within the limit set forth in subsection (a).

Sec. 70. (a) "Clean claim", for purposes of IC 12-15-13, except for IC 12-15-13-1 and IC 12-15-13-1.5, has the meaning set forth in IC 12-15-13-0.5.

(b) "Clean claim", for purposes of IC 12-15-12.7, IC 12-15-13-1, and IC 12-15-13-1.5, has the meaning set forth in IC 12-15-13-0.6.

Sec. 71. (a) "Coalition", for purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-1.

(b) "Coalition", for purposes of IC 12-18-9, has the meaning

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- 1 set forth in IC 12-18-9-1.
- 2 Sec. 72. "Commission" means the following:
- 3 (1) For purposes of IC 12-10-2, the meaning set forth in
- 4 IC 12-10-2-1.
- 5 (2) For purposes of IC 12-12-2, the meaning set forth in
- 6 IC 12-12-2-1.
- 7 (3) For purposes of IC 12-13-14, the meaning set forth in
- 8 IC 12-13-14-1.
- 9 (4) For purposes of IC 12-15-30.5, the meaning set forth in
- 10 IC 12-15-30.5-2.
- 11 (5) For purposes of IC 12-15-33, the meaning set forth in
- 12 IC 12-15-33-1.
- 13 (6) For purposes of IC 12-21-7.1, the meaning set forth in
- 14 IC 12-21-7.1-1.
- 15 (7) For purposes of IC 12-28-1, the meaning set forth in
- 16 IC 12-28-1-3.
- 17 Sec. 73. "Commissioner", for purposes of IC 12-12-8, has the
- 18 meaning set forth in IC 12-12-8-1.5.
- 19 Sec. 74. "Community action agency", for purposes of
- 20 IC 12-14-23, has the meaning set forth in IC 12-14-23-2.
- 21 Sec. 75. "Community and home care services", for purposes
- 22 of IC 12-10-10, has the meaning set forth in IC 12-10-10-2.
- 23 Sec. 76. "Community based residential program", for
- 24 purposes of IC 12-22-2, refers to the programs described in
- 25 IC 12-22-2-3.5.
- 26 Sec. 77. "Community intellectual disability and other
- 27 developmental disabilities centers", for purposes of IC 12-29
- 28 (except as provided in IC 12-29-3-6), means a program of services
- 29 that meets the following conditions:
- 30 (1) Is approved by the division of disability and rehabilitative
- 31 services.
- 32 (2) Is organized for the purpose of providing multiple
- 33 services for persons with developmental disabilities.
- 34 (3) Is operated by one (1) of the following or any
- 35 combination of the following:
- 36 (A) A city, a town, a county, or another political
- 37 subdivision of Indiana.
- 38 (B) An agency of the state.
- 39 (C) An agency of the United States.
- 40 (D) A political subdivision of another state.
- 41 (E) A hospital owned or operated by a unit of
- 42 government described in clauses (A) through (D).

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(F) A building authority organized for the purpose of constructing facilities to be leased to units of government.

(G) A corporation incorporated under IC 23-7-1.1 (before its repeal August 1, 1991) or IC 23-17.

(H) A nonprofit corporation incorporated in another state.

(I) A university or college.

(4) Is accredited for the services provided by one (1) of the following organizations:

(A) The Commission on Accreditation of Rehabilitation Facilities (CARF), or its successor.

(B) The Council on Quality and Leadership in Supports for People with Disabilities, or its successor.

(C) The Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or its successor.

(D) The National Commission on Quality Assurance, or its successor.

(E) An independent national accreditation organization approved by the secretary.

**Sec. 78. "Community mental health center" means a program of services that meets the following conditions:**

(1) Is approved by the division of mental health and addiction.

(2) Is organized for the purpose of providing multiple services for persons with mental illness or a chronic addictive disorder.

(3) Is operated by one (1) of the following or any combination of the following:

(A) A city, a town, a county, or another political subdivision of Indiana.

(B) An agency of the state.

(C) An agency of the United States.

(D) A political subdivision of another state.

(E) A hospital owned or operated by a unit of government described in clauses (A) through (D).

(F) A building authority organized for the purpose of constructing facilities to be leased to units of government.

(G) A corporation incorporated under IC 23-7-1.1 (before its repeal August 1, 1991) or IC 23-17.

(H) A nonprofit corporation incorporated in another

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1 state.

2 (I) A university or college.

3 Sec. 79. "Community spouse", for purposes of IC 12-15-2,  
4 means an individual who:

5 (1) is the spouse of an individual who resides in a nursing  
6 facility or another medical institution; and

7 (2) does not reside in a nursing facility or another medical  
8 institution.

9 Sec. 80. "Compendia", for purposes of IC 12-15-35 and  
10 IC 12-15-35.5, has the meaning set forth in IC 12-15-35-3.

11 Sec. 81. "Comprehensive risk contract" has the meaning set  
12 forth in 42 CFR 438.2.

13 Sec. 82. "Consumer control", for purposes of IC 12-12-8, has  
14 the meaning set forth in IC 12-12-8-2.

15 Sec. 83. (a) "Continuum of care" means a range of services:

16 (1) defined by the division in rules adopted under IC 4-22-2  
17 to provide a comprehensive continuum of care by a  
18 community mental health center or other provider; and

19 (2) based on recovery focused models of care and that are  
20 intended to meet the individual treatment needs of the  
21 behavioral health consumer.

22 (b) The continuum of care may include the following services:

23 (1) Wellness programs.

24 (2) Engagement services.

25 (3) Outpatient and inpatient services.

26 (4) Rehabilitative and habilitative services.

27 (5) Residential care and supported housing.

28 (6) Acute intensive services.

29 All services must support prevention and treatment of mental  
30 health and addiction for all populations.

31 Sec. 84. "Contracting county", for purposes of IC 12-30-7, has  
32 the meaning set forth in IC 12-30-7-2.

33 Sec. 85. "Contracting state", for purposes of IC 12-11-14, has  
34 the meaning set forth in IC 12-11-14-4.

35 Sec. 86. "Contribution", for purposes of IC 12-17-12, has the  
36 meaning set forth in IC 12-17-12-2.

37 Sec. 87. "Control board", for purposes of IC 12-20-25, has the  
38 meaning set forth in IC 12-20-25-2.

39 Sec. 88. (a) "Cooperate", for purposes of IC 12-14-2-24,  
40 IC 12-14-7-2, and IC 12-14-7-3, includes, with regard to nonparent  
41 custodians or guardians, the following:

42 (1) To appear at appointments, in person or by telephone,

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1 with a prosecuting attorney related to:

2 (A) establishing:

3 (i) paternity; or

4 (ii) an order for child support; or

5 (B) enforcing an order for child support.

6 (2) To return telephone calls and respond to correspondence  
7 when requested by a prosecuting attorney.

8 (3) To supply information, to the extent known by the  
9 nonparent custodian or guardian, for a prosecuting attorney  
10 to proceed with appropriate actions to:

11 (A) establish paternity of a dependent child;

12 (B) locate parents; or

13 (C) establish a child support order with respect to a  
14 child.

15 (4) To appear at hearings regarding:

16 (A) establishment of paternity of a child or a child  
17 support order; or

18 (B) enforcement of a child support order;

19 if attendance is necessary as determined by the prosecuting  
20 attorney.

21 (b) Information under subsection (a)(3) includes:

22 (1) identification of potential fathers of a dependent child, if  
23 known and paternity has not been established; and

24 (2) the following information, if known, regarding any  
25 parent or potential parent of a dependent child:

26 (A) The full legal name and nicknames.

27 (B) The Social Security number.

28 (C) The current or last known address and telephone  
29 number.

30 (D) The current or last known employer, including the  
31 name and address of the employer.

32 (E) If a student, the current or last known school.

33 (F) The criminal record, including where and when the  
34 parent or potential parent was incarcerated.

35 (G) The date of birth or age.

36 (H) The race.

37 (I) Any known group or organizational affiliations.

38 (J) The names and addresses of close friends or  
39 relatives.

40 (K) Any other information that the prosecuting attorney  
41 requests to help locate or identify a parent of a  
42 dependent child.

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(L) A recent photograph.

Sec. 89. "Council" means the following:

(1) For purposes of IC 12-9-4, the meaning set forth in IC 12-9-4-1.

(2) For purposes of IC 12-12-8, the meaning set forth in IC 12-12-8-2.5.

(3) For purposes of IC 12-13-4, the meaning set forth in IC 12-13-4-1.

(4) For purposes of IC 12-12.7-2, the meaning set forth in IC 12-12.7-2-2.

(5) For purposes of IC 12-21-4, the meaning set forth in IC 12-21-4-1.

Sec. 90. "Counseling", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-4.

Sec. 91. "Countable asset" means the following:

(1) For purposes of IC 12-10-10, property that is included in determining assets in the same manner as determining an individual's eligibility for the Medicaid aged and disabled waiver.

(2) For purposes of IC 12-20, noncash property that is not necessary for the health, safety, or decent living standard of a household that:

(A) is owned wholly or in part by the applicant or a member of the applicant's household;

(B) the applicant or the household member has the legal right to sell or liquidate; and

(C) includes:

(i) real property other than property that is used for the production of income or that is the primary residence of the household;

(ii) savings and checking accounts, certificates of deposit, bonds, stocks, and other intangibles that have a net cash value; and

(iii) boats, other vehicles, or any other personal property used solely for recreational or entertainment purposes.

Sec. 92. "Countable income", for purposes of IC 12-20, means a monetary amount either paid to an applicant or a member of an applicant's household not more than thirty (30) days before the date of application for township assistance, or accrued and legally available for withdrawal by an applicant or a member of an applicant's household at the time of application or not more than

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thirty (30) days after the date of application for township assistance. The term includes the following:

- (1) Gross wages before mandatory deductions.
- (2) Social Security benefits, including Supplemental Security Income.
- (3) Aid to Families with Dependent Children.
- (4) Unemployment compensation.
- (5) Worker's compensation (except compensation that is restricted for the payment of medical expenses).
- (6) Vacation pay.
- (7) Sick benefits.
- (8) Strike benefits.
- (9) Private or public pensions.
- (10) Taxable income from self-employment.
- (11) Bartered goods and services provided by another individual for the payment of nonessential needs on behalf of an applicant or an applicant's household if monetary compensation or the provision of basic necessities would have been reasonably available from that individual.
- (12) Child support.
- (13) Gifts of cash, goods, or services.
- (14) Other sources of revenue or services that the township trustee may reasonably determine to be countable income.

Sec. 93. "Countable resources", for purposes of IC 12-15-41, has the meaning set forth in IC 12-15-41-2.

Sec. 94. "County director" refers to a director of a county office of the division of family resources.

Sec. 95. "County home", for purposes of IC 12-20, means a residential facility owned, staffed, maintained, and operated by a county government for eligible county residents who are able to perform activities of daily living with little or no assistance, including the following activities:

- (1) Bathing.
- (2) Dressing.
- (3) Grooming.
- (4) Walking.
- (5) Using the toilet.
- (6) Eating.

Sec. 96. "County office" refers to a county office of the division of family resources.

Sec. 97. "Court", for purposes of IC 12-17.2, means a circuit or superior court.

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1       Sec. 98. "Covered entity", for purposes of IC 12-15-23.5, has  
2 the meaning set forth in IC 12-15-23.5-1.

3       Sec. 99. "Covered medical services", for purposes of  
4 IC 12-16-1, has the meaning set forth in IC 12-16-1-2.

5       Sec. 100. "Covered outpatient drug", for purposes of  
6 IC 12-15-35, has the meaning set forth in IC 12-15-35-4.5.

7       Sec. 101. "Covered population", for purposes of IC 12-15-12.7  
8 and IC 12-15-13-1.8, has the meaning set forth in  
9 IC 12-15-13-1.8(a).

10       Sec. 102. "Creditor", for purposes of IC 12-20-25, has the  
11 meaning set forth in IC 12-20-25-3.

12       Sec. 103. "Crisis receiving and stabilization services", for  
13 purposes of IC 12-21-8, has the meaning set forth in IC 12-21-8-2.

14       Sec. 104. "Criteria", for purposes of IC 12-15-35, has the  
15 meaning set forth in IC 12-15-35-5.

16       Sec. 105. "Cross-disability", for purposes of IC 12-12-8, has  
17 the meaning set forth in IC 12-12-8-3.

18       Sec. 106. "Cross-indicated drug", for purposes of  
19 IC 12-15-35.5, has the meaning set forth in IC 12-15-35.5-2.

20       Sec. 107. "Crowd out", for purposes of IC 12-17.6, has the  
21 meaning set forth in IC 12-17.6-1-2.

22       Sec. 108. "Custodial authority of a building", for purposes of  
23 the following statutes, means the person authorized to contract for  
24 the provision of vending services in the building:

25       (1) IC 12-12-5.

26       (2) IC 12-12-6.

27       Sec. 109. (a) Except as provided in subsection (b),  
28 "dangerous", for purposes of IC 12-26, means a condition in which  
29 an individual as a result of mental illness, presents a substantial  
30 risk that the individual will harm the individual or others.

31       (b) "Dangerous", for purposes of IC 12-26-5, means a  
32 condition in which an individual presents a substantial risk that the  
33 individual will harm the individual or others.

34       Sec. 110. "Dangerous felony", for purposes of IC 12-17.2,  
35 means one (1) or more of the following felonies:

36       (1) Murder (IC 35-42-1-1).

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

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

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

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

41       (6) Aggravated battery (IC 35-42-2-1.5).

42       (7) Kidnapping (IC 35-42-3-2).

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(8) Rape (IC 35-42-4-1).

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

(10) Child molesting (IC 35-42-4-3).

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

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

(13) Burglary as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).

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

(15) Domestic battery (IC 35-42-2-1.3).

(16) Strangulation (IC 35-42-2-9).

(17) Criminal confinement (IC 35-42-3-3).

(18) Sexual battery (IC 35-42-4-8).

Sec. 111. "Decertify", for purposes of IC 12-17.2-3.5, means to remove, for any period of less than two (2) years, a provider's eligibility to receive a voucher payment.

Sec. 112. "Delinquent child", for purposes of the following statutes, has the meaning set forth in IC 31-37-1 and IC 31-37-2:

(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

Sec. 113. "Department", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

Sec. 114. (a) "Dependent child", for purposes of the statutes listed in subsection (b), means a needy individual who satisfies either of the following conditions:

(1) The individual is less than sixteen (16) years of age.

(2) The individual is less than eighteen (18) years of age and the county office that has jurisdiction of the individual finds all of the following:

(A) The individual regularly attends school.

(B) The individual has been deprived of parental support or care because of a parent's:



- 1 (i) death;  
 2 (ii) continued absence from the home; or  
 3 (iii) physical or mental incapacity.  
 4 (C) The individual's parent or other relative who is  
 5 legally responsible for the child's support is not able to  
 6 provide adequately for the individual without public  
 7 assistance.  
 8 (D) The individual is living in the home of at least one (1)  
 9 of the following relatives:  
 10 (i) The individual's parent.  
 11 (ii) The individual's sibling.  
 12 (iii) The individual's grandparent.  
 13 (iv) The individual's stepparent.  
 14 (v) The individual's stepbrother or stepsister.  
 15 (vi) The individual's aunt or uncle.  
 16 (b) This section applies to the following statutes:  
 17 (1) IC 12-13.  
 18 (2) IC 12-14.  
 19 (3) IC 12-15.  
 20 (4) IC 12-19.  
 21 Sec. 115. "Designated beneficiary", for purposes of  
 22 IC 12-11-14, has the meaning set forth in IC 12-11-14-5.  
 23 Sec. 116. (a) Except as provided in subsection (b), "designee"  
 24 means an office director, division director, or other employee of the  
 25 office of the secretary with expertise or knowledge concerning the  
 26 area for which the individual is being designated.  
 27 (b) The definition set forth in subsection (a) does not apply to  
 28 the following:  
 29 (1) Designations for purposes of administrative proceedings  
 30 under IC 4-21.5.  
 31 (2) IC 12-11-1.1-10.  
 32 (3) IC 12-15-11-2.5.  
 33 (4) IC 12-15-13-3.5.  
 34 (5) IC 12-15-13-4.  
 35 (6) Designations of superintendents under IC 12-21-2-3 or  
 36 IC 12-24-2-2.  
 37 (7) IC 12-30-2-15.  
 38 Sec. 117. (a) "Destitute child", for purposes of the statutes  
 39 listed in subsection (b), means an individual:  
 40 (1) who is needy;  
 41 (2) who is not a public ward;  
 42 (3) who is less than eighteen (18) years of age;

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(4) who has been deprived of parental support or care because of a parent's:

(A) death;

(B) continued absence from the home; or

(C) physical or mental incapacity;

(5) whose relatives liable for the individual's support are not able to provide adequate care or support for the individual without public assistance; and

(6) who is in need of foster care, under circumstances that do not require the individual to be made a public ward.

(b) This section applies to the following statutes:

(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

Sec. 118. (a) Except as provided in subsection (b), "developmental disability" means a severe, chronic disability of an individual that meets all of the following conditions:

(1) Is attributable to:

(A) intellectual disability, cerebral palsy, epilepsy, or autism; or

(B) any other condition (other than a sole diagnosis of mental illness) found to be closely related to intellectual disability, because this condition results in similar impairment of general intellectual functioning or adaptive behavior or requires treatment or services similar to those required for a person with an intellectual disability.

(2) Is manifested before the individual is twenty-two (22) years of age.

(3) Is likely to continue indefinitely.

(4) Results in substantial functional limitations in at least three (3) of the following areas of major life activities:

(A) Self-care.

(B) Understanding and use of language.

(C) Learning.

(D) Mobility.

(E) Self-direction.

(F) Capacity for independent living.

(G) Economic self-sufficiency.

(b) The definition in subsection (a) does not apply and may not affect services provided to an individual receiving:

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1 (1) home and community based Medicaid waiver; or  
 2 (2) ICF/IID;  
 3 services through the division on June 30, 2011.

4 Sec. 119. "Direct support professional", for purposes of  
 5 IC 12-11-16, has the meaning set forth in IC 12-11-16-1.

6 Sec. 120. "Director" refers to the following:

7 (1) With respect to a particular division, the director of the  
 8 division.

9 (2) With respect to a particular state institution, the director  
 10 who has administrative control of and responsibility for the  
 11 state institution.

12 (3) For purposes of IC 12-10-15, the term refers to the  
 13 director of the division of aging.

14 (4) For purposes of IC 12-25, the term refers to the director  
 15 of the division of mental health and addiction.

16 (5) For purposes of IC 12-26, the term:

17 (A) refers to the director who has administrative control  
 18 of and responsibility for the appropriate state  
 19 institution; and

20 (B) includes the director's designee.

21 (6) If subdivisions (1) through (5) do not apply, the term  
 22 refers to the director of any of the divisions.

23 Sec. 121. "Discharge", for purposes of IC 12-26, means the  
 24 final and complete release of an individual with a mental illness  
 25 from the care, treatment, training, or detention at a facility to  
 26 which the individual was committed or entered voluntarily for  
 27 mental illness.

28 Sec. 122. "Dispense", for purposes of IC 12-23-18-8, has the  
 29 meaning set forth in IC 12-23-18-8(a).

30 Sec. 123. "Distressed township", for purposes of IC 12-20-25,  
 31 has the meaning set forth in IC 12-20-25-4.

32 Sec. 124. (a) "Division", except as provided in subsections (b),  
 33 (c), and (d), refers to any of the following:

34 (1) The division of disability and rehabilitative services  
 35 established by IC 12-9-1-1.

36 (2) The division of aging established by IC 12-9.1-1-1.

37 (3) The division of family resources established by  
 38 IC 12-13-1-1.

39 (4) The division of mental health and addiction established  
 40 by IC 12-21-1-1.

41 (b) The term refers to the following:

42 (1) For purposes of the following statutes, the division of



disability and rehabilitative services established by  
IC 12-9-1-1:

(A) IC 12-9.

(B) IC 12-11.

(C) IC 12-12.

(D) IC 12-12.7.

(E) IC 12-28-5.

(2) For purposes of the following statutes, the division of  
aging established by IC 12-9.1-1-1:

(A) IC 12-9.1.

(B) IC 12-10.

(C) IC 12-10.5.

(3) For purposes of the following statutes, the division of  
family resources established by IC 12-13-1-1:

(A) IC 12-8-12.

(B) IC 12-13.

(C) IC 12-14.

(D) IC 12-15.

(E) IC 12-16.

I (F) IC 12-17. ~~<2>~~

(G) IC 12-1 ~~<8>~~ [7.2].

(H) IC 12-1 ~~<9>~~ [8].

(I) IC 12- ~~<20>~~ [19].

I (J) IC 12-20.

I (4) For purposes of the following statutes, the division of  
mental health and addiction established by IC 12-21-1-1:

(A) IC 12-21.

(B) IC 12-22.

(C) IC 12-23.

(D) IC 12-25.

(c) With respect to a particular state institution, the term  
refers to the division whose director has administrative control of  
and responsibility for the state institution.

(d) For purposes of IC 12-24, IC 12-26, and IC 12-27, the term  
refers to the division whose director has administrative control of  
and responsibility for the appropriate state institution.

Sec. 125. "Domestic violence", for purposes of IC 12-18-8, has  
the meaning set forth in IC 34-6-2.1-50.

Sec. 126. "Doula" means an individual who is trained and  
certified by a nationally recognized institution in providing  
emotional and physical support, but not medical or midwife care,  
to pregnant women before, during, and after childbirth.

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1       Sec. 127. "Drug", for purposes of IC 12-23, means a drug or  
2       a controlled substance (as defined in IC 35-48-1.1).

3       Sec. 128. "Drug abuse", for purposes of IC 12-23, means:

4       (1) psychological or physical dependence on the effect of  
5       drugs or harmful substances; or

6       (2) abuse of the use of drugs or harmful substances;  
7       that is harmful to the individual or society.

8       Sec. 129. "Drug abuser", for purposes of IC 12-23, means an  
9       individual who:

10      (1) has developed a psychological or physical dependence on  
11      the effects of drugs or harmful substances; or

12      (2) abuses the use of drugs or harmful substances;  
13      so that the individual or society is harmed.

14      Sec. 130. "Drug-disease contraindication", for purposes of  
15      IC 12-15-35, has the meaning set forth in IC 12-15-35-6.

16      Sec. 131. "Drug-drug interaction", for purposes of  
17      IC 12-15-35, has the meaning set forth in IC 12-15-35-7.

18      Sec. 132. "Drug utilization review" or "DUR", for purposes of  
19      IC 12-15-35, has the meaning set forth in IC 12-15-35-8.

20      Sec. 133. "Early intervention services", for purposes of  
21      IC 12-12.7-2, has the meaning set forth in IC 12-12.7-2-3.

22      Sec. 134. "EBT card", for purposes of IC 12-13-14-15, has the  
23      meaning set forth in IC 12-13-14-15(a).

24      Sec. 135. "EBT program", for purposes of IC 12-13-14, has the  
25      meaning set forth in IC 12-13-14-1.

26      Sec. 136. (a) "Eligible individual", for purposes of:

27      (1) IC 12-10-10, has the meaning set forth in IC 12-10-10-4;  
28      and

29      (2) IC 12-11-14, has the meaning set forth in IC 12-11-14-6.

30      (b) "Eligible individual" has the meaning set forth in  
31      IC 12-14-18-1.5 for purposes of the following:

32      (1) IC 12-10-6.

33      (2) IC 12-14-2.

34      (3) IC 12-14-18.

35      (4) IC 12-14-19.

36      (5) IC 12-15-2.

37      (6) IC 12-15-3.

38      (7) IC 12-16-3.5.

39      (8) IC 12-20-5.5.

40      Sec. 137. (a) "Emergency", for purposes of IC 12-20, means an  
41      unpredictable circumstance or a series of unpredictable  
42      circumstances that:



(1) place the health or safety of a household or a member of a household in jeopardy; and

(2) cannot be remedied in a timely manner by means other than township assistance.

(b) "Emergency", for purposes of IC 12-17.6, has the meaning set forth in IC 12-17.6-1-2.6.

Sec. 138. "Emergency medical condition", for purposes of IC 12-15-12, has the meaning set forth in IC 12-15-12-0.3.

Sec. 139. "Emergency medical services", for purposes of IC 12-15-5-18.5, has the meaning set forth in IC 16-18-2-110.

Sec. 140. "Emergency services", for purposes of IC 12-15-12, has the meaning set forth in IC 12-15-12-0.5.

Sec. 141. (a) "Employed", "employee", "employment", or "employs", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-1.3.

(b) "Employee", for purposes of IC 12-23-23, has the meaning set forth in IC 12-23-23-1.

Sec. 142. "Endangered adult", for purposes of IC 12-8-1.5-18 and IC 12-10-3, has the meaning set forth in IC 12-10-3-2.

Sec. 143. "Endangered adult medical alert" means an alert indicating that law enforcement officials are searching for a missing endangered adult.

Sec. 144. "Enforcement action", for purposes of IC 12-17.2, refers to the following:

(1) Revocation or decertification of eligibility for a voucher payment under IC 12-17.2-3.5.

(2) Denial, suspension, or revocation of a:

(A) license under IC 12-17.2-4 or IC 12-17.2-5; or

(B) registration under IC 12-17.2-6.

Sec. 145. "Essential person", for purposes of IC 12-14, has the meaning set forth in IC 12-14-2-0.5.

Sec. 146. "Estate", for purposes of IC 12-15-9, has the meaning set forth in IC 12-15-9-0.5.

Sec. 147. "Executive authority", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-3.

Sec. 148. (a) "Expenses and obligations", for purposes of the statutes listed in subsection (b), refer to expenses, obligations, assistance, and claims:

(1) of a county office;

(2) incurred in the administration of the welfare services of the county;

(3) incurred as provided by law; and

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(4) for:

(A) assistance for aged persons in need;

(B) assistance to dependent children; and

(C) other assistance or services that a county office is authorized by law to allow.

(b) This section applies to the following statutes:

(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

Sec. 149. "Facility" means the following:

(1) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-3.

(2) For purposes of IC 12-17-13, the meaning set forth in IC 12-17-13-2.

(3) For purposes of IC 12-26, a hospital, a health and hospital corporation established under IC 16-22-8, a psychiatric hospital, a community mental health center, another institution, a program, a managed care provider, or a child caring institution:

(A) where an individual with a mental illness can receive rehabilitative treatment, or habilitation and care, in the least restrictive environment suitable for the necessary care, treatment, and protection of the individual and others; and

(B) that has adequate space and treatment staff appropriate to the needs of the individual as determined by the superintendent of the facility.

The term includes all services, programs, and centers of the facility, wherever located.

(4) For purposes of IC 12-15-32, the meaning set forth in IC 12-15-32-1.

Sec. 150. "Family or household member", for purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-3.

Sec. 151. "Federal act", for purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.2.

Sec. 152. "Federal department", for purposes of IC 12-26-9, has the meaning set forth in IC 12-26-9-1.

Sec. 153. "Federal facility", for purposes of IC 12-26-9, has the meaning set forth in IC 12-26-9-2.

Sec. 154. "Federal income poverty level", for purposes of IC 12-15-2, has the meaning set forth in IC 12-15-2-1.

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1       Sec. 155. "Federal public benefit", for purposes of IC 12-32-1,  
2       has the meaning set forth in IC 12-32-1-2.

3       Sec. 156. "Financial institution", for purposes of IC 12-13-14,  
4       has the meaning set forth in IC 12-13-14-1.

5       Sec. 157. "Fiscal body", for purposes of IC 12-20, has the  
6       meaning set forth in IC 36-1-2-6.

7       Sec. 158. "Flight" or "fled", for purposes of IC 12-28-3, has  
8       the meaning set forth in IC 12-28-3-1.

9       Sec. 159. "Food retailer", for purposes of IC 12-13-14, has the  
10       meaning set forth in IC 12-13-14-1(f).

11       Sec. 160. "Forcible felony", for purposes of IC 12-23, has the  
12       meaning set forth in IC 35-31.5-2-138.

13       Sec. 161. (a) "Foster care", for purposes of the statutes listed  
14       in subsection (b), means living in a place licensed under IC 31-27.

15       (b) This section applies to the following statutes:

16       (1) IC 12-13.

17       (2) IC 12-14.

18       (3) IC 12-15.

19       (4) IC 12-19.

20       Sec. 162. "Functional eligibility assessment", for purposes of  
21       IC 12-10-11.5-4.5, has the meaning set forth in  
22       IC 12-10-11.5-4.5(a).

23       Sec. 163. "Functional eligibility determination", for purposes  
24       of IC 12-10-11.5-4.5, has the meaning set forth in  
25       IC 12-10-11.5-4.5(b).

26       Sec. 164. "Fund" means the following:

27       (1) For purposes of IC 12-12-1-9, the fund described in  
28       IC 12-12-1-9.

29       (2) For purposes of IC 12-15-20, the meaning set forth in  
30       IC 12-15-20-1.

31       (3) For purposes of IC 12-17-12, the meaning set forth in  
32       IC 12-17-12-4.

33       (4) For purposes of IC 12-17.2-7.2, the meaning set forth in  
34       IC 12-17.2-7.2-4.7.

35       (5) For purposes of IC 12-17.6, the meaning set forth in  
36       IC 12-17.6-1-3.

37       (6) For purposes of IC 12-21-9, the meaning set forth in  
38       IC 12-21-9-1.

39       (7) For purposes of IC 12-23-2, the meaning set forth in  
40       IC 12-23-2-1.

41       (8) For purposes of IC 12-23-18, the meaning set forth in  
42       IC 12-23-18-4.

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(9) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

(10) For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

(11) For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

Sec. 165. "Gatekeeper", for purposes of IC 12-24, IC 12-25, and IC 12-26, means an entity identified in IC 12-24-12-10 that is actively involved in the evaluation and planning of and treatment for a committed individual beginning after the commitment through the planning of the individual's transition back into the community, including case management services for the individual in the community.

Sec. 166. "Governmental entity", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-3.

Sec. 167. "Governor", for purposes of IC 12-28-3, has the meaning set forth in IC 12-28-3-3.

Sec. 168. "Grantee agency", for purposes of IC 12-8-10, has the meaning set forth in IC 12-8-10-2.

Sec. 169. (a) "Grant-in-aid", for purposes of the statutes listed in subsection (b), means any money paid by the federal government to the state or any money paid by the state to a county for the purpose of defraying any of the expenses, claims, allowances, assistance, or obligations authorized by this title.

(b) This section applies to the following statutes:

(1) IC 12-13.

(2) IC 12-14.

(3) IC 12-15.

(4) IC 12-19.

Sec. 170. "Gravely disabled", for purposes of IC 12-26, means a condition in which an individual, as a result of mental illness, is in danger of coming to harm because the individual:

(1) is unable to provide for that individual's food, clothing, shelter, or other essential human needs; or

(2) has a substantial impairment or an obvious deterioration of that individual's judgment, reasoning, or behavior that results in the individual's inability to function independently.

Sec. 171. "Group", for purposes of IC 12-8-10, has the meaning set forth in IC 12-8-10-3.

Sec. 172. "Group size", for purposes of IC 12-17.2-3.5, means the number of children who routinely work, learn, eat, sleep, and play together inside and outside a facility where a provider



operates a child care program.

Sec. 173. "Guidelines", for purposes of IC 12-23-23, has the meaning set forth in IC 12-23-23-2.

Sec. 174. "Harmful substance", for purposes of IC 12-23, means any substance used by an individual to produce the effect of a controlled substance, although the substance is not classified as a controlled substance under IC 35-48.

Sec. 175. "Health facility", for purposes of IC 12-10-5.5, has the meaning set forth in IC 12-10-5.5-2.

Sec. 176. "Health maintenance organization", for purposes of IC 12-15-39.6, has the meaning set forth in IC 27-13-1-19.

Sec. 177. "Health related services":

(1) for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-2; and

(2) for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-5.

Sec. 178. "Holocaust victim's settlement payment" has the meaning set forth in IC 12-14-18-1.7 for purposes of the following:

(1) IC 12-10-6.

(2) IC 12-14-2.

(3) IC 12-14-18.

(4) IC 12-14-19.

(5) IC 12-15-2.

(6) IC 12-15-3.

(7) IC 12-16-3.5.

(8) IC 12-20-5.5.

Sec. 179. "Home and community based services waiver", for purposes of IC 12-8-1.6, has the meaning set forth in IC 12-8-1.6-2.

Sec. 180. "Home health agency", for purposes of IC 12-15-34, has the meaning set forth in IC 12-15-34-1.

Sec. 181. "Home health services", for purposes of IC 12-15-34, has the meaning set forth in IC 12-15-34-2.

Sec. 182. "Hospice", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-2.

Sec. 183. "Hospice program", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-3.

Sec. 184. "Hospice program patient", for purposes of IC 12-15-40, has the meaning set forth in IC 12-15-40-4.

Sec. 185. "Hospice services", for purposes of IC 12-15-5 and IC 12-15-40, has the meaning set forth in IC 12-15-40-5.

Sec. 186. "Hospital" means the following:

(1) For purposes of IC 12-15-11.5, the meaning set forth in



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1           **IC 12-15-11.5-1.**

2           **(2) For purposes of IC 12-15-18, the meaning set forth in**  
 3           **IC 12-15-18-2.**

4           **(3) For purposes of IC 12-16, except IC 12-16-1, the term**  
 5           **refers to a hospital licensed under IC 16-21.**

6           **Sec. 187. "Household", for purposes of IC 12-20, means any of**  
 7           **the following:**

8               **(1) An individual living alone.**

9               **(2) A family related by blood.**

10              **(3) A group of individuals living together at one (1) residence**  
 11              **as a domestic unit with mutual economic dependency.**

12           **Sec. 188. "Housing with services establishment", for purposes**  
 13           **of IC 12-10-5.5, IC 12-10-11.5, and IC 12-10-15, has the meaning**  
 14           **set forth in IC 12-10-15-3.**

15           **Sec. 189. (a) "Immediate family", for purposes of the statutes**  
 16           **listed in subsection (b), means the following:**

17               **(1) If a Medicaid applicant is married, the applicant's spouse**  
 18               **and dependent children less than twenty-one (21) years of**  
 19               **age.**

20               **(2) If a Medicaid applicant is not married, the following:**

21                   **(A) If the applicant is divorced, the parent having**  
 22                   **custody.**

23                   **(B) If the applicant is less than twenty-one (21) years of**  
 24                   **age:**

25                       **(i) the parent having custody; and**

26                       **(ii) the dependent children less than twenty-one (21)**  
 27                       **years of age of the parent or parents.**

28                   **(C) If clauses (A) and (B) do not apply, the applicant's**  
 29                   **parents.**

30           **(b) This section applies to the following statutes:**

31               **(1) IC 12-14-1 through IC 12-14-8.**

32               **(2) IC 12-15, except IC 12-15-32, IC 12-15-33, and**  
 33               **IC 12-15-34.**

34           **Sec. 190. "Incapacitated", for purposes of IC 12-23, means**  
 35           **having been judged incapacitated under IC 29-3 by a court.**

36           **Sec. 191. "Incapacitated by alcohol", for purposes of IC 12-23,**  
 37           **means that an individual, as the result of the use of alcohol, has the**  
 38           **individual's judgment impaired and is incapable of realizing and**  
 39           **making a rational decision with respect to the individual's need for**  
 40           **treatment.**

41           **Sec. 192. "Incapacitated individual", for purposes of**  
 42           **IC 12-10-7, has the meaning set forth in IC 12-10-7-1.**

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1           Sec. 193. "Indebtedness", for purposes of IC 12-20-25, has the  
2 meaning set forth in IC 12-20-25-5.

3           Sec. 194. "Indigent adult", for purposes of IC 12-10-7, has the  
4 meaning set forth in IC 12-10-7-2.

5           Sec. 195. (a) "Individual in need of self-directed in-home  
6 care", for purposes of IC 12-8-1.7, has the meaning set forth in  
7 IC 12-8-1.7-2.

8           (b) "Individual in need of self-directed in-home care", for  
9 purposes of IC 12-10-17.1, has the meaning set forth in  
10 IC 12-10-17.1-6.

11          Sec. 196. (a) "Individual with a disability", for purposes of  
12 IC 12-12-8, has the meaning set forth in IC 12-12-8-3.4.

13          (b) "Individual with a disability", for purposes of IC 12-10-10,  
14 has the meaning set forth in IC 12-10-10-3.

15          Sec. 197. "Individual with a mental illness", for purposes of  
16 IC 12-21-2 and IC 12-24-17, means an individual who:

17           (1) has a psychiatric disorder that substantially impairs the  
18 individual's mental health; and

19           (2) requires care, treatment, training, or detention:

20               (A) because of the psychiatric disorder; or

21               (B) for the welfare of the individual or others of the  
22 community in which the individual resides.

23          Sec. 198. "Individual with a significant disability", for  
24 purposes of IC 12-12-8, has the meaning set forth in IC 12-12-8-3.6.

25          Sec. 199. "Infants and toddlers with disabilities", for purposes  
26 of IC 12-12-7-2, has the meaning set forth in IC 12-12-7-2-4.

27          Sec. 200. "Institution", for purposes of IC 12-10-11.5, has the  
28 meaning set forth in IC 12-10-11.5-1.

29          Sec. 201. "Institutional provider", for purposes of  
30 IC 12-15-13-4, has the meaning set forth in IC 12-15-13-4(a).

31          Sec. 202. (a) "Insurer", for purposes of the statutes listed in  
32 subsection (b), means an insurance company, a health maintenance  
33 organization (as defined in IC 27-13-1-19), a self-funded employee  
34 benefit plan, a pension fund, a retirement system, or a similar  
35 entity that:

36           (1) does business in Indiana; and

37           (2) is under an obligation to make payments for medical  
38 services as a result of injury, illness, or disease suffered by an  
39 individual.

40          (b) This section applies to the following statutes:

41           (1) IC 12-14-1 through IC 12-14-8.

42           (2) IC 12-15, except IC 12-15-32, IC 12-15-33, and



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- 1           **IC 12-15-34.**
- 2           **Sec. 203. "Interim period", for purposes of IC 12-20-27, has**  
 3 **the meaning set forth in IC 12-20-27-1.5.**
- 4           **Sec. 204. "Intervention", for purposes of IC 12-15-35, has the**  
 5 **meaning set forth in IC 12-15-35-9.**
- 6           **Sec. 205. "Intoxicated", for purposes of IC 12-23, means the**  
 7 **state of an individual in which the individual's mental or physical**  
 8 **functioning is substantially impaired as a result of the use of**  
 9 **alcohol, drugs, or harmful substances.**
- 10          **Sec. 206. "Knew" or "know", for purposes of IC 12-15-23,**  
 11 **means that a person, regarding information:**
- 12           **(1) has actual knowledge of information;**  
 13           **(2) acts in deliberate ignorance of the truth or falsity of the**  
 14           **information; or**  
 15           **(3) acts in reckless disregard of the truth or falsity of the**  
 16           **information.**
- 17          **Sec. 207. "Legal assistance developer", for purposes of**  
 18 **IC 12-10-13, has the meaning set forth in IC 12-10-13-3.2.**
- 19          **Sec. 208. "Legal representative", for purposes of IC 12-10-13,**  
 20 **has the meaning set forth in IC 12-10-13-3.3.**
- 21          **Sec. 209. "Level of services", for purposes of IC 12-8-1.6, has**  
 22 **the meaning set forth in IC 12-8-1.6-3.**
- 23          **Sec. 210. "Licensed health professional", for purposes of**  
 24 **IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-7.**
- 25          **Sec. 211. "Licensee", for purposes of IC 12-17.2, means a**  
 26 **person who holds a valid license issued under IC 12-17.2.**
- 27          **Sec. 212. "Life threatening emergency", for purposes of**  
 28 **IC 12-10-3, has the meaning set forth in IC 12-10-3-4.**
- 29          **Sec. 213. "Local domestic violence fatality review team", for**  
 30 **purposes of IC 12-18-8, has the meaning set forth in IC 12-18-8-5.**
- 31          **Sec. 214. "Long term care", for purposes of IC 12-15-39.6, has**  
 32 **the meaning set forth in IC 12-15-39.6-1.**
- 33          **Sec. 215. (a) "Long term care facility", for purposes of**  
 34 **IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-2.**
- 35           **(b) "Long term care facility", for purposes of IC 12-10-13, has**  
 36 **the meaning set forth in IC 12-10-13-3.6.**
- 37          **Sec. 216. "Long term care insurance", for purposes of**  
 38 **IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-3.**
- 39          **Sec. 217. "Low income utilization rate", for purposes of**  
 40 **IC 12-15-16-6, has the meaning set forth in IC 12-15-16-6(a).**
- 41          **Sec. 218. (a) Except as provided in subsection (b), "managed**  
 42 **care organization" means a person that has a comprehensive risk**

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1 contract with the office of Medicaid policy and planning under  
2 IC 12-15.

3 (b) "Managed care organization", for purposes of  
4 IC 12-15-12.7 and IC 12-15-13-1.8, means a person that contracts  
5 with the office of Medicaid policy and planning to provide services  
6 under a risk based managed care program for the covered  
7 population (as defined in section 101 of this chapter).

8 Sec. 219. "Managed care provider", for purposes of IC 12-14-1  
9 through IC 12-14-8 and IC 12-15 (except IC 12-15-21, IC 12-15-33,  
10 and IC 12-15-34), means either of the following:

11 (1) A physician licensed under IC 25-22.5 who:

12 (A) is primarily engaged in general practice, family  
13 practice, internal medicine, pediatric medicine, or  
14 obstetrics and gynecology; and

15 (B) has entered into a provider agreement for the  
16 provision of physician services under IC 12-15-11-4.

17 (2) A partnership, corporation, or other entity that:

18 (A) employs or contracts with physicians licensed under  
19 IC 25-22.5 who are primarily engaged in general  
20 practice, family practice, internal medicine, pediatric  
21 medicine, or obstetrics and gynecology; and

22 (B) has entered into a provider agreement for the  
23 provision of physician services under IC 12-15-11-4.

24 Sec. 220. "Medicaid inpatient utilization rate", for purposes of  
25 IC 12-15-16 and IC 12-15-17-1, has the meaning set forth in  
26 IC 12-15-16-2(a).

27 Sec. 221. "Medicaid program" refers to the program  
28 established under IC 12-15.

29 Sec. 222. "Medical institution", for purposes of IC 12-15-8.5,  
30 has the meaning set forth in IC 12-15-8.5-1.

31 Sec. 223. "Medication assisted treatment" means evidence  
32 based addiction treatment that, to the extent needed by the patient,  
33 includes the following:

34 (1) A treatment plan that encompasses comprehensive  
35 therapy with detoxification, psychosocial support, and  
36 counseling.

37 (2) Access to federal Food and Drug Administration  
38 approved medications and devices that are used for the  
39 prevention of relapse and treatment of the following:

40 (A) Opioid dependence and with the treatment goal of  
41 opioid abstinence or the use of the lowest appropriate  
42 dose.



(B) Alcohol dependence.

Sec. 224. "Member", for purposes of IC 12-8-2.5, has the meaning set forth in IC 12-8-2.5-2.

Sec. 225. "Member of the applicant's household", for purposes of IC 12-20-6-0.5, has the meaning set forth in IC 12-20-6-0.5.

Sec. 226. "Mental illness" or "mentally ill" means the following:

(1) For purposes of IC 12-23-5, IC 12-24, and IC 12-26, a psychiatric disorder that:

(A) substantially disturbs an individual's thinking, feeling, or behavior; and

(B) impairs the individual's ability to function.

The term includes intellectual disability, alcoholism, and addiction to narcotics or dangerous drugs, and, for purposes of IC 12-26-5, the term includes temporary impairment as a result of alcohol or drug use.

(2) For purposes of IC 12-28-4 and IC 12-28-5, a psychiatric disorder that:

(A) substantially disturbs an individual's thinking, feeling, or behavior; and

(B) impairs the individual's ability to function.

The term does not include developmental disability.

Sec. 227. "Missing endangered adult", for purposes of IC 12-10-18, means an individual at least eighteen (18) years of age who is reported missing to a law enforcement agency and is, or is believed to be:

(1) a temporary or permanent resident of Indiana;

(2) at a location that cannot be determined by an individual familiar with the missing individual; and

(3) incapable of returning to the missing individual's residence without assistance by reason of:

(A) mental illness;

(B) intellectual disability;

(C) dementia; or

(D) another physical or mental incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care.

Sec. 228. "Mobile crisis team", for purposes of IC 12-21-8 and IC 12-29-5, has the meaning set forth in IC 12-21-8-3.

Sec. 229. "Mobile integrated healthcare", for purposes of IC 12-29-5, has the meaning set forth in IC 16-31-12-1.

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1       Sec. 230. "Monitor", for purposes of IC 12-17.2, means  
2 observation to determine the licensee's continuing compliance with  
3 IC 12-17.2.

4       Sec. 231. "National criminal history background check", for  
5 purposes of IC 12-17.2, has the meaning set forth in IC 10-13-3-12.

6       Sec. 232. "Nonemergency medical transportation", for  
7 purposes of IC 12-15-30.5, has the meaning set forth in  
8 IC 12-15-30.5-3.

9       Sec. 233. "Noninstitutional provider", for purposes of  
10 IC 12-15-13-3.5, has the meaning set forth in IC 12-15-13-3.5(a).

11       Sec. 234. "Nursing facility" has the meaning set forth in 42  
12 U.S.C. 1396r(a).

13       Sec. 235. "Office" means the following:

14       (1) Except as provided in subdivisions (2) through (5), the  
15 office of the secretary established by IC 12-8-1.5-1.

16       (2) For purposes of IC 12-10-13, the meaning set forth in  
17 IC 12-10-13-4.

18       (3) For purposes of IC 12-15-13, the meaning set forth in  
19 IC 12-15-13-0.4.

20       (4) For purposes of IC 12-17.2-7.2, the meaning set forth in  
21 IC 12-17.2-7.2-3.

22       (5) For purposes of IC 12-17.6, the meaning set forth in  
23 IC 12-17.6-1-4.

24       Sec. 235. "Office" means the following:

25       (1) Except as provided in subdivisions (2) through (7), the  
26 office of Medicaid policy and planning established by  
27 IC 12-8-6.5-1.

28       (2) For purposes of IC 12-10-13, the meaning set forth in  
29 IC 12-10-13-4.

30       (3) For purposes of IC 12-15-5-14, the meaning set forth in  
31 IC 12-15-5-14(b).

32       (4) For purposes of IC 12-15-5-15, the meaning set forth in  
33 IC 12-15-5-15(b).

34       (5) For purposes of IC 12-15-5-16, the meaning set forth in  
35 IC 12-15-5-16(b).

36       (6) For purposes of IC 12-15-13, the meaning set forth in  
37 IC 12-15-13-0.4.

38       (7) For purposes of IC 12-15-13.5, the meaning set forth in  
39 IC 12-15-13.5-1.

40       (8) For purposes of IC 12-17.6, the meaning set forth in  
41 IC 12-17.6-1-4.

42       Sec. 236. "Office of the secretary" refers to the office of the

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1 secretary of family and social services established by IC 12-8-1.5-1,  
2 its offices, or divisions.

3 Sec. 237. (a) "Ombudsman", for purposes of IC 12-10-13, has  
4 the meaning set forth in IC 12-10-13-4.5.

5 (b) "Ombudsman", for purposes of IC 12-11-13, has the  
6 meaning set forth in IC 12-11-13-2.

7 Sec. 238. "Operator", for purposes of IC 12-10-15, has the  
8 meaning set forth in IC 12-10-15-4.

9 Sec. 239. "Opioid treatment program" means a program  
10 through which opioid agonist medication is dispensed to an  
11 individual in the treatment of opiate addiction and for which  
12 certification is required under 42 CFR Part 8.

13 Sec. 240. "Out-of-school-time program", for purposes of  
14 IC 12-17.2, means child care provided to a child who is at least five  
15 (5) years of age but less than fifteen (15) years of age:

16 (1) before school is in session or after the school day;

17 (2) during the summer; or

18 (3) any other time when school is not in session.

19 Sec. 241. "Overutilization or underutilization", for purposes  
20 of IC 12-15-35, has the meaning set forth in IC 12-15-35-10.

21 Sec. 242. "Paths to QUALITY program", for purposes of  
22 IC 12-17.2-2-14.2, refers to the program established by  
23 IC 12-17.2-2-14.2(b).

24 Sec. 243. "Patient" means the following:

25 (1) For purposes of IC 12-24-1-4, an individual who is  
26 admitted to a state institution for observation, diagnosis, or  
27 treatment.

28 (2) For purposes of IC 12-24-7, the meaning set forth in  
29 IC 12-24-7-1.

30 (3) For purposes of IC 12-24-6, IC 12-24-13, IC 12-24-14, and  
31 IC 12-24-15, an individual with a mental illness, an  
32 individual who appears to have a mental illness, or an  
33 individual with an intellectual disability who is:

34 (A) in or under the supervision and control of a state  
35 institution; or

36 (B) because of mental illness, under the supervision and  
37 control of a circuit, superior, or juvenile court.

38 (4) For purposes of IC 12-24-17, the meaning set forth in  
39 IC 12-24-17-2.

40 (5) For purposes of IC 12-27, an individual receiving mental  
41 health services or developmental training. The term includes  
42 a client of a service provider.

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1       **Sec. 244. "Patient Protection and Affordable Care Act"** refers  
 2       to the federal Patient Protection and Affordable Care Act (P.L.  
 3       111-148), as amended by the federal Health Care and Education  
 4       Reconciliation Act of 2010 (P.L. 111-152), as amended from time  
 5       to time, and regulations or guidance issued under those acts.

6       **Sec. 245. "Peer"**, for purposes of IC 12-21-8, has the meaning  
 7       set forth in IC 12-21-8-5.

8       **Sec. 246. (a) "Person"**, except as provided in subsections (b)  
 9       through (d), means an association, a corporation, a limited liability  
 10      company, a governmental entity, an individual, or a partnership.

11      **(b) "Person"**, for purposes of IC 12-13-14, has the meaning set  
 12      forth in IC 12-13-14-1.

13      **(c) "Person"**, for purposes of IC 12-17.2, means an individual  
 14      who is at least twenty-one (21) years of age, a corporation, a  
 15      partnership, a voluntary association, or other entity.

16      **(d) "Person"**, for purposes of IC 12-15-2-20, means an  
 17      individual who is:

18          (1) at least twenty-one (21) years of age; and

19          (2) applying for or receiving Medicaid assistance.

20      **Sec. 247. "Person with a disability"** means, for purposes of the  
 21      following statutes, an individual who has a physical or mental  
 22      disability and meets the program eligibility requirements of the  
 23      division of disability and rehabilitative services:

24          (1) IC 12-8-1.5-10.

25          (2) IC 12-12-1.

26          (3) IC 12-12-6.

27      **Sec. 248. "Personal services attendant"**, for purposes of  
 28      IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-8.

29      **Sec. 249. "Pharmacist"**, for purposes of IC 12-15-35, has the  
 30      meaning set forth in IC 12-15-35-11.

31      **Sec. 250. "Physician"** means the following:

32          (1) For purposes of IC 12-10-17.1 and IC 12-15-35, an  
 33          individual who is licensed to practice medicine in Indiana  
 34          under IC 25-22.5.

35          (2) For purposes of IC 12-26, either of the following:

36              (A) An individual who holds a license to practice  
 37              medicine under IC 25-22.5.

38              (B) A medical officer of the United States government  
 39              who is in Indiana performing the officer's official duties.

40      **Sec. 251. "Physician services"** means the following:

41          (1) For purposes of IC 12-15-11, the meaning set forth in  
 42          IC 12-15-11-1.

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- 1 (2) For purposes of IC 12-15-12, services provided by an  
 2 individual licensed under IC 25-22.5 while engaged in the  
 3 practice of medicine (as defined in IC 25-22.5-1-1.1(a)).
- 4 Sec. 252. "Plan", for purposes of IC 12-15-44.2 and  
 5 IC 12-15-44.5, has the meaning set forth in IC 12-15-44.5-2.
- 6 Sec. 253. "Planning authority", for purposes of IC 12-28-4, has  
 7 the meaning set forth in IC 12-28-4-2.
- 8 Sec. 254. "Point of sale terminal", for purposes of IC 12-13-14,  
 9 has the meaning set forth in IC 12-13-14-1.
- 10 Sec. 255. "Political subdivision", for purposes of the following  
 11 statutes, has the meaning set forth in IC 36-1-2-13:
- 12 (1) IC 12-8.  
 13 (2) IC 12-13-4.  
 14 (3) IC 12-32-1.
- 15 Sec. 256. "Post-stabilization care services", for purposes of  
 16 IC 12-15-12, has the meaning set forth in IC 12-15-12-0.7.
- 17 Sec. 257. "Potential eligible provider or existing eligible  
 18 provider", for purposes of IC 12-17.2-7.2, has the meaning set  
 19 forth in IC 12-17.2-7.2-5.5.
- 20 Sec. 258. "Preschool", for purposes of IC 12-17.2, means a  
 21 program that provides an educational experience through an age  
 22 appropriate written curriculum for children at least thirty (30)  
 23 months of age who are not eligible to enter kindergarten and that:
- 24 (1) conducts sessions for not more than four (4) hours a day;  
 25 (2) enrolls children for only one (1) session a day;  
 26 (3) does not serve meals on the premises;  
 27 (4) maintains a child to staff ratio of not more than fifteen  
 28 (15) children to one (1) staff member;  
 29 (5) supervises children at all times with a person who is at  
 30 least eighteen (18) years of age; and  
 31 (6) does not operate for more than ten (10) consecutive days.
- 32 Sec. 259. "Preschool child care program", for purposes of  
 33 IC 12-17-13, has the meaning set forth in IC 12-17-13-3.
- 34 Sec. 260. "Preventative care services", for purposes of  
 35 IC 12-15-44.5, has the meaning set forth in IC 12-15-44.5-2.3.
- 36 Sec. 261. "Primary business", for purposes of IC 12-13-14, has  
 37 the meaning set forth in IC 12-13-14-1.
- 38 Sec. 262. "Private psychiatric institution", for purposes of  
 39 IC 12-15-18, has the meaning set forth in IC 12-15-18-3.
- 40 Sec. 263. "Program" refers to the following:
- 41 (1) For purposes of IC 12-10-5.7, the meaning set forth in  
 42 IC 12-10-5.7-2.

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(2) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.

(3) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.

(4) For purposes of IC 12-15-12.7, the meaning set forth in IC 12-15-12.7-1.

(5) For purposes of IC 12-17.2-2-14.2, the meaning set forth in IC 12-17.2-2-14.2(a).

(6) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

Sec. 264. "Property", for purposes of IC 12-12-1, has the meaning set forth in IC 35-31.5-2-253.

Sec. 265. "Prospective DUR", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-13.

Sec. 266. "Protective services", for purposes of IC 12-10-3, has the meaning set forth in IC 12-10-3-5.

Sec. 267. "Provider" means the following:

(1) For purposes of IC 12-10-7, the meaning set forth in IC 12-10-7-3.

(2) For purposes of the following statutes, an individual, a partnership, a corporation, or a governmental entity that is enrolled in the Medicaid program under rules adopted under IC 4-22-2 by the office of Medicaid policy and planning:

(A) IC 12-14-1 through IC 12-14-8.

(B) IC 12-15, except IC 12-15-32, IC 12-15-33, and IC 12-15-34.

(C) IC 12-17.6.

(3) Except as provided in subdivisions (4) and (6), for purposes of IC 12-17.2, a person who operates a child care center or child care home under IC 12-17.2.

(4) For purposes of IC 12-17.2-3.5, a person that:

(A) provides child care; and

(B) is directly paid for the provision of the child care under the federal Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99.

The term does not include an individual who provides services to a person described in clauses (A) and (B), regardless of whether the individual receives compensation.

(5) For purposes of IC 12-21-1 through IC 12-29-2, an organization:

(A) that:

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- 1 (i) provides mental health services, as defined under  
 2 42 U.S.C. 300x-2(c);  
 3 (ii) provides addiction services; or  
 4 (iii) provides children's mental health services;  
 5 (B) that has entered into a provider agreement with the  
 6 division of mental health and addiction under  
 7 IC 12-21-2-7 to provide services in the least restrictive,  
 8 most appropriate setting; and  
 9 (C) that is operated by one (1) of the following:  
 10 (i) A city, town, county, or other political  
 11 subdivision of the state.  
 12 (ii) An agency of the state or of the United States.  
 13 (iii) A political subdivision of another state.  
 14 (iv) A hospital owned or operated by a unit of  
 15 government or a building authority that is  
 16 organized for the purpose of constructing facilities  
 17 to be leased to units of government.  
 18 (v) A corporation incorporated under IC 23-7-1.1  
 19 (before its repeal August 1, 1991) or IC 23-17.  
 20 (vi) An organization that is exempt from federal  
 21 income taxation under Section 501(c)(3) of the  
 22 Internal Revenue Code.  
 23 (vii) A university or college.  
 24 (6) For purposes of IC 12-17.2-2-10, the following:  
 25 (A) A person described in subdivision (4).  
 26 (B) A child care center licensed under IC 12-17.2-4.  
 27 (C) A child care home licensed under IC 12-17.2-5.  
 28 (7) For purposes of IC 12-11-13, an authorized provider  
 29 entity that delivers services administered by the bureau of  
 30 disabilities services.  
 31 Sec. 268. "Psilocybin", for purposes of IC 12-21-9, has the  
 32 meaning set forth in IC 12-21-9-2.  
 33 Sec. 269. "Psychiatric disorder", for purposes of section 226(2)  
 34 of this chapter, means a mental disorder or disease. The term does  
 35 not include the following:  
 36 (1) An intellectual disability.  
 37 (2) A developmental disability.  
 38 (3) Alcoholism.  
 39 (4) Addiction to narcotic or dangerous drugs.  
 40 Sec. 270. "Psychiatric hospital", for purposes of section 149 of  
 41 this chapter, means any of the following:  
 42 (1) A state institution.

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1 (2) A general hospital:

2 (A) licensed by the Indiana department of health; and

3 (B) that maintains and operates facilities for the  
4 observation, care, treatment, and detention of  
5 individuals who have a mental illness.

6 (3) A private psychiatric hospital licensed by the division of  
7 mental health and addiction.

8 Sec. 271. (a) "Public welfare", for purposes of the statutes  
9 listed in subsection (b), means any form of public welfare or Social  
10 Security provided for in the statutes listed in subsection (b). The  
11 term does not include direct township assistance as administered  
12 by township trustees under IC 12-20.

13 (b) This section applies to the following statutes:

14 (1) IC 12-13.

15 (2) IC 12-14.

16 (3) IC 12-15.

17 (4) IC 12-19.

18 Sec. 272. "Qualified ABLE program", for purposes of  
19 IC 12-11-14, has the meaning set forth in IC 12-11-14-7.

20 Sec. 273. "Qualified disability expense", for purposes of  
21 IC 12-11-14, has the meaning set forth in IC 12-11-14-8.

22 Sec. 274. "Qualified entity", for purposes of IC 12-15-2.3, has  
23 the meaning set forth in IC 12-15-2.3-2.

24 Sec. 275. "Qualified long term care policy", for purposes of  
25 IC 12-15-39.6, has the meaning set forth in IC 12-15-39.6-5.

26 Sec. 276. "Qualified Medicare beneficiary", for purposes of  
27 IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(b).

28 Sec. 277. "Qualified provider", for purposes of IC 12-15-1-16,  
29 means:

30 (1) a school based nurse; or

31 (2) another provider who:

32 (A) is licensed and in good standing with the Indiana  
33 professional licensing agency; and

34 (B) is employed by or contracts with a school  
35 corporation that participates in Medicaid.

36 Sec. 278. "Qualifying individual", for purposes of  
37 IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(c).

38 Sec. 279. "Reason to believe", for purposes of IC 12-10-3, has  
39 the meaning set forth in IC 12-10-3-6.

40 Sec. 280. "Reasonable means of communication", for purposes  
41 of IC 12-27-3, has the meaning set forth in IC 12-27-3-1.

42 Sec. 281. "Recipient" means the following:



(1) For purposes of the following statutes, a person who has received or is receiving assistance for the person or another person under any of the following statutes:

(A) IC 12-10-6.

(B) IC 12-13.

(C) IC 12-14.

(D) IC 12-15.

(E) IC 12-19.

(2) For purposes of IC 12-20-10 and IC 12-20-11:

(A) a single individual receiving township assistance; or

(B) if township assistance is received by a household with at least two (2) individuals, the member of the household most suited to perform available work.

Sec. 282. "Recovery residence" means an abstinence based living environment for individuals that promotes recovery from:

(1) alcohol; and

(2) other drug;

abuse and related issues. An abstinence based living environment, for purposes of opioid addiction, may include individuals who are in a treatment that includes medication assisted treatment with a goal of opioid abstinence or the minimum clinically necessary medication dose.

Sec. 283. "Reentry court program", for purposes of IC 12-14-29, has the meaning set forth in IC 12-14-29-1.

Sec. 284. "Region", for purposes of IC 12-10-7, has the meaning set forth in IC 12-10-7-4.

Sec. 285. (a) "Rehabilitation", for purposes of the statutes listed in subsection (b), means a process of providing services to meet the current and future needs of persons with disabilities so that the individuals may prepare for and engage in gainful employment to the extent of their capabilities, as provided in 29 U.S.C. 720.

(b) This section applies to the following statutes:

(1) IC 12-8-1.5-10.

(2) IC 12-12-1.

(3) IC 12-12-3.

(4) IC 12-12-6.

Sec. 286. "Rehabilitation center", for purposes of IC 12-12-3, refers to the rehabilitation center established under IC 12-12-3-1.

Sec. 287. "Rehabilitation technology", for purposes of IC 12-12-6, has the meaning set forth in IC 12-12-6-1.

Sec. 288. "Related", for purposes of IC 12-17.2, means any of

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the following relationships to an individual who is less than eighteen (18) years of age by marriage, blood, or adoption:

- (1) Parent.
- (2) Grandparent.
- (3) Brother.
- (4) Sister.
- (5) Stepparent.
- (6) Stepgrandparent.
- (7) Stepbrother.
- (8) Stepsister.
- (9) First cousin.
- (10) Uncle.
- (11) Aunt.

Sec. 289. "Request for proposals", for purposes of IC 12-8-12, has the meaning set forth in IC 12-8-12-3.

Sec. 290. "Research institution", for purposes of IC 12-21-9, has the meaning set forth in IC 12-21-9-3.

Sec. 291. "Resident" has the following meaning:

- (1) For purposes of IC 12-10-15, the meaning set forth in IC 12-10-15-5.
- (2) For purposes of IC 12-16, except IC 12-16-1, an individual who has actually resided in Indiana for at least ninety (90) days.
- (3) For purposes of IC 12-20-8, the meaning set forth in IC 12-20-8-1.
- (4) For purposes of IC 12-24-5, the meaning set forth in IC 12-24-5-1.

Sec. 292. "Residential facility", for purposes of IC 12-28-4 and IC 12-28-5, refers to a residential facility for individuals with a developmental disability.

Sec. 293. "Residential facility for individuals with a developmental disability", for purposes of IC 12-28-4 and IC 12-28-5, means a facility that provides residential services for individuals with a developmental disability in a program described in IC 12-11-1.1-1(e)(1) or IC 12-11-1.1-1(e)(2).

Sec. 294. (a) "Responsible party", for purposes of IC 12-24-6, IC 12-24-13, IC 12-24-14, and IC 12-24-15, means any of the following:

- (1) The patient.
- (2) The parents of the patient if the patient is not more than eighteen (18) years of age.
- (3) The spouse of the patient.

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(4) The estate of the patient.

(5) A legal guardian of the patient in the guardian's representative capacity.

(6) A trustee of the patient if the trust authorizes payment for the care, treatment, maintenance, or support of the patient.

(b) The term does not include the children of the patient.

Sec. 295. "Retailer", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

Sec. 296. "Retrospective DUR", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-14.

Sec. 297. "Safe sleeping practices", for purposes of IC 12-17.2, means standards for infants concerning safe sleeping and sudden unexpected infant death risk reduction that have been approved by the division of family resources.

Sec. 298. "School", for purposes of IC 12-14-2-23, has the meaning set forth in IC 12-14-2-23(b).

Sec. 299. "School age child care program", for purposes of IC 12-17-12, has the meaning set forth in IC 12-17-12-5.

Sec. 300. "School based nurse", for purposes of section 277 of this chapter, means a registered nurse or licensed practical nurse licensed under IC 25-23-1 who is employed by or contracts with a school corporation that participates in Medicaid to provide school based Medicaid covered services for a Medicaid recipient.

Sec. 301. "School corporation", for purposes of IC 12-17-12, has the meaning set forth in IC 12-17-12-6.

Sec. 302. "School property", for purposes of IC 12-17.2, means a building owned or leased by a:

- (1) school corporation;
- (2) public school; or
- (3) private school;

within the school district in which the school is located.

Sec. 303. (a) Except as provided in subsection (b), "secretary" refers to the secretary of family and social services appointed under IC 12-8-1.5-2.

(b) "Secretary", for purposes of IC 12-13-14, has the meaning set forth in IC 12-13-14-1.

Sec. 304. "Self-directed in-home health care", for purposes of IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-9.

Sec. 305. "Service provider", for purposes of IC 12-27, means any of the following:

- (1) A state institution.

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- (2) A private psychiatric hospital licensed under IC 12-25.
- (3) A community mental health center.
- (4) A community intellectual disability and other developmental disabilities center.
- (5) A service provider certified by the division of mental health and addiction to provide substance abuse treatment programs.
- (6) A service provider or program receiving money from or through a division.
- (7) Any other service provider, hospital, clinic, program, agency, or private practitioner if the individual receiving mental health services or developmental training was admitted without the individual's consent.
- (8) A managed care provider (as defined in section 219 of this chapter).

**Sec. 306. "Services" means the following:**

- (1) For purposes of IC 12-10-1 and IC 12-10-2, those services designed to provide assistance to the aged and the aging, including the following:
  - (A) Nutritional programs.
  - (B) Facilities improvement.
  - (C) Transportation services.
  - (D) Senior volunteer programs.
  - (E) Supplementary health services.
  - (F) Programs for leisure time activities.
  - (G) Housing and employment counseling.
  - (H) Informational, referral, and counseling programs to aid the aging and aged in availing themselves of existing services intended to aid the aged in attaining and maintaining self-sufficiency, personal well-being, and maximum participation in community life.
  - (I) Other services required under regulations established under the Older Americans Act (42 U.S.C. 3001 et seq.).
- (2) For purposes of IC 12-28-1, the meaning set forth in IC 12-28-1-4.

**Sec. 307. (a) "Shelter", for purposes of IC 12-20, means a house, a mobile home, an apartment, a group of rooms, or a single room that is occupied or is intended for occupancy as separate living quarters where the occupant or intended occupant:**

- (1) does not live and eat with any other individual in the building; and

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(2) has direct access to the occupant's living quarters from the outside of the building or through a common hall.

(b) Notwithstanding subsection (a), "shelter", for purposes of IC 12-20-17-2, has the meaning set forth in IC 12-20-17-2.

Sec. 308. "Single source drug" means an outpatient drug that is produced or distributed under an original new drug application approved by the federal Food and Drug Administration, including a drug product marketed by any cross-licensed producers or distributors operating under the new drug application.

Sec. 309. "SNAP" refers to the federal Supplemental Nutrition Assistance Program under 7 U.S.C. 2011 et seq.

Sec. 310. "Social Services Block Grant" refers to the block grant under 42 U.S.C. 1397 et seq.

Sec. 311. "Solicitation", for purposes of IC 12-15-25-1, has the meaning set forth in IC 12-15-25-1.

Sec. 312. "Special needs", for purposes of IC 12-10.5, has the meaning set forth in IC 12-10.5-1-2.

Sec. 313. "Special skilled services", for purposes of IC 12-15-36, has the meaning set forth in IC 12-15-36-3.

Sec. 314. "Specialist", for purposes of IC 12-10-5.7, has the meaning set forth in IC 12-10-5.7-3.

Sec. 315. "Specified low-income Medicare beneficiary", for purposes of IC 12-15-2-26, has the meaning set forth in IC 12-15-2-26(d).

Sec. 316. "Standards", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-15.

Sec. 317. "State domestic violence fatality review coordinator", for purposes of IC 12-18-9, has the meaning set forth in IC 12-18-9-2.

Sec. 318. (a) "State institution" means an institution:

- (1) owned or operated by the state;
- (2) for the observation, care, treatment, or detention of an individual; and
- (3) under the administrative control of a division.

(b) The term includes the following:

- (1) Evansville State Hospital.
- (2) Evansville State Psychiatric Treatment Center for Children.
- (3) Logansport State Hospital.
- (4) Madison State Hospital.
- (5) Richmond State Hospital.
- (6) The Neurodiagnostic Institute and Advanced Treatment

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- Center.
- Sec. 319. "State of Indiana general educational development (GED) diploma", for purposes of IC 12-14-5, has the meaning set forth in IC 12-14-5-2.
- Sec. 320. "State ombudsman", for purposes of IC 12-10-13, has the meaning set forth in IC 12-10-13-6.
- Sec. 321. "State or local public benefit", for purposes of IC 12-32-1, has the meaning set forth in IC 12-32-1-3.
- Sec. 322. "State plan", for purposes of:
- (1) IC 12-8-6.5, refers to the state Medicaid plan for the Medicaid program; and
  - (2) IC 12-12-8, has the meaning set forth in IC 12-12-8-3.8.
- Sec. 323. "Superintendent" has the following meaning:
- (1) For purposes of IC 12-24, the term refers to the administrative head of a state institution appointed under IC 12-24-2-2.
  - (2) For purposes of IC 12-24-6, IC 12-24-15, and IC 12-24-17, the term includes:
    - (A) an employee; or
    - (B) an individual who holds a license to practice medicine under IC 25-22.5;
 designated as a deputy or an agent of the individual described in subdivision (1).
  - (3) For purposes of IC 12-26, the term means the chief administrative officer of a facility and includes the chief administrative officer's designee.
- Sec. 324. "Supervised group living facility", for purposes of IC 12-28-4 and IC 12-28-5, refers to a supervised group living facility for individuals with a developmental disability.
- Sec. 325. "Supervised group living facility for individuals with a developmental disability", for purposes of IC 12-28-4 and IC 12-28-5, refers to a supervised group living facility for individuals with a developmental disability in a program described in IC 12-11-1.1-1(e)(1).
- Sec. 326. "Support", for purposes of IC 12-20-25-41, has the meaning set forth in IC 12-20-25-41.
- Sec. 327. "Supportive services", for purposes of IC 12-10-15, has the meaning set forth in IC 12-10-15-6.
- Sec. 328. "SURS", for purposes of IC 12-15-35, has the meaning set forth in IC 12-15-35-16.
- Sec. 329. "TANF", for purposes of IC 12-20, refers to the federal Temporary Assistance for Needy Families program under

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- 1       **42 U.S.C. 601 et seq.**
- 2       **Sec. 330. "TANF program" refers to the federal Temporary**
- 3       **Assistance for Needy Families program under 42 U.S.C. 601 et seq.**
- 4       **Sec. 331. "Telehealth services", for purposes of IC 12-15-5-11,**
- 5       **has the meaning set forth in IC 12-15-5-11(a).**
- 6       **Sec. 332. "Therapeutic appropriateness", for purposes of**
- 7       **IC 12-15-35, has the meaning set forth in IC 12-15-35-17.**
- 8       **Sec. 333. "Therapeutic classification" or "therapeutic**
- 9       **category", for purposes of IC 12-15-35, has the meaning set forth**
- 10       **in IC 12-15-35-17.5.**
- 11       **Sec. 334. "Therapeutic duplication", for purposes of**
- 12       **IC 12-15-35, has the meaning set forth in IC 12-15-35-18.**
- 13       **Sec. 335. "Title IV-A" refers to Title IV-A of the federal Social**
- 14       **Security Act.**
- 15       **Sec. 336. "Title IV-A Agency", for purposes of IC 12-17, refers**
- 16       **to the division of family resources.**
- 17       **Sec. 337. "Total number of households containing township**
- 18       **assistance recipients", for purposes of IC 12-20-28-3, has the**
- 19       **meaning set forth in IC 12-20-28-3(c).**
- 20       **Sec. 338. "Total number of recipients", for purposes of**
- 21       **IC 12-20-28-3, has the meaning set forth in the following:**
- 22               **(1) IC 12-20-28-3(d). This subdivision expires January 1,**
- 23               **2023.**
- 24               **(2) IC 12-20-28-3(e). This subdivision applies after December**
- 25               **31, 2022.**
- 26       **Sec. 339. "Total number of requests for assistance", for**
- 27       **purposes of IC 12-20-28-3, has the meaning set forth in**
- 28       **IC 12-20-28-3(f).**
- 29       **Sec. 340. "Treatment by the department", for purposes of**
- 30       **IC 12-23, means treatment in a treatment program within Indiana**
- 31       **that is certified under IC 12-23-1-6.**
- 32       **Sec. 341. "Treatment team", for purposes of IC 12-24-7, has**
- 33       **the meaning set forth in IC 12-24-7-2.**
- 34       **Sec. 342. "Trustees", for purposes of IC 12-15-18, has the**
- 35       **meaning set forth in IC 12-15-18-3.5.**
- 36       **Sec. 343. "Tuberculosis", for purposes of IC 12-30-7-27, has**
- 37       **the meaning set forth in IC 12-30-7-27.**
- 38       **Sec. 344. "Unit", for purposes of IC 12-12-7, has the meaning**
- 39       **set forth in IC 12-12-7-1.**
- 40       **Sec. 345. "Vending facilities", for purposes of IC 12-12-5,**
- 41       **means automatic vending machines and snack bars and the**
- 42       **auxiliary equipment necessary for the sale of newspapers,**

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1 periodicals, confections, tobacco products, foods, beverages, and  
 2 other articles or services dispensed automatically or manually and  
 3 prepared on or off the premises in accordance with all applicable  
 4 health laws.

5 Sec. 346. "Veteran at risk" means a veteran or active duty  
 6 member of the armed forces of the United States, the national  
 7 guard, or a reserve component of the armed forces of the United  
 8 States who is known, based on information provided by a person  
 9 making a report under IC 12-10-18-1, to have a physical or mental  
 10 health condition that is related to the veteran's military service.

11 Sec. 347. "Veteran at risk alert" means an alert indicating that  
 12 law enforcement officials are searching for a missing veteran at  
 13 risk.

14 Sec. 348. "Veteran crisis line", for purposes of IC 12-21-8, has  
 15 the meaning set forth in IC 12-21-8-5.5.

16 Sec. 349. (a) "Visually impaired", for purposes of the statutes  
 17 listed in subsection (b), refers to an individual who has a visual  
 18 acuity between 20/60 and 20/200 in the individual's better eye with  
 19 the best correction or a corresponding loss in visual field.

20 (b) This section applies to the following statutes:

21 (1) IC 12-12-1.

22 (2) IC 12-12-3.

23 Sec. 350. "Vocational rehabilitation services", for purposes of  
 24 IC 12-28-1, has the meaning set forth in IC 12-28-1-5.

25 Sec. 351. "Volunteer", for purposes of IC 12-17.2, means an  
 26 individual who, without compensation, provides services to a child  
 27 care home, child care center, provider (as defined in section 267(4)  
 28 of this chapter), or child care ministry for at least eight (8) hours  
 29 per month.

30 Sec. 352. "Voucher payment", for purposes of IC 12-17.2-3.5,  
 31 has the meaning set forth in IC 12-17.2-3.5-3.

32 Sec. 353. "Waiver training", for purposes of IC 12-23-21, has  
 33 the meaning set forth in IC 12-23-21-1.

34 Sec. 354. (a) "Warrant", for purposes of the statutes listed in  
 35 subsection (b), means an instrument that is:

36 (1) the equivalent of a money payment; and

37 (2) immediately convertible into cash by the payee for the  
 38 full face amount of the instrument.

39 (b) This section applies to the following statutes:

40 (1) IC 12-10-6.

41 (2) IC 12-13.

42 (3) IC 12-14.

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1 (4) IC 12-15.

2 (5) IC 12-19.

3 Sec. 355. "Waste", for purposes of IC 12-15-35.5, has the  
4 meaning set forth in IC 12-15-35.5-2.6.

5 Sec. 356. "Wasted resources", for purposes of IC 12-20,  
6 means:

7 (1) the amount of money or resources expended by an  
8 applicant or an adult member of an applicant's household  
9 seeking township assistance during the thirty (30) days  
10 before the date of application for township assistance for  
11 items or services that are not basic necessities;

12 (2) income, resources, or tax supported services lost or  
13 reduced as a result of a voluntary act during the sixty (60)  
14 days before the date of application for township assistance  
15 by an adult member of an applicant's household unless the  
16 adult member can establish a good reason for the act; or

17 (3) lump sum amounts of money or resources from tax  
18 refunds, lawsuits, inheritances, or pension payments of at  
19 least four hundred dollars (\$400) that are expended by:

20 (A) an applicant seeking township assistance; or

21 (B) an adult member of the applicant's household;  
22 during the one hundred eighty (180) days immediately  
23 preceding the date of application for township assistance for  
24 items or services that are not basic necessities if, at the time  
25 of the expenditure, there were amounts due and owing for  
26 items or services constituting basic necessities.

27 SECTION 64. IC 12-8-1.5-6.1, AS ADDED BY P.L.179-2025,  
28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2026]: Sec. 6.1. (a) Subject to an approved state plan  
30 amendment or waiver under subsection (b), the office of the secretary  
31 shall, immediately upon request by the department of child services,  
32 provide to the department of child services address information that is  
33 maintained by the office of the secretary and that is necessary for the  
34 department of child services to:

35 (1) respond to a report of suspected child abuse or neglect under  
36 IC 31-33; or

37 (2) take action concerning a child with regard to whom exigent  
38 circumstances (as defined by ~~IC 31-9-2-44.1~~) in  
39 IC 31-9-2.1-92) exist.

40 (b) The office of the secretary shall apply for any state plan  
41 amendment or waiver necessary to implement this section.

42 SECTION 65. IC 12-8-12-8, AS ADDED BY P.L.102-2022,

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SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) This section does not apply to an individual who:

- (1) is less than eighteen (18) years of age;
- (2) is more than sixty-four (64) years of age;
- (3) is medically certified as:
  - (A) physically; or
  - (B) mentally;
- unfit for employment;
- (4) is pregnant;
- (5) is a parent or caretaker who personally provides care for a dependent child who has a:
  - (A) serious medical condition; or
  - (B) disability;
- as determined by the secretary;
- (6) is receiving unemployment compensation and complying with work requirements under IC 22-4;
- (7) is participating in a treatment and rehabilitation program for a drug or alcohol addiction;
- (8) is participating in:
  - (A) an adult basic education program;
  - (B) a workforce training, certification, or credentialing program; or
  - (C) a course of study at a postsecondary institution;
- (9) has been awarded a federal or state financial aid award or grant;
- (10) is a victim of domestic or family violence (as defined in ~~IC 31-9-2-42~~; IC 31-9-2.1-84);
- (11) separated from service in the armed forces (as defined in IC 36-8-4.7-3) not more than one hundred eighty (180) days before applying for TANF assistance; or
- (12) has experienced homelessness.

(b) As used in this section, "IMPACT mandatory" means, with respect to an individual who applies for or receives TANF assistance, a determination by the division that the individual is required, as a condition of receiving TANF assistance, to participate in the IMPACT program.

(c) The secretary shall adopt rules under this section that require, at a minimum, the following:

- (1) After submitting an application for TANF assistance, an IMPACT mandatory applicant must, as a condition of eligibility, provide evidence of the applicant's job search activities. The

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evidence of job search activities must include, at a minimum, evidence of:

- (A) six (6) contacts by the applicant with employers; and
- (B) submission by the applicant of three (3) job applications or resumes;

after the applicant's submission of the application.

(2) An IMPACT mandatory individual whose application for TANF assistance is approved or who receives TANF assistance, whichever comes first, must participate in the IMPACT program as directed by the division.

(d) The secretary may suspend application of rules adopted by the secretary under subsection (c) to individuals residing in an area in which:

- (1) the unemployment rate is ten percent (10%) or greater; or
- (2) an insufficient number of jobs is available to provide employment for residents of the area, as demonstrated by one (1) or more of the following:

(A) The United States Department of Labor's Employment and Training Administration has designated the area as a labor surplus area.

(B) The United States Department of Labor has determined that the area qualifies for extended unemployment benefits.

(C) The area has a low and declining ratio of employment to population.

(D) The average unemployment rate in the area for the immediately preceding twenty-four (24) month period is twenty percent (20%) or more above the national average unemployment rate during the same twenty-four (24) month period.

SECTION 66. IC 12-9-2-6, AS AMENDED BY P.L.117-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The secretary shall act for the division in entering into contracts for the disbursal of money and the providing of service for approved community intellectual disability and other developmental disability centers where constructed and operated or maintained by private nonprofit organizations, a local public agency, or any other state agency that the secretary determines to be best suited to advance programs for individuals with developmental disabilities.

(b) Before entering into a contract under this section, the secretary shall submit the contract to the attorney general for approval as to form and legality.

(c) A contract under this section must do the following:

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(1) Specify the services to be provided and the client populations to whom services must be provided.

(2) Specify that the definition of developmental disability set forth in ~~IC 12-7-2-61~~ IC 12-7-2.1-118 must be used to determine the eligibility of an individual for reimbursement of the center by the division for the center's services for individuals with a developmental disability. The division shall reimburse the centers at rates established by rule.

(3) Provide for a reduction in funding for failure to comply with terms of the contract.

SECTION 67. IC 12-10-6-5, AS AMENDED BY P.L.56-2023, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) An individual who is determined under section 2.1(a)(2) of this chapter to be incapable of residing in the individual's own home because of mental illness may be admitted to a home or facility that provides residential care to the extent that money is available for the care.

(b) Within thirty (30) days after an individual with a mental illness is placed in a home or facility that provides residential care, a comprehensive care plan must be developed for the individual.

(c) The residential care facility, in cooperation with the community mental health center or an individual's ~~managed care~~ provider (as defined in ~~IC 12-7-2-127(b)~~ IC 12-7-2.1-267(5)) serving the area in which the residential care facility is located, shall develop the comprehensive care plan for the individual. The plan must include the following:

(1) Psychosocial rehabilitation services that are provided within the community.

(2) A comprehensive range of activities to meet multiple levels of need, including the following:

(A) Recreational and socialization activities.

(B) Social skills.

(C) Educational, training, occupational, and work programs.

(D) Opportunities for progression into less restrictive and more independent living arrangements.

(3) Appropriate alternate placement if the individual's needs cannot be met by the facility.

(d) The Indiana department of health shall, in coordination with the division of mental health and addiction and the division, adopt rules under IC 4-22-2 to govern:

(1) residential care; and

(2) the comprehensive care plan;

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provided to individuals with a mental illness who reside under this chapter in a home or facility that provides residential care.

SECTION 68. IC 12-10-10-2, AS AMENDED BY P.L.167-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "community and home care services" means services provided within the limits of available funding to an eligible individual. The term includes the following:

(1) Homemaker services and attendant care, including personal care services.

(2) Respite care services and other support services for primary or family caregivers.

(3) Adult day care services.

(4) Home health services and supplies.

(5) Home delivered meals.

(6) Transportation.

(7) Attendant care services provided by a registered personal services attendant under IC 12-10-17.1 to persons described in IC 12-10-17.1-6.

(8) Other services necessary to prevent and reduce:

(A) hospitalization and institutionalization; and

(B) the need for Medicaid home and community based services;

of eligible individuals when feasible.

(9) Other services, not covered by Medicaid, including equipment and building modifications, necessary to:

(A) prevent individuals with intellectual or developmental disabilities from being institutionalized; and

(B) help an individual described in clause (A) to transition out of a health facility licensed under IC 16-28 or a group home (as defined by ~~IC 31-9-2-48.5~~) **in IC 31-9-2.1-115**.

(10) Support services that provide education, resources, and strategies to help caregivers and family members of individuals with dementia.

SECTION 69. IC 12-14-2-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. If an investigation discloses that a child is a dependent child and the child is living or will live with at least one (1) of the relatives prescribed in ~~IC 12-7-2-58~~, IC 12-7-2.1-114, assistance may be allowed for the support of the child without complying with an Indiana law other than this article.

SECTION 70. IC 12-14-2-24, AS AMENDED BY P.L.80-2010, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) A dependent child and a parent or an

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essential person are not eligible for TANF assistance under this chapter unless the mother of the dependent child:

- (1) initiates a court proceeding to establish paternity, other than an adoption proceeding, except as provided in IC 31-14-20-2;
- (2) executes a paternity affidavit under IC 16-37-2-2.1; or
- (3) requests, at the time of application or renewal, that the Title IV-D agency or its agents file a paternity action under IC 31-14-4-3.

(b) A person applying for assistance under this chapter is not required to comply with subsection (a) if:

- (1) the father of the dependent child has been charged with an act of rape, incest, or child molesting that occurred against the dependent child's mother within ten (10) months before the birth of the dependent child;
- (2) the mother of the dependent child is deceased;
- (3) the division determines under rules adopted by the division under IC 4-22-2 that the mother of the dependent child could not know the identity of the child's father;
- (4) the mother of the dependent child provides proof, and the division agrees, that the physical health or safety of the mother or the dependent child would be jeopardized if the mother complies with subsection (a); or
- (5) the dependent child is living in the family home of a relative other than the mother of the child as described under IC 12-14-1-1(a) and the relative provides proof, and the division agrees, that the physical health or safety of the mother, relative, or dependent child would be jeopardized if the relative complies with subsection (a).

(c) If a dependent child's mother is a party to a paternity action filed under IC 31-14 (or IC 31-6-6.1 before its repeal), a county office shall revoke assistance under this chapter if the mother fails to pursue the paternity action.

(d) The office may not delay payments otherwise owing to a provider if the mother fails to comply with this section.

(e) Except as provided in subsection (b)(1), (b)(3), and (b)(5), if a child is residing with a nonparent guardian or custodian, the nonparent guardian or custodian shall make a good faith effort to cooperate with a prosecuting attorney or the division by providing to the prosecuting attorney or the division any information regarding the potential paternity of the child.

(f) The nonparent custodian or guardian is presumed to make a good faith effort under subsection (e) if the nonparent custodian or

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guardian does one (1) or more of the following:

(1) Responds to telephone calls from a prosecuting attorney or correspondence from a prosecuting attorney.

(2) Appears for an appointment, in person or by telephone, with a prosecuting attorney.

(3) Appears at a court hearing when requested by a prosecuting attorney.

(4) Does one (1) or more of the following:

(A) Provides information described in ~~IC 12-7-2-43.5(b)~~, IC 12-7-2.1-88(b), to the extent the information is known.

(B) Affirms that the information described in ~~IC 12-7-2-43.5(b)~~ IC 12-7-2.1-88(b) is not known.

(g) Before making a determination that the nonparent custodian or guardian is not making a good faith effort to cooperate, the prosecuting attorney shall consider one (1) or more of the following:

(1) Whether the nonparent custodian or guardian could reasonably be expected to provide the information.

(2) The age of the child for whom child support is being sought.

(3) The circumstances surrounding the conception of the child.

(4) The age and mental capacity of the nonparent custodian or guardian.

(5) The time that has expired since the nonparent custodian or guardian has last had contact with:

(A) the alleged father of the child;

(B) a parent of the child; or

(C) a relative of the persons listed in clause (A) or (B).

(6) Any credible information that demonstrates an inability to provide correct information about an alleged father or a parent of the child because of deception by the alleged father or parent.

(7) Any other credible information obtained by the prosecuting attorney that demonstrates the nonparent custodian or guardian has knowledge of the information sought by the prosecuting attorney.

SECTION 71. IC 12-14-7-2, AS AMENDED BY ~~<P.L.80-2010;~~  
~~SECTION 18>~~ [THE TECHNICAL CORRECTIONS BILL OF THE  
2026 GENERAL ASSEMBLY], IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If:

(1) the parents of a dependent child are ~~(†)~~ separated or divorced; and

(2) there is no court order for the support of the child;

the other parent shall cooperate, within federal regulations, with the state agency responsible for administering Title IV-D of the federal

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1 Social Security Act in obtaining a support order.

2 (b) If a child is residing with a nonparent guardian or custodian,  
3 the nonparent guardian or custodian shall make a good faith effort to  
4 cooperate with the division and any agency responsible for  
5 administering Title IV-D of the federal Social Security Act in obtaining  
6 and enforcing a child support order.

7 (c) The nonparent custodian or guardian is presumed to make a  
8 good faith effort under subsection (b) if the nonparent custodian or  
9 guardian does one (1) or more of the following:

10 (1) Responds to telephone calls from a prosecuting attorney or  
11 correspondence from a prosecuting attorney.

12 (2) Appears for an appointment, in person or by telephone, with  
13 a prosecuting attorney.

14 (3) Appears at a court hearing when requested by a prosecuting  
15 attorney.

16 (4) Does one (1) or more of the following:

17 (A) Provides information described in ~~IC 12-7-2-43.5(b)~~,  
18 IC 12-7-2.1-88(b), to the extent the information is known.

19 (B) Affirms that the information described in  
20 ~~IC 12-7-2-43.5(b)~~ IC 12-7-2.1-88(b) is not known.

21 (d) Before making a determination that the nonparent custodian or  
22 guardian is not making a good faith effort to cooperate, the prosecuting  
23 attorney shall consider one (1) or more of the following:

24 (1) Whether the nonparent custodian or guardian could  
25 reasonably be expected to provide the information.

26 (2) The age of the child for whom child support is being sought.

27 (3) The circumstances surrounding the conception of the child.

28 (4) The age and mental capacity of the nonparent custodian or  
29 guardian.

30 (5) The time that has expired since the nonparent custodian or  
31 guardian has last had contact with:

32 (A) the alleged father of the child;

33 (B) a parent of the child; or

34 (C) a relative of the persons listed in clause (A) or (B).

35 (6) Any credible information that demonstrates an inability to  
36 provide correct information about an alleged father or a parent  
37 of the child because of deception by the alleged father or parent.

38 (7) Any other credible information obtained by the prosecutor  
39 that demonstrates the nonparent custodian or guardian has  
40 knowledge of the information sought by the prosecuting  
41 attorney.

42 SECTION 72. IC 12-14-7-3, AS AMENDED BY P.L.80-2010,

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SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) If a child is born out of wedlock, the mother shall, when establishing the paternity of the child and obtaining a support order, cooperate with the state agency responsible for administering Title IV-D of the federal Social Security Act, in compliance with federal regulations governing Title IV-D of the federal Social Security Act.

(b) If a child is residing with a nonparent guardian or custodian, the nonparent guardian or custodian shall make a good faith effort to cooperate with the division and with any agency responsible for administering Title IV-D of the federal Social Security Act by providing any information known to the nonparent guardian or custodian regarding the potential paternity of the child.

(c) If a child is residing with a nonparent guardian or custodian, the nonparent guardian or custodian shall make a good faith effort to cooperate with the division and any agency responsible for administering Title IV-D of the federal Social Security Act in the establishment and enforcement of a child support order.

(d) The nonparent custodian or guardian is presumed to make a good faith effort under subsections (b) and (c) if the nonparent custodian or guardian does one (1) or more of the following:

(1) Responds to telephone calls from a prosecutor or correspondence from a prosecuting attorney.

(2) Appears for an appointment, in person or by telephone, with a prosecuting attorney.

(3) Appears at a court hearing when requested by a prosecuting attorney.

(4) Does one (1) or more of the following:

(A) Provides information described in ~~IC 12-7-2-43.5(b)~~, IC 12-7-2.1-88(b), to the extent the information is known.

(B) Affirms that the information described in ~~IC 12-7-2-43.5(b)~~ IC 12-7-2.1-88(b) is not known.

(e) Before making a determination that the nonparent custodian or guardian is not making a good faith effort to cooperate, the prosecuting attorney shall consider one (1) or more of the following:

(1) Whether the nonparent custodian or guardian could reasonably be expected to provide the information.

(2) The age of the child for whom child support is being sought.

(3) The circumstances surrounding the conception of the child.

(4) The age and mental capacity of the nonparent custodian or guardian.

(5) The time that has expired since the nonparent custodian or

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guardian has last had contact with:

(A) the alleged father of the child;

(B) a parent of the child; or

(C) a relative of the persons listed in clause (A) or (B).

(6) Any credible information that demonstrates an inability to provide correct information about an alleged father or a parent of the child because of deception by the alleged father or parent.

(7) Any other credible information obtained by the prosecuting attorney that demonstrates the nonparent custodian or guardian has knowledge of the information sought by the prosecuting attorney.

SECTION 73. IC 12-14-31-4, AS ADDED BY P.L.57-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A household that, at the time of the office of the secretary's initial determination of the household's income eligibility for purposes of entry into the CCDF program, includes a foster parent (as defined in ~~IC 31-9-2-47~~ IC 31-9-2.1-109) is eligible for assistance under the CCDF program for children in foster care (as defined in ~~IC 31-9-2-46.7~~ IC 31-9-2.1-107).

SECTION 74. IC 12-15-13.5-6, AS ADDED BY P.L.127-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Subject to subsection (b), a recovery audit shall not require documentation, at the time of service, for services provided by a community mental health center (as defined in ~~IC 12-7-2-38~~ IC 12-7-2.1-78) when the documentation is part of an ongoing plan of treatment or a documentation of specific treatment methods.

(b) The direct service provider shall complete documentation described in subsection (a) within a reasonable time frame, but not later than thirty (30) days from the date of service, prior to Medicaid billing.

(c) Any supervising provider in a community mental health center is eligible to review documentation in order to certify a plan of treatment or review specific treatment methods at intervals not greater than ninety (90) days.

(d) A supervising provider described in subsection (c) may review the documentation described in subsection (c) regardless of:

(1) whether the supervising provider is providing direct supervision; and

(2) the location where the service was provided.

A review described under this subsection must be documented by the signature of the supervising provider.

(e) In developing a plan of treatment, the following must be

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completed to demonstrate active treatment with a client:

- (1) A signed client consent form.
- (2) The completion of a list of requirements concerning audit compliance, as determined by the division in collaboration with community mental health centers, that verifies active participation in the development of the client's plan of treatment.
- (3) Either:
  - (A) the signature of the client on the client's plan of treatment; or
  - (B) if the direct care provider, after a good faith effort, is unable to obtain the client's signature on the client's plan of treatment:
    - (i) the provision of documentation by the provider of the reasons the provider was unable to obtain the signature;
    - (ii) the continuation of attempting to obtain the client's signature on the client's plan of treatment; and
    - (iii) a determination by the division, based on the documentation in item (i), that the direct care provider has made a good faith effort to obtain the signature.

SECTION 75. IC 12-15-32-11, AS AMENDED BY P.L.35-2016, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The office may assess community residential facilities for the developmentally disabled (as defined in ~~IC 12-7-2-61~~ IC 12-7-2.1-118) and intermediate care facilities for individuals with intellectual disabilities (ICF/IID) (as defined in IC 16-29-4-2) that are not operated by the state in an amount not to exceed ten percent (10%) of the total annual revenue of the facility for the facility's preceding fiscal year.

(b) The assessments shall be paid to the office of Medicaid policy and planning in equal monthly amounts on or before the tenth day of each calendar month. The office may withhold Medicaid payments to a provider described in subsection (a) that fails to pay an assessment within thirty (30) days after the due date. The amount withheld may not exceed the amount of the assessments due.

(c) Revenue from the assessments shall be credited to a special account within the state general fund to be called the Medicaid assessment account. Money in the account may be used only for services for which federal financial participation under Medicaid is available to match state funds. An amount equivalent to the federal financial participation estimated to be received for services financed from assessments under subsection (a) shall be used to finance

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1 Medicaid services provided by facilities described in subsection (a).

2 (d) If federal financial participation to match the assessments in  
3 subsection (a) becomes unavailable under federal law, the authority to  
4 impose the assessments terminates on the date that the federal  
5 statutory, regulatory, or interpretive change takes effect.

6 SECTION 76. IC 12-17.2-2-5.5 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. (a)  
8 Notwithstanding ~~IC 12-7-2-149.1~~, IC 12-7-2.1-267, as used in this  
9 section, "provider" means a person who provides child care under this  
10 article.

11 (b) When the division adopts an administrative rule or a policy  
12 statement to administer this article, the division shall make the  
13 administrative rule or policy statement available to the public upon  
14 request.

15 (c) When the division adopts an administrative rule or a policy  
16 statement to administer this article, the administrative rule or policy  
17 statement must specifically identify the type of provider to which the  
18 administrative rule or policy statement applies.

19 (d) When the division provides information to the public  
20 concerning an administrative rule or a policy statement adopted by the  
21 division, each document provided must specifically identify the type of  
22 provider to which the administrative rule or policy statement applies.

23 SECTION 77. IC 12-17.2-4-5, AS AMENDED BY P.L.121-2020,  
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2026]: Sec. 5. (a) The following constitute sufficient grounds  
26 for a denial of a license application:

27 (1) A determination by the department of child services  
28 established by IC 31-25-1-1 of child abuse or neglect (as defined  
29 in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:

30 (A) the applicant;

31 (B) an employee of the applicant who may be present on the  
32 premises of the child care center during operating hours of  
33 the child care center; or

34 (C) a volunteer of the applicant who may be present on the  
35 premises of the child care center during operating hours of  
36 the child care center.

37 (2) A criminal conviction of the applicant, or an employee or  
38 volunteer of the applicant who may be present on the premises  
39 of the child care center during operating hours of the child care  
40 center, of any of the following:

41 (A) A felony:

42 (i) related to the health or safety of a child;

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- 1 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);  
 2 (iii) that is a dangerous felony; or  
 3 (iv) that is not a felony otherwise described in items (i)  
 4 through (iii), and less than ten (10) years have elapsed  
 5 from the date the person was discharged from  
 6 probation, imprisonment, or parole, whichever  
 7 discharge date is latest.
- 8 (B) A misdemeanor related to the health or safety of a child.  
 9 (C) A misdemeanor for operating a child care center  
 10 without a license under section 35 of this chapter, or a  
 11 substantially similar offense in another jurisdiction if the  
 12 offense is directly or indirectly related to jeopardizing the  
 13 health or safety of a child.  
 14 (D) A misdemeanor for operating a child care home without  
 15 a license under IC 12-17.2-5-35, or a substantially similar  
 16 offense in another jurisdiction if the offense is directly or  
 17 indirectly related to jeopardizing the health or safety of a  
 18 child.
- 19 (3) A determination by the division that the applicant made false  
 20 statements in the applicant's application for licensure.  
 21 (4) A determination by the division that the applicant made false  
 22 statements in the records required by the division.  
 23 (5) A determination by the division that the applicant previously  
 24 operated a:  
 25 (A) child care center without a license under this chapter;  
 26 or  
 27 (B) child care home without a license under IC 12-17.2-5.
- 28 (b) Notwithstanding subsection (a)(2), if:  
 29 (1) a license application is denied due to a criminal conviction  
 30 of an employee or a volunteer of the applicant; and  
 31 (2) the division determines that the employee or volunteer has  
 32 been dismissed by the applicant;  
 33 the criminal conviction of the former employee or former volunteer  
 34 does not require denial of a license application.
- 35 SECTION 78. IC 12-17.2-4-32, AS AMENDED BY  
 36 P.L.121-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) The following constitute  
 38 sufficient grounds for revocation of a license:  
 39 (1) A determination by the department of child services of child  
 40 abuse or neglect (as defined in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:  
 41 (A) the licensee;  
 42 (B) an employee of the licensee who may be present on the

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- 1 premises of the child care center during operating hours of  
 2 the child care center; or  
 3 (C) a volunteer of the licensee who may be present on the  
 4 premises of the child care center during operating hours of  
 5 the child care center.
- 6 (2) A criminal conviction of the licensee, or an employee or  
 7 volunteer of the licensee who may be present on the premises of  
 8 the child care center during operating hours of the child care  
 9 center, of any of the following:
- 10 (A) A felony:
- 11 (i) related to the health or safety of a child;  
 12 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);  
 13 (iii) that is a dangerous felony; or  
 14 (iv) that is not a felony otherwise described in items (i)  
 15 through (iii), and less than ten (10) years have elapsed  
 16 from the date the person was discharged from  
 17 probation, imprisonment, or parole, whichever  
 18 discharge date is latest.
- 19 (B) A misdemeanor related to the health or safety of a child.
- 20 (C) A misdemeanor for operating a child care center  
 21 without a license under section 35 of this chapter, or a  
 22 substantially similar offense in another jurisdiction if the  
 23 offense is directly or indirectly related to jeopardizing the  
 24 health or safety of a child.
- 25 (D) A misdemeanor for operating a child care home without  
 26 a license under IC 12-17.2-5-35, or a substantially similar  
 27 offense in another jurisdiction if the offense is directly or  
 28 indirectly related to jeopardizing the health or safety of a  
 29 child.
- 30 (3) A determination by the division that the licensee made false  
 31 statements in the licensee's application for licensure.
- 32 (4) A determination by the division that the licensee made false  
 33 statements in the records required by the division.
- 34 (5) A determination by the division that the licensee previously  
 35 operated a:
- 36 (A) child care center without a license under this chapter;  
 37 or  
 38 (B) child care home without a license under IC 12-17.2-5.
- 39 (b) Notwithstanding subsection (a)(2), if:
- 40 (1) a license is revoked due to a criminal conviction of an  
 41 employee or a volunteer of the licensee; and  
 42 (2) the division determines that the employee or volunteer has

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1           been dismissed by the licensee;  
 2       the criminal conviction of the former employee or former volunteer  
 3       does not require revocation of a license.

4           SECTION 79. IC 12-17.2-5-4, AS AMENDED BY P.L. 74-2022,  
 5       SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6       JULY 1, 2026]: Sec. 4. (a) The following constitute sufficient grounds  
 7       for a denial of a license application:

8           (1) A determination by the department of child services  
 9           established by IC 31-25-1-1 of child abuse or neglect (as defined  
 10          in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:

11           (A) the applicant;

12           (B) a member of the applicant's household;

13           (C) an employee of the applicant who may be present on the  
 14           premises of the child care home during operating hours of  
 15           the child care home; or

16           (D) a volunteer of the applicant who may be present on the  
 17           premises of the child care home during operating hours of  
 18           the child care home.

19          (2) A criminal conviction of the applicant, or an employee or  
 20          volunteer of the applicant who may be present on the premises  
 21          of the child care home during operating hours of the child care  
 22          home, or a member of the applicant's household, of any of the  
 23          following:

24           (A) A felony:

25           (i) related to the health or safety of a child;

26           (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

27           (iii) that is a dangerous felony; or

28           (iv) that is not a felony otherwise described in items (i)  
 29           through (iii), and less than ten (10) years have elapsed  
 30           from the date the person was discharged from  
 31           probation, imprisonment, or parole, whichever  
 32           discharge date is latest.

33           (B) A misdemeanor related to the health or safety of a child.

34           (C) A misdemeanor for operating a child care center  
 35           without a license under IC 12-17.2-4-35, or a substantially  
 36           similar offense committed in another jurisdiction if the  
 37           offense is directly or indirectly related to jeopardizing the  
 38           health or safety of a child.

39           (D) A misdemeanor for operating a child care home without  
 40           a license under section 35 of this chapter, or a substantially  
 41           similar offense committed in another jurisdiction if the  
 42           offense is directly or indirectly related to jeopardizing the

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- 1 health or safety of a child.
- 2 (3) A determination by the division that the applicant made false
- 3 statements in the applicant's application for licensure.
- 4 (4) A determination by the division that the applicant made false
- 5 statements in the records required by the division.
- 6 (5) A determination by the division that the applicant previously
- 7 operated a:
- 8 (A) child care center without a license under IC 12-17.2-4;
- 9 or
- 10 (B) child care home without a license under this chapter.
- 11 (b) Notwithstanding subsection (a)(2), if:
- 12 (1) a license application is denied due to a criminal conviction
- 13 of:
- 14 (A) an employee or a volunteer of the applicant; or
- 15 (B) a member of the applicant's household; and
- 16 (2) the division determines that the:
- 17 (A) employee or volunteer has been dismissed by the
- 18 applicant; or
- 19 (B) member of the applicant's household is no longer a
- 20 member of the applicant's household;
- 21 the criminal conviction of the former employee, former volunteer, or
- 22 former member does not require denial of a license application.
- 23 SECTION 80. IC 12-17.2-5-6.3, AS AMENDED BY P.L. 74-2022,
- 24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2026]: Sec. 6.3. (a) To qualify for a license to operate a class
- 26 I child care home under this chapter, a person must do the following:
- 27 (1) Provide documentation to the division that the licensee has
- 28 received a high school diploma or a high school equivalency
- 29 certificate as described in IC 12-14-5-2.
- 30 (2) Provide documentation to the division that the licensee:
- 31 (A) has completed;
- 32 (B) is enrolled in; or
- 33 (C) agrees to complete within the next three (3) years;
- 34 a child development associate credential program or a similar
- 35 program approved by the division.
- 36 (3) Complete the training course taught or approved by the
- 37 division concerning safe sleeping practices for a child within the
- 38 person's care as described in IC 12-17.2-2-1(10).
- 39 The division may grant a waiver or variance of the requirement under
- 40 subdivision (2).
- 41 (b) A class I child care home may serve three (3) school age
- 42 children under ~~IC 12-7-2-33.7~~ IC 12-7-2.1-68 if the child care home

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meets the following conditions:

- (1) Provides at least thirty-five (35) square feet for each child.
- (2) Maintains the child to staff ratio required under rules adopted by the division for each age group of children in attendance.
- (3) Has an illuminated exit sign over each required exit or emergency lighting for each required exit.

SECTION 81. IC 12-17.2-5-7.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) The license issued to a person for the operation of a child care home under section 7 of this chapter shall indicate whether the child care home is licensed as a class I child care home or a class II child care home.

(b) A person who:

- (1) holds a license to operate a class I child care home; and
- (2) at any time serves a number of children greater than the number allowed under ~~IC 12-7-2-33.7~~; IC 12-7-2.1-68;

is subject to sanctions under section 33 of this chapter, a civil penalty under section 34 of this chapter, and the criminal penalty set forth in section 35 of this chapter.

(c) A person who:

- (1) holds a license to operate a class II child care home; and
- (2) at any time:
  - (A) serves a number of children greater than the number allowed under ~~IC 12-7-2-33.8~~; IC 12-7-2.1-69; or
  - (B) fails to comply with the requirements for class II child care homes set forth in section 6.5 of this chapter;

is subject to sanctions under section 33 of this chapter, a civil penalty under section 34 of this chapter, and the criminal penalty set forth in section 35 of this chapter.

SECTION 82. IC 12-17.2-5-32, AS AMENDED BY P.L.74-2022, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 32. (a) The following constitute sufficient grounds for revocation of a license:

- (1) A determination by the department of child services of child abuse or neglect (as defined in ~~IC 31-9-2-14~~) IC 31-9-2.1-33) by:
  - (A) the licensee;
  - (B) a member of the licensee's household;
  - (C) an employee of the licensee who may be present on the premises of the child care home during operating hours of the child care home; or
  - (D) a volunteer of the licensee who may be present on the premises of the child care home during operating hours of the child care home.

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(2) A criminal conviction of the licensee, an employee or volunteer of the licensee who may be present on the premises of the child care home during operating hours of the child care home, or a member of the licensee's household of any of the following:

(A) A felony:

- (i) related to the health or safety of a child;
- (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
- (iii) that is a dangerous felony; or
- (iv) that is not a felony otherwise described in items (i) through (iii), and less than ten (10) years have elapsed from the date the person was discharged from probation, imprisonment, or parole, whichever discharge date is latest.

(B) A misdemeanor related to the health or safety of a child.

(C) A misdemeanor for operating a child care center without a license under IC 12-17.2-4-35, or a substantially similar offense committed in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.

(D) A misdemeanor for operating a child care home without a license under section 35 of this chapter, or a substantially similar offense committed in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.

(3) A determination by the division that the licensee made false statements in the licensee's application for licensure.

(4) A determination by the division that the licensee made false statements in the records required by the division.

(5) A determination by the division that the licensee previously operated a:

(A) child care center without a license under IC 12-17.2-4; or

(B) child care home without a license under this chapter.

(b) Notwithstanding subsection (a)(2), if:

(1) a license is revoked due to a criminal conviction of:

- (A) an employee or a volunteer of the licensee's; or
- (B) a resident of the licensee's household; and

(2) the division determines that the:

- (A) employee or volunteer has been dismissed by the licensee; or
- (B) member of the licensee's household is no longer a

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1 member of the licensee's household;  
 2 the criminal conviction of the former employee, former volunteer, or  
 3 former member does not require revocation of a license.

4 SECTION 83. IC 12-17.2-6-16, AS AMENDED BY  
 5 P.L.121-2020, SECTION 11, IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The following  
 7 constitute sufficient grounds for denial of an application for registration  
 8 under this chapter:

9 (1) A determination by the department of child services of child  
 10 abuse or neglect (as defined in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:

11 (A) the applicant;

12 (B) an employee of the applicant who may be present on the  
 13 premises of the child care ministry during operating hours  
 14 of the child care ministry; or

15 (C) a volunteer of the applicant who may be present on the  
 16 premises of the child care ministry during operating hours  
 17 of the child care ministry.

18 (2) A criminal conviction of the applicant, or an employee or  
 19 volunteer of the applicant who may be present on the premises  
 20 of the child care ministry during operating hours of the child care  
 21 ministry, of any of the following:

22 (A) A felony:

23 (i) related to the health or safety of a child;

24 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

25 (iii) that is a dangerous felony; or

26 (iv) that is not a felony otherwise described in items (i)  
 27 through (iii), and less than ten (10) years have elapsed  
 28 from the date the person was discharged from  
 29 probation, imprisonment, or parole, whichever  
 30 discharge date is latest.

31 (B) A misdemeanor related to the health or safety of a child.

32 (C) A misdemeanor for operating a child care ministry  
 33 without a registration under this chapter, or a substantially  
 34 similar offense in another jurisdiction if the offense is  
 35 directly or indirectly related to jeopardizing the health or  
 36 safety of a child.

37 (D) A misdemeanor for operating a child care center  
 38 without a license under IC 12-17.2-4-35, or a substantially  
 39 similar offense in another jurisdiction if the offense is  
 40 directly or indirectly related to jeopardizing the health or  
 41 safety of a child.

42 (E) A misdemeanor for operating a child care home without

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a license under IC 12-17.2-5-35, or a substantially similar offense in another jurisdiction if the offense is directly or indirectly related to jeopardizing the health or safety of a child.

(3) A determination by the division that the applicant made false statements in the applicant's application for registration.

(4) A determination by the division that the applicant made false statements in the records required by the division.

(5) A determination by the division that the applicant previously operated a:

(A) child care ministry without a registration under this chapter;

(B) child care center without a license under IC 12-17.2-4; or

(C) child care home without a license under IC 12-17.2-5.

(b) Notwithstanding subsection (a)(2), if:

(1) a registration application is denied due to a criminal conviction of an employee or a volunteer of the applicant; and

(2) the division determines that the employee or volunteer has been dismissed by the applicant;

the criminal conviction of the former employee or former volunteer does not require denial of the registration application.

SECTION 84. IC 12-17.2-6-19, AS AMENDED BY P.L.121-2020, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) The following constitute sufficient grounds for revocation of a registration under this chapter:

(1) A determination by the department of child services of child abuse or neglect (as defined in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:

(A) the operator of the child care ministry;

(B) an employee of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry; or

(C) a volunteer of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry.

(2) A criminal conviction of the operator of the child care ministry, or an employee or volunteer of the child care ministry who may be present on the premises of the child care ministry during operating hours of the child care ministry, of any of the following:

(A) A felony:

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- 1 (i) related to the health or safety of a child;
- 2 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
- 3 (iii) that is a dangerous felony; or
- 4 (iv) that is not a felony otherwise described in items (i)
- 5 through (iii), and less than ten (10) years have elapsed
- 6 from the date the person was discharged from
- 7 probation, imprisonment, or parole, whichever
- 8 discharge date is latest.
- 9 (B) A misdemeanor related to the health or safety of a child.
- 10 (C) A misdemeanor for operating a child care ministry
- 11 without a registration under this chapter, or a substantially
- 12 similar offense in another jurisdiction if the offense is
- 13 directly or indirectly related to jeopardizing the health or
- 14 safety of a child.
- 15 (D) A misdemeanor for operating a child care center
- 16 without a license under IC 12-17.2-4-35, or a substantially
- 17 similar offense in another jurisdiction if the offense is
- 18 directly or indirectly related to jeopardizing the health or
- 19 safety of a child.
- 20 (E) A misdemeanor for operating a child care home without
- 21 a license under IC 12-17.2-5-35, or a substantially similar
- 22 offense in another jurisdiction if the offense is directly or
- 23 indirectly related to jeopardizing the health or safety of a
- 24 child.
- 25 (3) A determination by the division that the operator of the child
- 26 care ministry made false statements in the child care ministry's
- 27 registration application.
- 28 (4) A determination by the division that the operator of the child
- 29 care ministry made false statements in the records required by
- 30 the division.
- 31 (5) A determination by the division that the operator of the child
- 32 care ministry previously operated a:
- 33 (A) child care ministry without a registration under this
- 34 chapter;
- 35 (B) child care center without a license under IC 12-17.2-4;
- 36 or
- 37 (C) child care home without a license under IC 12-17.2-5.
- 38 (b) Notwithstanding subsection (a)(2), if:
- 39 (1) a registration is revoked due to a criminal conviction of an
- 40 employee or a volunteer of the child care ministry; and
- 41 (2) the division determines that the employee or volunteer has
- 42 been dismissed by the child care ministry;

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the criminal conviction of the former employee or former volunteer does not require revocation of the registration.

SECTION 85. IC 12-17.2-7.6-3, AS ADDED BY P.L.92-2024, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Not later than January 1, 2025, after soliciting and considering recommendations from appropriate stakeholders, the office of the secretary shall develop a regulatory model that:

- (1) is applicable only to micro facilities;
- (2) incorporates waivers or variances from the office of the secretary's rules applicable to providers under this article; and
- (3) provides for a balance between the goals of:
  - (A) increasing the availability of child care, particularly in geographic areas facing a critical shortage of child care, by reducing the costs of operating a micro facility; and
  - (B) ensuring the health and safety of children for whom a micro facility provides child care.

(b) In determining waivers or variances to be incorporated under subsection (a)(2), the office of the secretary shall consider efficiencies such as:

- (1) allowing a micro facility to be operated in either a residential or nonresidential building;
- (2) prescribing educational requirements for staff members of a micro facility that are tailored to the needs of providing child care to groups of thirty (30) children or less; and
- (3) allowing for supervision of children of diverse age groups in a manner that maximizes use of limited facility space.

(c) Not later than March 1, 2025, the office of the secretary shall establish and administer a pilot program under which:

- (1) a licensee under ~~IC 12-7-2-28.4~~ IC 12-7-2.1-55 or ~~IC 12-7-2-28.8~~ IC 12-7-2.1-58 that:

- (A) operates an existing micro facility; or
- (B) proposes to begin operating a new micro facility not more than sixty (60) days after the date of the licensee's application under this subdivision;

may apply to participate in the pilot program in a manner prescribed by the office of the secretary;

- (2) the office of the secretary shall select at least three (3) licensees that apply under subdivision (1) and:

- (A) allow a selected licensee described in subdivision (1)(A) to operate the licensee's existing micro facility; and
- (B) allow a selected licensee described in subdivision

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- 1 (1)(B) to operate the licensee's proposed micro facility;  
 2 under the regulatory model developed under subsection (a); and  
 3 (3) the office of the secretary shall:  
 4 (A) monitor the operation of the micro facilities operating  
 5 under the regulatory model under subdivision (2); and  
 6 (B) evaluate the degree to which the operation of the micro  
 7 facilities under the regulatory model serves the balance  
 8 described in subsection (a)(3).  
 9 (d) The office of the secretary shall, to the extent practicable,  
 10 select licensees for participation in the pilot program such that the  
 11 micro facilities operated by the licensees are located in areas:  
 12 (1) that are geographically diverse from one another; and  
 13 (2) in which there exists a critical shortage of child care  
 14 providers.  
 15 (e) A waiver or variance applied to a micro facility under this  
 16 section expires on the earlier of:  
 17 (1) the date specified by the office of the secretary; or  
 18 (2) December 31, 2026.  
 19 SECTION 86. IC 12-17.6-1-6 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. "Provider" has the  
 21 meaning set forth in ~~IC 12-7-2-149.1(2)~~ IC 12-7-2.1-267(2).  
 22 SECTION 87. IC 12-21-2-3, AS AMENDED BY P.L.104-2024,  
 23 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2026]: Sec. 3. The secretary or the secretary's designee shall  
 25 do the following:  
 26 (1) Organize the division, create the appropriate personnel  
 27 positions, and employ personnel necessary to discharge the  
 28 statutory duties and powers of the division or a bureau of the  
 29 division.  
 30 (2) Subject to the approval of the state personnel department,  
 31 establish personnel qualifications for all deputy directors,  
 32 assistant directors, bureau heads, and superintendents.  
 33 (3) Subject to the approval of the budget director and the  
 34 governor, establish the compensation of all deputy directors,  
 35 assistant directors, bureau heads, and superintendents.  
 36 (4) Study the entire problem of mental health, mental illness, and  
 37 addictions existing in Indiana.  
 38 (5) Adopt rules under IC 4-22-2 for the following:  
 39 (A) Standards for the operation of private institutions that  
 40 are licensed under IC 12-25 for the diagnosis, treatment,  
 41 and care of individuals with psychiatric disorders,  
 42 addictions, or other abnormal mental conditions.

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(B) Licensing or certifying community residential programs described in IC 12-22-2-3.5 for individuals with serious mental illness (SMI), serious emotional disturbance (SED), or chronic addiction (CA) with the exception of psychiatric residential treatment facilities.

(C) Subject to IC 12-29-2-21, certifying community mental health centers to operate in Indiana.

(D) Establish exclusive geographic primary service areas for community mental health centers. The rules must include the following:

(i) Criteria and procedures to justify the change to the boundaries of a community mental health center's primary service area.

(ii) Criteria and procedures to justify the change of an assignment of a community mental health center to a primary service area.

(iii) A provision specifying that the criteria and procedures determined in items (i) and (ii) must include an option for the county and the community mental health center to initiate a request for a change in primary service area or provider assignment.

(iv) A provision specifying the criteria and procedures determined in items (i) and (ii) may not limit an eligible consumer's right to choose or access the services of any provider who is certified by the division of mental health and addiction to provide public supported mental health services.

(6) Institute programs, in conjunction with an accredited college or university and with the approval, if required by law, of the commission for higher education, for the instruction of students of mental health and other related occupations. The programs may be designed to meet requirements for undergraduate and postgraduate degrees and to provide continuing education and research.

(7) Develop programs to educate the public in regard to the prevention, diagnosis, treatment, and care of all abnormal mental conditions.

(8) Make the facilities of the state institutions available for the instruction of medical students, student nurses, interns, and resident and fellow physicians under the supervision of the faculty of any accredited school of medicine or osteopathy located in Indiana or an accredited residency or fellowship

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1 training program in connection with research and instruction in  
2 psychiatric disorders.

3 (9) Institute a stipend program designed to improve the quality  
4 and quantity of staff that state institutions employ.

5 (10) Establish, supervise, and conduct community programs,  
6 either directly or by contract, for the diagnosis, treatment, and  
7 prevention of psychiatric disorders.

8 (11) Adopt rules under IC 4-22-2 concerning the records and  
9 data to be kept concerning individuals admitted to state  
10 institutions, community mental health centers, or other  
11 providers.

12 (12) Compile information and statistics concerning the ethnicity  
13 and gender of a program or service recipient.

14 (13) Establish standards for services described in ~~IC 12-7-2-40.6~~  
15 IC 12-7-2.1-83 for community mental health centers and other  
16 providers.

17 (14) Provide that the standards for services provided by recovery  
18 residences for residential care and supported housing for chronic  
19 addiction, when used as a recovery residence, to:

20 (A) be certified through an entity approved by the division  
21 to ensure adherence to standards determined by the  
22 National Alliance for Recovery Residences (NARR) or a  
23 similar entity; and

24 (B) meet other standards established by the division under  
25 rules adopted under IC 4-22-2.

26 (15) Provide that the standards for services provided by recovery  
27 community organizations for behavioral health recovery, when  
28 used as a recovery community organization:

29 (A) be certified through an entity approved by the division  
30 to ensure adherence to standards determined by the Indiana  
31 Recovery Network or similar entity that certifies recovery  
32 community organizations; and

33 (B) meet other standards established by the division under  
34 rules adopted under IC 4-22-2.

35 (16) Require the division to:

36 (A) provide best practice recommendations to community  
37 mental health centers; and

38 (B) work with community mental health centers in a  
39 collaborative manner in order to ensure improved health  
40 outcomes as a part of reviews or audits.

41 Documentation developed as a part of an incident or death  
42 reporting audit or review is confidential and may only be shared

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1 between the division and the community mental health center.  
 2 SECTION 88. IC 12-21-8-10, AS AMENDED BY P.L.11-2023,  
 3 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2026]: Sec. 10. (a) The division shall coordinate:

- 5 (1) available onsite response services of crisis calls using state
- 6 and locally funded mobile crisis teams; and
- 7 (2) crisis receiving and stabilization services resulting from a
- 8 9-8-8 call.

9 (b) The mobile crisis teams must include:

- 10 (1) a peer certified by the division; and
- 11 (2) at least one (1) of the following:
  - 12 (A) A behavioral health professional licensed under
  - 13 IC 25-23.6.
  - 14 (B) An other behavioral health professional (OBHP), as
  - 15 defined in 440 IAC 11-1-12.
  - 16 (C) Emergency medical services personnel licensed under
  - 17 IC 16-31.
  - 18 (D) Law enforcement based coresponder behavioral health
  - 19 teams.

20 (c) Crisis response services provided by a mobile crisis team must  
 21 be provided under the supervision of:

- 22 (1) a behavioral health professional licensed under IC 25-23.6;
- 23 (2) a licensed physician; or
- 24 (3) an advanced practice registered nurse (as defined in
- 25 ~~IC 12-7-2-3.1~~ IC 12-7-2.1-10).

26 The supervision required under this subsection may be performed  
 27 remotely.

28 SECTION 89. IC 12-23-1-13, AS ADDED BY P.L.220-2011,  
 29 SECTION 274, IS AMENDED TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2026]: Sec. 13. Notwithstanding the  
 31 amendments made to IC 12-7-2-12 (**repealed July 1, 2026, and**  
 32 **reenacted at IC 12-7-2.1-19**) by P.L.168-2002, a person participating  
 33 in an alcohol and drug services program before July 1, 2002, solely as  
 34 a result of committing an infraction may continue in the program until  
 35 the person successfully completes the program or is removed for a  
 36 violation or noncompliance, whichever occurs first.

37 SECTION 90. IC 12-24-19-1, AS AMENDED BY P.L.99-2007,  
 38 SECTION 121, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) This chapter applies only to  
 40 a patient who is transferred or discharged from a state institution  
 41 administered by the division of mental health and addiction.

42 (b) This chapter does not apply to any of the following:

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(1) An individual who is admitted to a state institution only for evaluation purposes.

(2) An individual who is incompetent to stand trial.

(3) An individual who has a developmental disability (as defined in ~~IC 12-7-2-61~~; IC 12-7-2.1-118).

(4) An individual in an alcohol and drug services program who is not concurrently diagnosed with a mental illness.

(5) An individual who has escaped from the facility to which the individual was involuntarily committed.

(6) An individual who was admitted to a facility for voluntary treatment and who has left the facility against the advice of the attending physician.

SECTION 91. IC 12-29-2-13, AS AMENDED BY P.L.143-2011, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) This section applies to Lake County.

(b) In addition to any other appropriation under this article, the county annually may fund each center serving the county from the county's general fund in an amount not exceeding the following:

(1) For 2004, the product of the amount determined under section 2(b)(1) of this chapter multiplied by seven hundred fifty-two thousandths (0.752).

(2) For 2005 and each year thereafter, the product of the amount determined under section 2(b)(2) of this chapter for that year multiplied by seven hundred fifty-two thousandths (0.752).

(c) The receipts from the tax levied under this section shall be used for the leasing, purchasing, constructing, or operating of facilities for community based residential programs (as defined in ~~IC 12-7-2-40~~) IC 12-7-2.1-76) for individuals with a mental illness.

(d) Money appropriated under this section must be:

(1) budgeted under IC 6-1.1-17; and

(2) included in the center's budget submitted to the division of mental health and addiction.

(e) Permission for a levy increase in excess of the levy limitations may be ordered under IC 6-1.1-18.5-15 only if the levy increase is approved by the division of mental health and addiction for a community mental health center.

SECTION 92. IC 13-20-25-10, AS AMENDED BY P.L.104-2024, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A person:

(1) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

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- 1 (B) recycled recyclable materials during a calendar year;  
 2 (2) who:  
 3 (A) meets the definition of "scrap metal processing facility"  
 4 set forth in ~~IC 8-23-1-36~~; IC 8-23-1.1-35;  
 5 (B) meets the definition of "automotive salvage recycler" set  
 6 forth in IC 9-13-2-10;  
 7 (C) meets the definition of "recycling facility" set forth in  
 8 IC 9-13-2-150.3;  
 9 (D) is engaged in business subject to IC 9-22-3;  
 10 (E) meets the definition of "automotive salvage rebuilder"  
 11 set forth in IC 9-32-2.1-5;  
 12 (F) meets the definition of "scrap metal processor" set forth  
 13 in IC 13-11-2-196.5;  
 14 (G) meets the definition of "core buyer" set forth in  
 15 IC 25-37.5-1-0.2; or  
 16 (H) meets the definition of "valuable metal dealer" set forth  
 17 in IC 25-37.5-1-1(b); or  
 18 (3) who:  
 19 (A) is not required to submit a recycling activity report  
 20 under section 9 of this chapter; but  
 21 (B) took action during a calendar year to recover, from the  
 22 solid waste stream, for purposes of:  
 23 (i) use or reuse;  
 24 (ii) conversion into raw materials; or  
 25 (iii) use in the production of new products;  
 26 materials that were not municipal waste;  
 27 may voluntarily submit a recycling activity report to the commissioner  
 28 concerning the person's recycling activity during the calendar year.  
 29 (b) The commissioner shall include information reported to the  
 30 commissioner under this section in the annual reports that the  
 31 commissioner is required to submit under IC 4-23-5.5-6.  
 32 SECTION 93. IC 14-19-3-1, AS AMENDED BY P.L.213-2025,  
 33 SECTION 130, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department may not  
 35 charge a price of admission to:  
 36 (1) inpatients of state or federally owned or operated hospitals or  
 37 institutions and their supervisors;  
 38 (2) foster families who reside together in the same foster family  
 39 home licensed under IC 31-27-4;  
 40 (3) individuals who meet the definition of foster youth set forth  
 41 in ~~IC 31-9-2-47.3~~; IC 31-9-2.1-110; or  
 42 (4) a Gold Star family member who displays:

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1 (A) an Indiana Gold Star family member license plate under  
 2 IC 9-18.5-33; or

3 (B) a free annual pass;  
 4 for the use of any property owned or managed by the department for  
 5 purposes of this article.

6 (b) If necessary, the department may adopt rules concerning the  
 7 appropriate form of identification or documentation required for  
 8 admission to a location described in subsection (a).

9 SECTION 94. IC 14-22-11-8, AS AMENDED BY P.L.155-2015,  
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2026]: Sec. 8. (a) This section does not apply to the following:

12 (1) A person who is:

13 (A) a resident of Indiana; and

14 (B) an individual born before April 1, 1943.

15 (2) A person who is less than eighteen (18) years of age.

16 (3) A person who is legally blind.

17 (4) A person who is a resident patient of a state mental  
 18 institution.

19 (5) A person who is:

20 (A) a resident of a health facility (as defined in  
 21 IC 16-18-2-167) licensed in Indiana; and

22 (B) taking part in a supervised activity of the health facility.

23 (6) A person who:

24 (A) is a resident of Indiana; and

25 (B) has a developmental disability (as defined by  
 26 ~~IC 12-7-2-61~~ in IC 12-7-2.1-118).

27 (7) A person whose only participation in fishing is to assist an  
 28 individual described in subdivision (3), (4), (5), or (6).

29 (8) A resident of Indiana who fishes during a free sport fishing  
 30 day designated under IC 14-22-18.

31 (b) Every person must have a fishing license in the person's  
 32 possession when fishing in:

33 (1) waters containing state owned fish;

34 (2) waters of the state; or

35 (3) boundary waters of the state.

36 (c) Every person must have a valid electronically generated  
 37 trout-salmon stamp in the person's possession to legally fish for or take  
 38 trout or salmon in:

39 (1) waters containing state owned fish;

40 (2) waters of the state; or

41 (3) boundary waters of the state.

42 SECTION 95. IC 14-22-12-1.8, AS AMENDED BY

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P.L.233-2015, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.8. (a) As used in this section, "individual with special circumstances" means an individual who:

(1) has a developmental disability (as defined by ~~IC 12-7-2-61~~;  
**in IC 12-7-2.1-118**);

(2) is determined to be a student with a disability (as defined in IC 20-35-1-8); or

(3) has a permanent disability as determined by rules adopted by the department.

(b) As used in this section, "special circumstances hunter" means an individual with special circumstances who hunts under a special circumstances hunting safety card issued under this section.

(c) As used in this section, "special circumstances hunting safety card" refers to the card issued to a special circumstances hunter.

(d) The department may issue a special circumstances hunting safety card to a resident or nonresident who qualifies under the rules adopted by the department as authorized under this section.

(e) The commission shall establish the criteria for determining qualifications for a special circumstances hunting safety card.

(f) A special circumstances hunter may hunt in Indiana if the special circumstances hunter attends the course of instruction in hunter education offered by the department or the department's agent under IC 14-22-35.

(g) A special circumstances hunter must:

(1) comply with the requirements under this article, including obtaining a valid hunting license issued under IC 14-22-11, and the rules adopted by the department; and

(2) while hunting, be accompanied by an individual who:

(A) is at least eighteen (18) years of age; and

(B) holds a valid hunting license issued under IC 14-22-11.

(h) An individual described in subsection (g)(2) who accompanies a special circumstances hunter:

(1) must be in close enough proximity to monitor the special circumstances hunter's activities and communicate with the special circumstances hunter at all times; and

(2) may not accompany more than two (2) holders of a special circumstances hunting safety card at one (1) time.

(i) The department shall adopt rules under IC 4-22-2 to carry out this section.

SECTION 96. IC 16-18-2-167, AS AMENDED BY P.L.117-2015, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2026]: Sec. 167. (a) "Health facility":

- (1) except for purposes of IC 16-28-15, means a building, a structure, an institution, or other place for the reception, accommodation, board, care, or treatment extending beyond a continuous twenty-four (24) hour period in a week of more than four (4) individuals who need or desire such services because of physical or mental illness, infirmity, or impairment; and
- (2) for purposes of IC 16-28-15, has the meaning set forth in IC 16-28-15-3.

(b) The term does not include the premises used for the reception, accommodation, board, care, or treatment in a household or family, for compensation, of a person related by blood to the head of the household or family (or to the spouse of the head of the household or family) within the degree of consanguinity of first cousins.

(c) The term does not include any of the following:

- (1) Hotels, motels, or mobile homes when used as such.
- (2) Hospitals or mental hospitals, except for that part of a hospital that provides long term care services and functions as a health facility, in which case that part of the hospital is licensed under IC 16-21-2, but in all other respects is subject to IC 16-28.
- (3) Hospices that furnish inpatient care and are licensed under IC 16-25-3.
- (4) Institutions operated by the federal government.
- (5) Foster family homes or day care centers.
- (6) Schools for individuals who are deaf or blind.
- (7) Day schools for individuals with an intellectual disability.
- (8) Day care centers.
- (9) Children's homes and child placement agencies.
- (10) Offices of practitioners of the healing arts.
- (11) Any institution in which health care services and private duty nursing services are provided that is listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc.
- (12) Industrial clinics providing only emergency medical services or first aid for employees.
- (13) A residential facility (as defined in ~~IC 12-7-2-165~~; IC 12-7-2.1-292).
- (14) Maternity homes.
- (15) Offices of Christian Science practitioners.

SECTION 97. IC 16-18-2-179, AS AMENDED BY P.L.147-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 179. (a) "Hospital", except as provided in

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subsections (b) through (g), means a hospital that is licensed under IC 16-21-2.

(b) "Hospital", for purposes of IC 16-21, means an institution, a place, a building, or an agency that holds out to the general public that it is operated for hospital purposes and that it provides care, accommodations, facilities, and equipment, in connection with the services of a physician, to individuals who may need medical or surgical services. The term does not include the following:

(1) Freestanding health facilities.

(2) Hospitals or institutions specifically intended to diagnose, care, and treat the following:

(A) Individuals with a mental illness (as defined in ~~IC 12-7-2-117.6~~, IC 12-7-2.1-197).

(B) Individuals with developmental disabilities (as defined in ~~IC 12-7-2-61~~, IC 12-7-2.1-118).

(3) Offices of physicians where patients are not regularly kept as bed patients.

(4) Convalescent homes, boarding homes, or homes for the aged.

(5) Rural emergency hospitals.

(c) "Hospital", for purposes of IC 16-22-8, has the meaning set forth in IC 16-22-8-5.

(d) "Hospital", for purposes of IC 16-23.5, has the meaning set forth in IC 16-23.5-1-9.

(e) "Hospital" or "tuberculosis hospital", for purposes of IC 16-24, means an institution or a facility for the treatment of individuals with tuberculosis.

(f) "Hospital", for purposes of IC 16-34, means a hospital (as defined in subsection (b)) that:

(1) is required to be licensed under IC 16-21-2; or

(2) is operated by an agency of the United States.

(g) "Hospital", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-6.

SECTION 98. IC 16-18-2-224.1, AS ADDED BY P.L.203-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 224.1. "Medication assisted treatment" has the meaning set forth in ~~IC 12-7-2-128.7~~, IC 12-7-2.1-223.

SECTION 99. IC 16-18-2-225.6, AS ADDED BY P.L.210-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 225.6. "Mental health facility", for purposes of IC 16-31, means the following:

(1) A certified community behavioral health clinic (as defined in IC 12-15-1.3-25(a)).

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1 (2) A community mental health center (as defined in  
 2 ~~IC 12-7-2-38~~) **IC 12-7-2.1-78**) certified under  
 3 IC 12-21-2-3(5)(C).

4 SECTION 100. IC 16-18-2-344, AS AMENDED BY P.L.10-2019,  
 5 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2026]: Sec. 344. "Superintendent", for purposes of IC 16-36-3,  
 7 has the meaning set forth in ~~IC 12-7-2-188(3)~~. IC 12-7-2.1-323(3).

8 SECTION 101. IC 16-21-14-1, AS ADDED BY P.L.133-2019,  
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2026]: Sec. 1. (a) This section and section 2 of this chapter do  
 11 not apply to the following:

12 (1) A hospital that primarily provides inpatient and outpatient  
 13 services to a pediatric population.

14 (2) A psychiatric hospital (as defined in ~~IC 12-7-2-151~~).  
 15 IC 12-7-2.1-270).

16 (b) Each hospital shall adopt, implement, and periodically update  
 17 evidence based sepsis guidelines for the early recognition and  
 18 treatment of patients with sepsis, severe sepsis, or septic shock that are  
 19 based on generally accepted guidelines. The sepsis guidelines must  
 20 include components specific to the identification, care, and treatment  
 21 of adults.

22 SECTION 102. IC 16-32-4-2, AS ADDED BY P.L.56-2016,  
 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2026]: Sec. 2. As used in this chapter, "developmental  
 25 disability" has the meaning set forth in ~~IC 12-7-2-61~~. IC 12-7-2.1-118.

26 SECTION 103. IC 16-33-4-5 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. The Indiana Soldiers'  
 28 and Sailors' Children's Home is established as a state residential school  
 29 and home for the care of Indiana children who are in need of residential  
 30 care and would qualify for educational service. Preference shall be  
 31 given to the admission of children of members of the armed forces and  
 32 children of families of veterans who meet these admission criteria. A  
 33 child who requires residential placement in a secure facility (as defined  
 34 in ~~IC 31-9-2-114~~), IC 31-9-2.1-222), a juvenile detention facility, or a  
 35 detention center for the safety of the child or others may not be placed  
 36 at the home.

37 SECTION 104. IC 16-35-2-10, AS AMENDED BY P.L.99-2007,  
 38 SECTION 159, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) An individual who:

40 (1) has autism (as defined in ~~IC 12-7-2-19(b)~~);  
 41 IC 12-7-2.1-33(b)); and

42 (2) is less than twenty-one (21) years of age;

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has an eligible medical condition under this chapter.

(b) The state department shall extend all care, services, and materials provided under this chapter to an individual described in subsection (a) who meets any additional eligibility criteria established by the state department under this chapter.

SECTION 105. IC 16-36-1.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. In order to comply with this chapter, a mental health provider needs to obtain only one (1) consent for mental health services for a patient while admitted in or treated as an outpatient at the main facility or a clinic of any of the following:

(1) A psychiatric hospital (as defined in ~~IC 12-7-2-151~~; IC 12-7-2.1-270).

(2) A hospital (as defined in IC 16-18-2-179(b)).

(3) A community mental health center (as defined in ~~IC 12-7-2-38~~; IC 12-7-2.1-78).

SECTION 106. IC 16-36-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter, "appropriate facility" has the meaning set forth in ~~IC 12-7-2-82(3)~~; IC 12-7-2.1-149(3).

SECTION 107. IC 16-36-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "superintendent" has the meaning set forth in ~~IC 12-7-2-188(3)~~; IC 12-7-2.1-323(3).

SECTION 108. IC 16-37-2-2, AS AMENDED BY P.L.138-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person in attendance at a live birth shall do the following:

(1) File with the local health officer the following:

(A) A certificate of birth.

(B) Any paternity affidavit executed under section 2.1(c)(1) of this chapter.

Except as provided in IC 16-37-1-3.1(f), the person in attendance at a live birth shall use the Indiana birth registration system established under IC 16-37-1-3.1 to electronically file a birth certificate or paternity affidavit under this subdivision.

(2) Advise the mother of a child born out of wedlock of:

(A) the availability of paternity affidavits under section 2.1 of this chapter; and

(B) the existence of the putative father registry established by IC 31-19-5-2.

(b) If there was no person in attendance at the birth, one (1) of the

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parents shall file with the local health officer the following:

(1) A certificate of birth.

(2) Any paternity affidavit executed under section 2.1 of this chapter.

(c) If:

(1) no person was in attendance at the birth and neither parent is able to prepare the certificate; or

(2) the local health officer does not receive a certificate of birth; the local health officer shall prepare a certificate of birth from information secured from any person who has knowledge of the birth.

(d) A local health department shall inform the Title IV-D agency (as defined in ~~IC 31-9-2-130~~) IC 31-9-2.1-244) regarding each paternity affidavit executed under section 2.1 of this chapter that the local health department receives under this section.

(e) A paternity affidavit executed under section 2.1(c)(1) of this chapter shall be filed with the local health officer not more than five (5) days after the child's birth.

(f) An attorney or agency that arranges an adoption may at any time request that the state department search its records to determine whether a man executed a paternity affidavit under section 2.1 of this chapter in relation to a child who is or may be the subject of an adoption that the attorney or agency is arranging.

(g) Not more than ten (10) days after receiving a request from an attorney or agency under subsection (f), the state department shall submit an affidavit to the attorney or agency verifying whether a paternity affidavit has been filed under this section. If a paternity affidavit has been filed regarding a child who is the subject of a request under subsection (f), the state department shall release a copy of the paternity affidavit to the requesting attorney or agency.

SECTION 109. IC 16-39-2-6, AS AMENDED BY P.L.243-2025, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Without the consent of the patient, the patient's mental health record may only be disclosed as follows:

(1) To individuals who meet the following conditions:

(A) Are employed by:

(i) the provider at the same facility or agency;

(ii) a managed care provider (as defined in ~~IC 12-7-2-127~~); IC 12-7-2.1-219); or

(iii) a health care provider or mental health care provider, if the mental health records are needed to provide health care or mental health services to the patient.

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- 1 (B) Are involved in the planning, provision, and monitoring  
 2 of services.
- 3 (2) To the extent necessary to obtain payment for services  
 4 rendered or other benefits to which the patient may be entitled,  
 5 as provided in IC 16-39-5-3.
- 6 (3) To the patient's court appointed counsel and to the Indiana  
 7 protection and advocacy services commission.
- 8 (4) For research conducted in accordance with IC 16-39-5-3 and  
 9 the rules of the division of mental health and addiction, the rules  
 10 of the division of disability and rehabilitative services, the rules  
 11 of the provider, or the rules of the Indiana archives and records  
 12 administration and the oversight committee on public records.
- 13 (5) To the division of mental health and addiction for the  
 14 purpose of data collection, research, and monitoring managed  
 15 care providers (as defined in ~~IC 12-7-2-127~~) **IC 12-7-2.1-219**)  
 16 who are operating under a contract with the division of mental  
 17 health and addiction.
- 18 (6) To the extent necessary to make reports or give testimony  
 19 required by the statutes pertaining to admissions, transfers,  
 20 discharges, and guardianship proceedings.
- 21 (7) To a law enforcement agency if any of the following  
 22 conditions are met:
- 23 (A) A patient escapes from a facility to which the patient is  
 24 committed under IC 12-26.
- 25 (B) The superintendent of the facility determines that failure  
 26 to provide the information may result in bodily harm to the  
 27 patient or another individual.
- 28 (C) A patient commits or threatens to commit a crime on  
 29 facility premises or against facility personnel.
- 30 (D) A patient is in the custody of a law enforcement officer  
 31 or agency for any reason and:
- 32 (i) the information to be released is limited to  
 33 medications currently prescribed for the patient or to  
 34 the patient's history of adverse medication reactions;  
 35 and
- 36 (ii) the provider determines that the release of the  
 37 medication information will assist in protecting the  
 38 health, safety, or welfare of the patient.
- 39 Mental health records released under this clause must be  
 40 maintained in confidence by the law enforcement agency  
 41 receiving them.
- 42 (8) To a coroner or medical examiner, in the performance of the

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individual's duties.

(9) To a school in which the patient is enrolled if the superintendent of the facility determines that the information will assist the school in meeting educational needs of the patient.

(10) To the extent necessary to satisfy reporting requirements under the following statutes:

(A) IC 12-10-3-10.

(B) IC 12-24-17-5.

(C) IC 16-41-2-3.

(D) IC 16-49-3-3.

(E) IC 16-49-4-5.

(F) IC 16-49-6-6.

(G) IC 16-49.5-2-6.

(H) IC 16-50-1-8.

(I) IC 31-25-3-2.

(J) IC 31-33-5-4.

(K) IC 34-30-16-2.

(L) IC 35-46-1-13.

(11) To the extent necessary to satisfy release of information requirements under the following statutes:

(A) IC 12-24-11-2.

(B) IC 12-24-12-3, IC 12-24-12-4, and IC 12-24-12-6.

(C) IC 12-26-11.

(12) To another health care provider in a health care emergency.

(13) For legitimate business purposes as described in IC 16-39-5-3.

(14) Under a court order under IC 16-39-3.

(15) With respect to records from a mental health or developmental disability facility, to the United States Secret Service if the following conditions are met:

(A) The request does not apply to alcohol or drug abuse records described in 42 U.S.C. 290dd-2 unless authorized by a court order under 42 U.S.C. 290dd-2(b)(2)(c).

(B) The request relates to the United States Secret Service's protective responsibility and investigative authority under 18 U.S.C. 3056, 18 U.S.C. 871, or 18 U.S.C. 879.

(C) The request specifies an individual patient.

(D) The director or superintendent of the facility determines that disclosure of the mental health record may be necessary to protect a person under the protection of the United States Secret Service from serious bodily injury or death.

(E) The United States Secret Service agrees to only use the

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1 mental health record information for investigative purposes  
2 and not disclose the information publicly.

3 (F) The mental health record information disclosed to the  
4 United States Secret Service includes only:

- 5 (i) the patient's name, age, and address;
- 6 (ii) the date of the patient's admission to or discharge  
7 from the facility; and
- 8 (iii) any information that indicates whether or not the  
9 patient has a history of violence or presents a danger to  
10 the person under protection.

11 (16) To the statewide bureau of disabilities services ombudsman  
12 established under IC 12-11-13, in the performance of the  
13 ombudsman's duties.

14 (b) If a licensed mental health professional, a licensed paramedic,  
15 a representative of a mobile integrated healthcare program (as  
16 described in IC 16-31-12), or a representative of a mental health  
17 community paramedicine program in the course of rendering a  
18 treatment intervention, determines that a patient may be a harm to  
19 himself or herself or others, the licensed mental health professional, the  
20 licensed paramedic, the representative of the mobile integrated  
21 healthcare program (as described in IC 16-31-12), or the representative  
22 of the mental health community paramedicine program may request a  
23 patient's individualized mental health safety plan from a psychiatric  
24 crisis center, psychiatric inpatient unit, or psychiatric residential  
25 treatment provider. Each psychiatric crisis center, psychiatric inpatient  
26 unit, and psychiatric residential treatment provider shall, upon request  
27 and without the consent of the patient, share a patient's individualized  
28 mental health safety plan that is in the standard format established by  
29 the division of mental health and addiction under IC 12-21-5-6 with the  
30 following individuals who demonstrate proof of licensure and commit  
31 to protecting the information in compliance with state and federal  
32 privacy laws:

- 33 (1) A licensed mental health professional.
- 34 (2) A licensed paramedic.
- 35 (3) A representative of a mobile integrated healthcare program  
36 (as described in IC 16-31-12).
- 37 (4) A representative of a mental health community paramedicine  
38 program.

39 An individualized mental health safety plan disclosed under this  
40 subsection may be used only to support a patient's welfare and safety  
41 and is considered otherwise confidential information under applicable  
42 state and federal laws.

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(c) After information is disclosed under subsection (a)(15) and if the patient is evaluated to be dangerous, the records shall be interpreted in consultation with a licensed mental health professional on the staff of the United States Secret Service.

(d) A person who discloses information under subsection (a)(7), (a)(15), or (b) in good faith is immune from civil and criminal liability.

SECTION 110. IC 16-39-11-4.5, AS ADDED BY P.L.1-2022, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) As used in this chapter, "Indiana governmental entity" means:

- (1) the state (as defined in IC 5-11-1-16(b));
- (2) a state educational institution (as defined in IC 21-7-13-32);
- (3) a political subdivision (as defined in IC 36-1-2-13); or
- (4) a public school corporation (as defined in IC 4-4-38.5-6.2).

(b) The term does not include the following:

- (1) A state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).
- (2) A hospital organized or operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8, or IC 16-23-1.

SECTION 111. IC 16-41-21.2-2, AS ADDED BY P.L.125-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "child care facility" means any of the following:

- (1) A child care center (as defined in ~~IC 12-7-2-28.4~~; IC 12-7-2.1-55).
- (2) A child care home (as defined in ~~IC 12-7-2-28.6~~; IC 12-7-2.1-57).

SECTION 112. IC 16-41-21.2-3, AS ADDED BY P.L.125-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "preschool" has the meaning set forth in ~~IC 12-7-2-143.5~~; IC 12-7-2.1-258.

SECTION 113. IC 16-41-40-5, AS AMENDED BY P.L.145-2006, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) A program established under this chapter must include the distribution of readily understandable information and instructional materials regarding childhood hazards. Information concerning shaken baby syndrome, must explain its medical effects on infants and children and emphasize preventive measures.

(b) The information and instructional materials described in subsection (a) concerning shaken baby syndrome must be provided without cost by the following:

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(1) Each hospital licensed under IC 16-21, to a parent or guardian of each newborn upon discharge from the hospital.

(2) The department of child services to each provider (as defined in ~~IC 12-7-2-149.1~~ IC 12-7-2.1-267 or ~~IC 31-9-2-99.3~~ IC 31-9-2.1-193) when:

(A) the provider applies for a license from the division or the department of child services under IC 12-17.2 or IC 31-27; or

(B) the division or the department of child services inspects a facility operated by a provider.

SECTION 114. IC 16-42-5.2-3, AS AMENDED BY P.L.139-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. This chapter does not apply to the following:

(1) Hospitals licensed under IC 16-21.

(2) Health facilities licensed under IC 16-28.

(3) Housing with services establishments that are required to file disclosure statements under IC 12-10-15.

(4) Continuing care retirement communities required to file disclosure statements under IC 23-2-4.

(5) Community mental health centers (as defined in ~~IC 12-7-2-38~~ IC 12-7-2.1-78).

(6) Private mental health institutions licensed under IC 12-25.

(7) An area agency on aging designated under IC 12-10-1 that provides food under a nutrition service program. However, the premises where the food is prepared is not exempt from the requirements under this chapter.

(8) A food pantry that:

(A) is operated or affiliated with a nonprofit organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and

(B) distributes food, which may include food from the United States Department of Agriculture, to needy persons.

However, a food bank or other facility that distributes donated food to other organizations is not exempt from the requirements of this chapter.

SECTION 115. IC 20-18-2-9, AS AMENDED BY P.L.99-2007, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. "Individualized education program" means a written statement developed for a child by a group that includes:

(1) a representative of the school corporation or public agency



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1 responsible for educating the child;

2 (2) the child's teacher;

3 (3) the child's parent, guardian, or custodian;

4 (4) if appropriate, the child; and

5 (5) if the provision of services for a child with a serious  
6 emotional disability is considered, a mental health professional  
7 provided by:

8 (A) the community mental health center (as described in  
9 IC 12-29); or

10 (B) a ~~managed care~~ provider (as defined in  
11 ~~IC 12-7-2-127(b))~~; IC 12-7-2.1-267(5));

12 serving the community in which the child resides;

13 and that describes the special education to be provided to the child.

14 SECTION 116. IC 20-19-3-17, AS AMENDED BY P.L.214-2025,  
15 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2026]: Sec. 17. (a) As used in this section, "foster care" has  
17 the meaning set forth in ~~IC 31-9-2-46.7~~. IC 31-9-2.1-107.

18 (b) As used in this section, "foster care youth" means students in  
19 foster care.

20 (c) As used in this section, "graduation rate" has the meaning set  
21 forth in IC 20-26-13-6.

22 (d) The state board shall, in collaboration with the department and  
23 the department of child services, annually prepare a report on foster  
24 care youth educational outcomes that includes the following:

25 (1) The annual graduation rate of foster care youth, including the  
26 following information:

27 (A) The graduation rate for each of the following:

28 (i) Foster care youth who received a waiver from  
29 postsecondary readiness competency requirements  
30 under IC 20-32-4-4.1.

31 (ii) Foster care youth who did not receive a waiver  
32 from postsecondary readiness competency  
33 requirements under IC 20-32-4-4.1.

34 (B) The number and percentage of foster care youth who  
35 received each type of diploma.

36 (2) The adjusted cohort graduation rate for foster care youth,  
37 including the adjusted cohort graduation rate for each of the  
38 following:

39 (A) Foster care youth who received a waiver from  
40 postsecondary readiness competency requirements under  
41 IC 20-32-4-4.1.

42 (B) Foster care youth who did not receive a waiver from

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- 1 postsecondary readiness competency requirements under  
 2 IC 20-32-4-4.1.
- 3 (3) The number and percentage for each of the following:  
 4 (A) Foster care youth who were promoted to the next grade  
 5 level at the end of the school year.  
 6 (B) Foster care youth who were retained in the same grade  
 7 level for the next school year.  
 8 (C) Foster care youth who were suspended during the  
 9 school year.  
 10 (D) Foster care youth who were expelled during the school  
 11 year.  
 12 (E) Foster care youth who met academic standards on  
 13 statewide assessment program tests (as defined in  
 14 IC 20-32-2-2.3) administered during the school year.
- 15 The information reported under this subdivision must also be  
 16 disaggregated by race, grade, gender, free or reduced price lunch  
 17 status, and eligibility for special education.
- 18 (4) The number and percentage of eligible foster care youth who  
 19 are enrolled in the prekindergarten program under  
 20 IC 12-17.2-7.2.
- 21 (5) The number and percentage of foster care youth who passed  
 22 the reading skills evaluation administered under IC 20-32-8.5-2.
- 23 (6) The number and percentage of foster care youth enrolled in  
 24 schools, disaggregated by the category or designation of the  
 25 school under IC 20-31-8-3.
- 26 (7) The number and percentage of foster care youth enrolled in  
 27 schools, disaggregated by the type of school, including public  
 28 schools, charter schools, and secure private facilities (as defined  
 29 in ~~IC 31-9-2-115~~ IC 31-9-2.1-223).
- 30 (e) Not later than April 1 of each year, the department shall submit  
 31 the report described in subsection (d) to the following:  
 32 (1) Department of child services.  
 33 (2) Legislative council in an electronic format under IC 5-14-6.
- 34 SECTION 117. IC 20-19-3-18, AS AMENDED BY P.L.214-2025,  
 35 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2026]: Sec. 18. (a) As used in this section, "graduation rate"  
 37 has the meaning set forth in IC 20-26-13-6.
- 38 (b) The state board shall, in collaboration with the department and  
 39 the department of child services, annually prepare a report on homeless  
 40 youth educational outcomes that includes the following:  
 41 (1) The annual graduation rate of homeless youth, including the  
 42 following information:

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- 1 (A) The graduation rate for each of the following:
  - 2 (i) Homeless youth who received a waiver from
  - 3 postsecondary readiness competency requirements
  - 4 under IC 20-32-4-4.1.
  - 5 (ii) Homeless youth who did not receive a waiver from
  - 6 postsecondary readiness competency requirements
  - 7 under IC 20-32-4-4.1.
- 8 (B) The number and percentage of homeless youth who
  - 9 received each type of diploma.
- 10 (2) The adjusted cohort graduation rate for homeless youth,
  - 11 including the adjusted cohort graduation rate for each of the
  - 12 following:
    - 13 (A) Homeless youth who received a waiver from
    - 14 postsecondary readiness competency requirements under
    - 15 IC 20-32-4-4.1.
    - 16 (B) Homeless youth who did not receive a waiver from
    - 17 postsecondary readiness competency requirements under
    - 18 IC 20-32-4-4.1.
- 19 (3) The number and percentage of each of the following:
  - 20 (A) Homeless youth who were promoted to the next grade
  - 21 level at the end of the school year.
  - 22 (B) Homeless youth who were retained in the same grade
  - 23 level for the next school year.
  - 24 (C) Homeless youth who were suspended during the school
  - 25 year.
  - 26 (D) Homeless youth who were expelled during the school
  - 27 year.
  - 28 (E) Homeless youth who met academic standards on
  - 29 statewide assessment program tests (as defined in
  - 30 IC 20-32-2-2.3) administered during the school year.
- 31 The information reported under this subdivision must also be
  - 32 disaggregated by race, grade, gender, free or reduced price lunch
  - 33 status, and eligibility for special education.
- 34 (4) The number and percentage of eligible homeless youth who
  - 35 are enrolled in the prekindergarten program under
  - 36 IC 12-17.2-7.2.
- 37 (5) The number and percentage of homeless youth who passed
  - 38 the reading skills evaluation administered under IC 20-32-8.5-2.
- 39 (6) The number and percentage of homeless youth enrolled in
  - 40 schools, disaggregated by the category or designation of the
  - 41 school under IC 20-31-8-3.
- 42 (7) The number and percentage of homeless youth enrolled in

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schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in ~~IC 31-9-2-115~~; IC 31-9-2.1-223).

(c) Not later than June 1 of each year, the department shall submit the report described in subsection (b) to the following:

- (1) The Indiana housing and community development authority.
- (2) The legislative council in an electronic format under IC 5-14-6.

SECTION 118. IC 20-26-11-11.5, AS AMENDED BY P.L.93-2024, SECTION 140, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.5. (a) The following definitions apply to this section:

- (1) "ADM" means average daily membership (as defined in IC 20-18-2-2).
- (2) "Facility" means a secure private facility described in ~~IC 31-9-2-115(a)(1)~~; IC 31-9-2.1-223(a)(1).
- (3) "School corporation" means the Indiana school or charter school that is receiving state tuition support for the student at the time of the student's admission to the facility.
- (4) "Student" means an individual who:
  - (A) is more than five (5) years of age and less than twenty-three (23) years of age;
  - (B) has been admitted to a facility; and
  - (C) was enrolled in a school corporation during the school year immediately preceding the student's admission to the facility.

(b) This section applies to a student if:

- (1) the student is placed in a facility under the written order of a physician licensed under IC 25-22.5;
- (2) the written order of the physician licensed under IC 25-22.5 is based on medical necessity, as determined by a physician licensed under IC 25-22.5; and
- (3) the student receives educational services provided by the facility.

(c) A facility shall provide written notice to the school corporation not later than five (5) business days (excluding weekends and holidays) after a student described in subsection (b) is admitted to the facility.

The written notice must include the following:

- (1) The student's name, address, and date of birth.
- (2) The date on which the student was admitted to the facility.
- (3) A copy of the physician's written order.
- (4) A statement that the student has opted out of attending school

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under section 8 of this chapter.

(5) A statement that the facility will provide all educational services to the student during the student's admission in the facility.

(d) The school corporation shall pay the facility a daily per diem as determined under subsection (e) for the educational services provided by the facility to the student during the student's admission in the facility. The school corporation may not be required to pay for any educational services provided to the student by the facility exceeding one hundred eighty (180) instructional days or an amount exceeding the student's proportionate share of state distributions paid to the school corporation, as determined under subsection (e).

(e) A school corporation shall pay to the facility an amount, prorated according to the number of instructional days for which the student receives the educational services, equal to:

(1) the student's proportionate share (as compared to the school corporation's total ADM) of basic tuition support (as determined under IC 20-43-6-3) distributions that are made to the school corporation for the school year; and

(2) any special education grants received by the school corporation for the student under IC 20-43-7.

Upon request of a facility, the department shall verify the amounts described in this subsection for a student admitted to the facility.

(f) A school corporation responsible for making a per diem payment under this section shall pay the facility not later than sixty (60) days after receiving an invoice from the facility. The school corporation and the facility are entitled to the same remedies for disagreements over amounts or nonpayment of an amount due as are provided under the laws governing transfer tuition.

(g) For each student admitted to a facility, the facility shall provide the following in accordance with rules adopted by the state board:

(1) An educational opportunity, including special education and related services, that is comparable to that of a student attending a school in the school corporation.

(2) A level of educational services from the facility that is comparable to that of a student attending a school in the school corporation.

(3) Unless otherwise provided in a student's individualized education program (as defined in IC 20-18-2-9), educational services that include at least the following:

(A) An instructional day that meets the requirements of IC 20-30-2-2.

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1 (B) A school year with at least one hundred eighty (180)  
2 student instructional days as provided under IC 20-30-2-3.

3 (C) Educationally appropriate textbooks and other  
4 materials.

5 (D) Educational services provided by licensed teachers.

6 (h) The state board shall adopt a rule under IC 4-22-2 that  
7 addresses the responsibilities of the school corporation and the facility  
8 with regard to a student with an individualized education program.

9 (i) This section does not limit a student's right to attend a school  
10 as provided in section 8 of this chapter.

11 (j) The state board shall adopt rules under IC 4-22-2 as necessary  
12 to implement this section.

13 SECTION 119. IC 20-27-9-7, AS AMENDED BY P.L.2-2017,  
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2026]: Sec. 7. (a) As used in this section, "developmental  
16 disability" has the meaning set forth in ~~IC 12-7-2-61~~ IC 12-7-2.1-118.

17 (b) A special education cooperative operating under IC 36-1-7,  
18 IC 20-35-5, or IC 20-26-10 or a school corporation may enter into an  
19 agreement with an agency or organization serving persons with a  
20 developmental disability in which a school bus or special purpose bus  
21 used by the special education cooperative or school corporation may be  
22 used to transport persons with a developmental disability who are at  
23 least two (2) years of age to and from programs for persons with a  
24 developmental disability.

25 (c) An increased cost of transportation for persons with a  
26 developmental disability shall be borne by the persons transported or  
27 the agency or organization serving persons with a developmental  
28 disability. However, a person with a developmental disability may not  
29 be required to pay for transportation provided under this section if the  
30 required payment is contrary to law.

31 SECTION 120. IC 20-27-12-0.3, AS ADDED BY P.L.167-2018,  
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2026]: Sec. 0.3. As used in this chapter, "foster care" has the  
34 meaning set forth in ~~IC 31-9-2-46.7~~ IC 31-9-2.1-107.

35 SECTION 121. IC 20-33-2.5-4, AS ADDED BY P.L.125-2024,  
36 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2026]: Sec. 4. Each governing authority shall adopt a truancy  
38 prevention policy regarding absent students that includes the following:

39 (1) A school shall immediately provide written notification to the  
40 parent of an absent student that includes the following  
41 information:

42 (A) That the student is an absent student based on the

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- 1 student's school attendance.
- 2 (B) That the parent is responsible for:
- 3 (i) monitoring the absent student's school attendance;
- 4 and
- 5 (ii) ensuring the absent student attends school in
- 6 accordance with compulsory attendance laws.
- 7 (C) That the school will be initiating truancy prevention
- 8 measures regarding the absent student.
- 9 (D) That the parent is required to attend an attendance
- 10 conference regarding the truancy prevention measures that
- 11 the school will be implementing for the absent student.
- 12 (E) That, if the student meets the requirements of a habitual
- 13 truant, the:
- 14 (i) superintendent or attendance officer of the school is
- 15 required to report the student to an intake officer of the
- 16 juvenile court or the department of child services in
- 17 accordance with IC 20-33-2-25;
- 18 (ii) juvenile court may determine that the student is
- 19 committing a delinquent act as provided under
- 20 IC 31-37-2-3; and
- 21 (iii) parent of the student may be subject to prosecution
- 22 under IC 35-46-1-4.
- 23 (2) Except as provided under section 5 of this chapter, a school
- 24 shall hold an attendance conference with at least the following
- 25 individuals to discuss the student's absences and establish a plan
- 26 for the student to prevent future absences:
- 27 (A) A representative of the school.
- 28 (B) A teacher of the student.
- 29 (C) The student's parent.
- 30 (D) A representative chosen by the student's parent who
- 31 may provide insight into the student's absenteeism if the
- 32 student's parent:
- 33 (i) makes a request to the school that the representative
- 34 attend; and
- 35 (ii) provides notice to the school regarding the
- 36 identification of the representative;
- 37 at least forty-eight (48) hours before the attendance
- 38 conference.
- 39 (3) A school shall establish a plan under subdivision (2) that may
- 40 include the following:
- 41 (A) Any wraparound services that are able to be provided to
- 42 the absent student to ensure the absent student attends

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- 1 school.
- 2 (B) A specific description of the behavior that is required or
- 3 prohibited for the absent student.
- 4 (C) The period for which the plan will be effective, not to
- 5 exceed forty-five (45) instructional days after the date the
- 6 plan is established.
- 7 (D) Any additional disciplinary action the school will take
- 8 if the absent student does not comply with the plan.
- 9 (E) If applicable, a referral to counseling, mentoring, or
- 10 other services for the student.
- 11 (F) If applicable, whether a parent is expected to attend the
- 12 counseling, mentoring, or other services under clause (E)
- 13 with the student.
- 14 (G) To the extent possible, the signature of the parent of the
- 15 student agreeing to comply with the plan.
- 16 (4) A school shall offer additional counseling or services to an
- 17 absent student if the school determines that the student's
- 18 absences are related to any of the following:
- 19 (A) The student's pregnancy.
- 20 (B) That the student is in foster care (as defined in
- 21 ~~IC 31-9-2-46.7~~; IC 31-9-2.1-107).
- 22 (C) That the student is homeless.
- 23 (D) That the student has a severe or life threatening illness
- 24 or related treatment.
- 25 SECTION 122. IC 20-35-6-2, AS AMENDED BY P.L.245-2023,
- 26 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2026]: Sec. 2. (a) The secretary of education may contract
- 28 with in-state or out-of-state public and private schools, state agencies,
- 29 or child caring institutions (as defined in ~~IC 12-7-2-29(1)~~)
- 30 IC 12-7-2.1-60(1)) to pay, with any funds appropriated for this purpose,
- 31 the excess costs of educating children of school age:
- 32 (1) who have been identified as eligible for special education
- 33 services; and
- 34 (2) whose disability is of such intensity as to preclude
- 35 achievement in the existing local public school setting.
- 36 The state shall pay the costs of the services that exceed the amount a
- 37 school corporation is required to pay, as determined by the department
- 38 under subsection (b).
- 39 (b) The department shall determine the amount a school
- 40 corporation must pay before the state will pay excess costs described
- 41 in subsection (a). At a minimum, school corporations shall pay their
- 42 share of the total tuition costs for children with disabilities served

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1 under this section.

2 (c) The state board shall adopt rules under IC 4-22-2 necessary to  
3 implement this section.

4 (d) Money appropriated for the purposes of this section does not  
5 revert to the state general fund.

6 SECTION 123. IC 20-50-3-1.1, AS ADDED BY P.L.46-2016,  
7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 1.1. As used in this chapter, "foster care" has the  
9 meaning set forth in ~~IC 31-9-2-46.7~~. IC 31-9-2.1-107.

10 SECTION 124. IC 20-51.4-5.5-4, AS AMENDED BY  
11 P.L.213-2025, SECTION 237, IS REPEALED [EFFECTIVE JULY 1,  
12 2026]. Sec. 4: (a) If it is reasonably expected by the department that a  
13 CSA participating entity will receive, from payments made under the  
14 CSA program, more than one hundred thousand dollars (\$100,000)  
15 during a particular school year, the CSA participating entity shall, on  
16 or before a date prescribed by the department, provide the department  
17 evidence, in a manner prescribed by the department, indicating that the  
18 CSA participating entity has unencumbered assets sufficient to pay the  
19 department an amount equal to the amount expected to be paid to the  
20 CSA participating entity under the CSA program during the particular  
21 school year.

22 (b) Each CSA participating entity that accepts payments made  
23 from a CSA account under this article shall provide a receipt to the  
24 parent of a career scholarship student or to the emancipated career  
25 scholarship student for each payment made.

26 SECTION 125. IC 21-12-6-5, AS AMENDED BY P.L.186-2025,  
27 SECTION 118, IS AMENDED TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Unless a student qualifies  
29 under subsection (b), to qualify to participate in the program, a student  
30 must meet the following requirements:

31 (1) Be a resident of Indiana.

32 (2) Be:

33 (A) enrolled in grade 7 or 8 at a:

34 (i) public school; or

35 (ii) nonpublic school that is accredited either by the  
36 Indiana state board of education or by a national or  
37 regional accrediting agency whose accreditation is  
38 accepted as a school improvement plan under  
39 IC 20-31-4.1-2; or

40 (B) otherwise qualified under the rules of the commission  
41 that are adopted under IC 21-18.5-4-9(2) to include students  
42 who are in grades other than grade 8 as eligible students.

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(3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced price lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.

(4) Agree that the student will:

(A) graduate from a secondary school located in Indiana

that meets the admission criteria of an eligible institution;

(B) not illegally use controlled substances (as defined in IC 35-48-1.1-7);

(C) not commit a crime or an infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) timely apply, when the eligible student is a senior in high school:

(i) for admission to an eligible institution; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution;

(F) achieve a cumulative grade point average upon graduation of:

(i) at least 2.0, if the student graduates from high school before July 1, 2014; and

(ii) at least 2.5, if the student graduates from high school after June 30, 2014;

on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; and

(G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.

(b) A student qualifies to participate in the program if the student:

(1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:

(A) a foster family home;

(B) the home of a relative or other unlicensed caretaker;

(C) a child caring institution; or

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- 1 (D) a group home;  
 2 (2) meets the requirements in subsection (a)(1) through (a)(2);  
 3 and  
 4 (3) agrees in writing, together with the student's caseworker (as  
 5 defined in ~~IC 31-9-2-11~~ IC 31-9-2.1-29) or legal guardian, to  
 6 the conditions set forth in subsection (a)(4).

7 (c) The commission may require that an applicant apply  
 8 electronically to participate in the program using an online Internet  
 9 application on the commission's website.

10 SECTION 126. IC 21-12-6-14, AS AMENDED BY P.L.107-2012,  
 11 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2026]: Sec. 14. (a) This section applies to a student described  
 13 in section 5(b) of this chapter.

14 (b) A caseworker (as defined in ~~IC 31-9-2-11~~ IC 31-9-2.1-29)  
 15 shall provide each student to whom the caseworker is assigned  
 16 information concerning the program at the appropriate time for the  
 17 student to receive the information, shall explain the program to the  
 18 student, and shall provide the student with information concerning:

- 19 (1) Pell grants;  
 20 (2) Chafee grants;  
 21 (3) federal supplemental grants;  
 22 (4) the Free Application for Federal Student Aid;  
 23 (5) individual development accounts (as described under  
 24 IC 4-4-28); and  
 25 (6) the commission for higher education's programs under  
 26 IC 21-18.5-3-1.

27 (c) A student who receives information under this section shall  
 28 sign a written acknowledgment that the student received the  
 29 information. The written acknowledgment must be placed in the  
 30 student's case file.

31 SECTION 127. IC 21-12-6-15, AS ADDED BY P.L.39-2010,  
 32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2026]: Sec. 15. A caseworker (as defined in ~~IC 31-9-2-11~~  
 34 IC 31-9-2.1-29) shall provide each foster parent of a student described  
 35 in section 5(b) of this chapter to whom the caseworker is assigned  
 36 information concerning individual development accounts (as described  
 37 under IC 4-4-28).

38 SECTION 128. IC 21-18-20-5, AS AMENDED BY P.L.213-2025,  
 39 SECTION 250, IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 5:~~  
 40 (a) The commission shall develop and implement a comprehensive  
 41 career navigation and coaching system for Indiana that does both of the  
 42 following:

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(1) Provides timely, comprehensive, relevant, and useful information on careers, including at least:

(A) general and industry sector based regional, state, national, and global information to identify both immediate and potential career opportunities arising from:

(i) current employer needs;

(ii) developing or foreseeable talent needs and trends; and

(iii) other factors identified by the commission;

(B) state, regional, and local labor market supply and demand information from the department of workforce development, industry sectors, and other verifiable sources; and

(C) educational requirements and attainment information from employers, the department of workforce development, and other verifiable sources.

(2) Establishes strategies and identifies capacity to deliver career navigation and coaching to kindergarten through grade 12 students, including at least:

(A) processes for identifying an individual's aptitude for and interest in, and the education and training required for, various career and employment opportunities;

(B) the use of approved intermediaries, career coaches, and other coaching resources;

(C) qualifications for career coaches and a training program to enable the career coaches to provide relevant information to the individuals being served;

(D) the incorporation and ongoing usage of Internet based systems that are interoperable with the comprehensive career navigation and coaching system; and

(E) career exploration, engagement, and experience.

(b) All high schools in Indiana may participate in the comprehensive career navigation and coaching system developed under subsection (a):

(c) In developing and implementing the comprehensive career navigation and coaching system described in subsection (a), the commission shall:

(1) work in consultation with, and receive cooperation, support, and assistance from:

(A) the department of workforce development, governor's workforce cabinet, and department; and

(B) the resources, providers, and institutions that the



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- 1 department of workforce development; and department use  
 2 and oversee;  
 3 (2) explore approaches and models from Indiana and other states  
 4 and countries;  
 5 (3) where appropriate, use pilot programs or other scaling  
 6 approaches to develop and implement the comprehensive career  
 7 navigation and coaching system in a cost effective and efficient  
 8 manner; and  
 9 (4) initially focus on students enrolled in high school.

10 SECTION 129. IC 22-3-2-2.3, AS AMENDED BY P.L.141-2006,  
 11 SECTION 104, IS AMENDED TO READ AS FOLLOWS  
 12 [EFFECTIVE JULY 1, 2026]: Sec. 2.3. (a) As used in this section,  
 13 "volunteer worker" means a person who:

- 14 (1) performs services:  
 15 (A) for a state institution (as defined in ~~IC 12-7-2-184~~;  
 16 IC 12-7-2.1-318); and  
 17 (B) for which the person does not receive compensation of  
 18 any nature; and  
 19 (2) has been approved and accepted as a volunteer worker by the  
 20 director of:  
 21 (A) the division of disability and rehabilitative services; or  
 22 (B) the division of mental health and addiction.

23 (b) Services of any nature performed by a volunteer worker for a  
 24 state institution (as defined in ~~IC 12-7-2-184~~) IC 12-7-2.1-318) are  
 25 governmental services. A volunteer worker is subject to the medical  
 26 benefits described under this chapter through IC 22-3-6. However, a  
 27 volunteer worker is not under this chapter through IC 22-3-6.

28 SECTION 130. IC 22-4-2-30, AS AMENDED BY P.L.56-2023,  
 29 SECTION 206, IS AMENDED TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2026]: Sec. 30. For all purposes of this article,  
 31 the term "hospital" means:

- 32 (1) an institution defined in IC 16-18-2-179(b) and licensed by  
 33 the Indiana department of health; or  
 34 (2) a state institution (as defined in ~~IC 12-7-2-184~~;  
 35 IC 12-7-2.1-318).

36 SECTION 131. IC 22-4-14-3, AS AMENDED BY P.L.200-2025,  
 37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2026]: Sec. 3. (a) An individual who is receiving benefits as  
 39 determined under IC 22-4-15-1(c)(8) may restrict the individual's  
 40 availability because of the individual's need to address the physical,  
 41 psychological, or legal effects of being a victim of domestic or family  
 42 violence (as defined in ~~IC 31-9-2-42~~) IC 31-9-2.1-84).

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(b) An unemployed individual shall be eligible to receive benefits with respect to any week only if the individual:

- (1) is physically and mentally able to work;
- (2) is available for work;
- (3) is found by the department to be making an effort to secure full-time work; and
- (4) participates in reemployment services and reemployment and eligibility assessment activities when directed by the department as provided under sections 3.2 and 3.5 of this chapter, unless the department determines that:

(A) the individual has completed the reemployment services; or

(B) failure by the individual to participate in or complete the reemployment services is excused by the director under IC 22-4-14-2(b).

(c) For the purpose of this article, unavailability for work of an individual exists in, but is not limited to, any case in which, with respect to any week, it is found:

(1) that such individual is engaged by any unit, agency, or instrumentality of the United States, in charge of public works or assistance through public employment, or any unit, agency, or instrumentality of this state, or any political subdivision thereof, in charge of any public works or assistance through public employment;

(2) that such individual is in full-time active military service of the United States, or is enrolled in civilian service as a conscientious objector to military service;

(3) that such individual is suspended for misconduct in connection with the individual's work; or

(4) that such individual is in attendance at a regularly established public or private school during the customary hours of the individual's occupation or is in any vacation period intervening between regular school terms during which the individual is a student. However, this subdivision does not apply to any individual who is attending a regularly established school, has been regularly employed and upon becoming unemployed makes an effort to secure full-time work and is available for suitable full-time work with the individual's last employer, or is available for any other full-time employment deemed suitable.

(d) Notwithstanding any other provisions in this section or IC 22-4-15-2, no otherwise eligible individual shall be denied benefits for any week because the individual is in training with the approval of

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the department, nor shall such individual be denied benefits with respect to any week in which the individual is in training with the approval of the department by reason of the application of the provisions of this section with respect to the availability for work or active search for work or by reason of the application of the provisions of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept, suitable work. The department shall by rule prescribe the conditions under which approval of such training will be granted.

(e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an otherwise eligible individual shall not be denied benefits for any week or determined not able, available, and actively seeking work, because the individual is responding to a summons for jury service. The individual shall:

(1) obtain from the court proof of the individual's jury service; and

(2) provide to the department, in the manner the department prescribes by rule, proof of the individual's jury service.

(f) If an otherwise eligible individual is unable to work or unavailable for work on any normal work day of the week, the individual shall be eligible to receive benefits with respect to such week reduced by one-third (1/3) of the individual's weekly benefit amount for each day of such inability to work or unavailability for work.

(g) An individual has made an effort to secure full-time work with respect to any week in which the individual has:

(1) completed activities directed by the department under sections 3.2 and 3.5 of this chapter;

(2) completed any work search activities as directed by the department under rules adopted by the department; and

(3) affirmed the individual has made an effort to secure full-time work.

SECTION 132. IC 22-4-15-1, AS AMENDED BY P.L.186-2025, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Regarding an individual's most recent separation from employment before filing an initial or additional claim for benefits, an individual who voluntarily left the employment without good cause in connection with the work or was discharged from the employment for just cause is ineligible for waiting period or benefit rights for the week in which the disqualifying separation occurred and until:

(1) the individual has earned remuneration in employment in at least eight (8) weeks; and

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- 1 (2) the remuneration earned equals or exceeds the product of the  
 2 weekly benefit amount multiplied by eight (8).  
 3 If the qualification amount has not been earned at the expiration of an  
 4 individual's benefit period, the unearned amount shall be carried  
 5 forward to an extended benefit period or to the benefit period of a  
 6 subsequent claim.
- 7 (b) When it has been determined that an individual has been  
 8 separated from employment under disqualifying conditions as outlined  
 9 in this section, the maximum benefit amount of the individual's current  
 10 claim, as initially determined, shall be reduced by an amount  
 11 determined as follows:
- 12 (1) For the first separation from employment under disqualifying  
 13 conditions, the maximum benefit amount of the individual's  
 14 current claim is equal to the result of:  
 15 (A) the maximum benefit amount of the individual's current  
 16 claim, as initially determined; multiplied by  
 17 (B) seventy-five percent (75%);  
 18 rounded (if not already a multiple of one dollar (\$1)) to the next  
 19 higher dollar.
- 20 (2) For the second separation from employment under  
 21 disqualifying conditions, the maximum benefit amount of the  
 22 individual's current claim is equal to the result of:  
 23 (A) the maximum benefit amount of the individual's current  
 24 claim determined under subdivision (1); multiplied by  
 25 (B) eighty-five percent (85%);  
 26 rounded (if not already a multiple of one dollar (\$1)) to the next  
 27 higher dollar.
- 28 (3) For the third and any subsequent separation from  
 29 employment under disqualifying conditions, the maximum  
 30 benefit amount of the individual's current claim is equal to the  
 31 result of:  
 32 (A) the maximum benefit amount of the individual's current  
 33 claim determined under subdivision (2); multiplied by  
 34 (B) ninety percent (90%);  
 35 rounded (if not already a multiple of one dollar (\$1)) to the next  
 36 higher dollar.
- 37 (c) The disqualifications provided in this section shall be subject  
 38 to the following modifications:
- 39 (1) An individual shall not be subject to disqualification because  
 40 of separation from the individual's employment if:  
 41 (A) the individual left to accept with another employer  
 42 previously secured permanent full-time work which offered

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reasonable expectation of continued covered employment and betterment of wages or working conditions and thereafter was employed on said job;

(B) having been simultaneously employed by two (2) employers, the individual leaves one (1) such employer voluntarily without good cause in connection with the work but remains in employment with the second employer with a reasonable expectation of continued employment; or

(C) the individual left to accept recall made by a base period employer.

(2) An individual whose unemployment is the result of medically substantiated physical disability and who is involuntarily unemployed after having made reasonable efforts to maintain the employment relationship shall not be subject to disqualification under this section for such separation.

(3) An individual who left work to enter the armed forces of the United States shall not be subject to disqualification under this section for such leaving of work.

(4) An individual whose employment is terminated under the compulsory retirement provision of a collective bargaining agreement to which the employer is a party, or under any other plan, system, or program, public or private, providing for compulsory retirement and who is otherwise eligible shall not be deemed to have left the individual's work voluntarily without good cause in connection with the work. However, if such individual subsequently becomes reemployed and thereafter voluntarily leaves work without good cause in connection with the work, the individual shall be deemed ineligible as outlined in this section.

(5) An otherwise eligible individual shall not be denied benefits for any week because the individual is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall the individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work, or refusal to accept work. For purposes of this subdivision, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages

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for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974.

(6) An individual is not subject to disqualification because of separation from the individual's employment if:

(A) the employment was outside the individual's labor market;

(B) the individual left to accept previously secured full-time work with an employer in the individual's labor market; and

(C) the individual actually became employed with the employer in the individual's labor market.

(7) An individual who, but for the voluntary separation to move to another labor market to join a spouse who had moved to that labor market, shall not be disqualified for that voluntary separation, if the individual is otherwise eligible for benefits. Benefits paid to the spouse whose eligibility is established under this subdivision shall not be charged against the employer from whom the spouse voluntarily separated.

(8) An individual shall not be subject to disqualification if the individual voluntarily left employment or was discharged due to circumstances directly caused by domestic or family violence (as defined in ~~IC 31-9-2-42~~; IC 31-9-2.1-84). An individual who may be entitled to benefits based on this modification may apply to the office of the attorney general under IC 5-26.5 to have an address designated by the office of the attorney general to serve as the individual's address for purposes of this article.

(9) An individual shall not be subject to disqualification if the individual:

(A) has requested an exemption from an employer's COVID-19 immunization requirement;

(B) has complied with the requirements set forth in IC 22-5-4.6; and

(C) was discharged from employment for failing or refusing to receive an immunization against COVID-19.

As used in this subsection, "labor market" means the area surrounding an individual's permanent residence, outside which the individual cannot reasonably commute on a daily basis. In determining whether an individual can reasonably commute under this subdivision, the department shall consider the nature of the individual's job.

(d) "Discharge for just cause" as used in this section is defined to include but not be limited to:

(1) separation initiated by an employer for falsification of an



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employment application to obtain employment through subterfuge;

(2) knowing violation of a reasonable and uniformly enforced rule of an employer, including a rule regarding attendance;

(3) if an employer does not have a rule regarding attendance, an individual's unsatisfactory attendance, if good cause for absences or tardiness is not established;

(4) damaging the employer's property through willful and wanton misconduct;

(5) refusing to obey instructions;

(6) conduct endangering safety of self or coworkers;

(7) incarceration in jail following conviction of a misdemeanor or felony by a court of competent jurisdiction; or

(8) any breach of duty in connection with work which is reasonably owed an employer by an employee.

(e) To verify that domestic or family violence has occurred, an individual who applies for benefits under subsection (c)(8) shall provide one (1) of the following:

(1) A report of a law enforcement agency (as defined in IC 10-13-3-10).

(2) A protection order issued under IC 34-26-5.

(3) A foreign protection order (as defined in IC 34-6-2.1-76).

(4) An affidavit from a domestic violence service provider verifying services provided to the individual by the domestic violence service provider.

SECTION 133. IC 22-4.1-18-1, AS AMENDED BY P.L.150-2024, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to an individual who is:

(1) at least eighteen (18) years of age; or

(2) less than eighteen (18) years of age and has received a written recommendation from at least one (1) of the following, as applicable:

(A) The individual's parent if the individual attends a nonaccredited nonpublic school that has less than one (1) employee.

(B) The superintendent (as defined in IC 20-18-2-21), principal, or head of the school the individual attends, or the appropriate designee, if the individual attends a school that employs more than one (1) employee.

(C) A judge (as defined in ~~IC 31-9-2-68~~ IC 31-9-2.1-141).

SECTION 134. IC 22-12-7-15, AS ADDED BY P.L.160-2025,

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SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) Except as provided by subsection (c), if a property is inspected by the department or plans were reviewed by the department, neither the department nor a political subdivision may require compliance with a new or different set of building, fire safety, or equipment laws than were originally enforced by the department:

- (1) before July 1, 2025; or
- (2) two (2) years after the earlier of the date of the:
  - (A) initial inspection; or
  - (B) plan review.

(b) A child care home (as defined in ~~IC 12-7-2-28.6~~ IC 12-7-2.1-57) that was licensed to operate in a Class 2 structure by the office of the secretary of family and social services before July 1, 2025, may continue to operate in the structure notwithstanding the provisions of this article and 675 IAC 13.

(c) Subsection (a) does not apply to any of the following:

- (1) Any:
  - (A) fraud;
  - (B) material misrepresentation; or
  - (C) other act of bad faith;
 that results in misapplication of the appropriate requirements.
- (2) A change of use or occupancy of the structure or equipment.
- (3) A condition imposed in a variance issued by the:
  - (A) department; or
  - (B) commission.
- (4) Any new construction, addition, or alteration of the structure or equipment.
- (5) A violation that would qualify for an emergency order under section 6(a)(1) of this chapter.
- (6) Any maintenance requirements.

SECTION 135. IC 24-5-14-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. A caller may not use an automatic dialing-announcing device to make a telephone call to the following:

- (1) A hospital (as defined in IC 16-18-2-179(b)).
- (2) An ambulatory outpatient surgical center (as defined in IC 16-18-2-14).
- (3) A health facility (as defined in IC 16-18-2-167).
- (4) An emergency medical services facility (as defined in IC 16-18-2-111).
- (5) A business providing emergency ambulance services (as defined in IC 16-18-2-107).

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- 1 (6) A state institution (as defined in ~~IC 12-7-2-184~~;  
 2 IC 12-7-2.1-318).  
 3 (7) A private mental health institution licensed under IC 12-25.  
 4 (8) A residential facility (as defined in ~~IC 12-7-2-165~~;  
 5 IC 12-7-2.1-292).  
 6 (9) A law enforcement agency (as defined in IC 10-13-3-10).  
 7 (10) A fire department (as defined in IC 36-8-17-2).  
 8 SECTION 136. IC 25-1-9.5-2.5, AS AMENDED BY  
 9 P.L.109-2022, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) As used in this chapter,  
 11 "health care services" includes the following:  
 12 (1) The following concerning a patient:  
 13 (A) Assessment.  
 14 (B) Diagnosis.  
 15 (C) Evaluation.  
 16 (D) Consultation.  
 17 (E) Treatment.  
 18 (F) Monitoring of a patient.  
 19 (2) Transfer of medical data.  
 20 (3) Patient health related education.  
 21 (4) Health administration.  
 22 (b) The term does not include case management services, care  
 23 management services, service coordination services, or care  
 24 coordination services:  
 25 (1) as defined in ~~IC 12-7-2-25~~; IC 12-7-2.1-46;  
 26 (2) provided to individuals under the Indiana Medicaid program  
 27 or Medicaid waivers; or  
 28 (3) provided to individuals under any other programs  
 29 administered by the office of the secretary of family and social  
 30 services or the Indiana department of health.  
 31 SECTION 137. IC 25-37.5-1-1, AS AMENDED BY  
 32 P.L.222-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) When used in this chapter,  
 34 "valuable metal" means any product made of metal that readily may be  
 35 resold. The term:  
 36 (1) includes metal bossies and small component motor vehicle  
 37 parts; and  
 38 (2) does not include the following:  
 39 (A) A beverage can.  
 40 (B) Used jewelry regulated under IC 24-4-13.  
 41 (C) Precious metal regulated under IC 24-4-19.  
 42 (b) As used in this chapter, "valuable metal dealer" means any

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individual, firm, corporation, limited liability company, or partnership engaged in the business of purchasing and reselling valuable metal either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, junk stores, auto wreckers, scrap metal dealers or processors, salvage yards, collectors of or dealers in junk, and junk cars or trucks. The term includes a core buyer. The term does not include a person who purchases a vehicle and obtains title to the vehicle.

(c) As used in this chapter, "purchase" means acquiring a valuable metal product for a consideration, but does not include purchases between scrap metal processing facilities (as defined in ~~IC 8-23-1-36~~; IC 8-23-1.1-35).

SECTION 138. IC 27-1-4.5-2, AS ADDED BY P.L.239-2025, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 2. As used in this chapter, "insurer" includes the following:

(1) An insurer (as defined in IC 27-1-2-3(x)) that issues a policy of accident and sickness insurance (as defined in IC 27-8-5-1(a)). However, the term does not include the coverages described in IC 27-8-5-2.5(a).

(2) A health maintenance organization (as defined in IC 27-13-1-19) that provides coverage for basic health care services (as defined in IC 27-13-1-4).

(3) A managed care organization (as defined in ~~IC 12-7-2-126.9~~; IC 12-7-2.1-218) that provides services to a Medicaid recipient.

(4) A prepaid health care delivery plan under IC 5-10-8-7(c) that provides group health coverage for state employees.

SECTION 139. IC 27-1-22-20.1, AS AMENDED BY P.L.46-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20.1. (a) For purposes of this section, an individual is a "foster youth" if:

(1) the department of child services; or

(2) a designee of the department of child services;

certifies or acknowledges that the individual is a foster youth (as defined by ~~IC 31-9-2-47.3~~; **in IC 31-9-2.1-110**).

(b) The department of child services established by IC 31-25-1-1 shall make available to foster youths and to the public a list, provided by the Insurance Institute of Indiana, identifying insurers that may provide automobile insurance coverage outside the plan described in subsection (c) for a minor without a guardian cosigner. The list of insurers shall be reviewed annually.

(c) An assigned risk automobile insurance plan established by

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insurers under section 20 of this chapter must, subject to the rules of the plan, make automobile insurance available to a foster youth who:

(1) is at least sixteen (16) years of age and not more than twenty-three (23) years of age; and

(2) is receiving services from the department of child services.

(d) An applicant who is a foster youth is responsible for paying all costs of a policy of automobile insurance issued under subsection (c). A state or local government agency, foster parent, or entity providing services to an applicant under a contract or at the direction of a state or local government agency shall not be required to pay any costs associated with a policy of automobile insurance issued under subsection (c) and shall not be liable for any damages that result from the foster youth's operation of an automobile owned and insured by the foster youth.

SECTION 140. IC 27-1-24.2-1, AS ADDED BY P.L.189-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) This chapter applies to a policy or contract that is issued, delivered, entered into, renewed, or amended after December 31, 2025.

(b) This chapter does not apply to the following:

(1) Medicaid or a managed care organization (as defined in ~~IC 12-7-2-126.9~~ IC 12-7-2.1-218).

(2) Except as provided in section 18 of this chapter, a state employee health plan (as defined in IC 5-10-8-6.7).

SECTION 141. IC 27-1-24.5-0.7, AS ADDED BY P.L.152-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.7. As used in this chapter, "contract holder" means:

(1) an individual or entity that offers health insurance coverage to its employees or members through a self-funded health benefit plan, including a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.);

(2) a health plan; or

(3) Medicaid or a managed care organization (as defined in ~~IC 12-7-2-126.9~~ IC 12-7-2.1-218) that provides services to a Medicaid recipient;

that contracts with a pharmacy benefit manager to provide services.

SECTION 142. IC 27-1-37.5-16, AS AMENDED BY P.L.144-2025, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) Except as provided in subsection (b), the department shall establish, post, and

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maintain on the department's website a standardized prior authorization form for use by health care providers and utilization review entities for purposes of any notice or authorization required by a utilization review entity with respect to payment for a health care service rendered to a covered individual.

(b) After December 31, 2020, a Medicaid managed care organization (as defined in ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**) shall use a standardized prior authorization form prescribed by the office of the secretary of family and social services.

SECTION 143. IC 27-1-37.6-9, AS ADDED BY P.L.203-2023, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) As used in this chapter, "health plan" means any of the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1). However, the term does not include the coverages described in IC 27-8-5-2.5(a).

(2) A contract with a health maintenance organization (as defined in IC 27-13-1-19) that provides coverage for basic health care services (as defined in IC 27-13-1-4).

(3) A self-insurance program established under IC 5-10-8-7(b) to provide health care coverage.

(b) The term includes the following:

(1) The insurer that issues a policy of accident and sickness insurance described in subsection (a)(1).

(2) The health maintenance organization referred to in subsection (a)(2).

(3) The entity with which the state contracts for the administration of the self-insurance program established under IC 5-10-8-7(b) to provide health care coverage.

(c) The term does not include a Medicaid managed care organization, as defined in ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**.

SECTION 144. IC 27-1-44.5-2, AS AMENDED BY P.L.216-2025, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "health payer" includes the following:

(1) Medicare.

(2) Medicaid or a managed care organization (as defined in ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**) that has contracted with Medicaid to provide services to a Medicaid recipient.

(3) An insurer that issues a policy of accident and sickness insurance (as defined in IC 27-8-5-1), except for the following types of coverage:

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- 1 (A) Accident only, credit, dental, vision, long term care, or  
 2 disability income insurance.  
 3 (B) Coverage issued as a supplement to liability insurance.  
 4 (C) Automobile medical payment insurance.  
 5 (D) A specified disease policy.  
 6 (E) A policy that provides indemnity benefits not based on  
 7 any expense incurred requirements, including a plan that  
 8 provides coverage for:  
 9 (i) hospital confinement, critical illness, or intensive  
 10 care; or  
 11 (ii) gaps for deductibles or copayments.  
 12 (F) Worker's compensation or similar insurance.  
 13 (G) A student health plan.  
 14 (H) A supplemental plan that always pays in addition to  
 15 other coverage.  
 16 (4) A health maintenance organization (as defined in  
 17 IC 27-13-1-19).  
 18 (5) A pharmacy benefit manager (as defined in IC 27-1-24.5-12).  
 19 (6) An administrator (as defined in IC 27-1-25-1).  
 20 (7) A multiple employer welfare arrangement (as defined in  
 21 IC 27-1-34-1).  
 22 (8) An employee benefit plan that is subject to the federal  
 23 Employee Retirement Income Security Act of 1974 (29 U.S.C.  
 24 1001 et seq.), including a third party administrator of an  
 25 employee benefit plan.  
 26 (9) A state employee health plan (as defined in  
 27 IC 5-10-8-6.7(a)).  
 28 (10) An insurance producer, for purposes of the required  
 29 reporting under IC 27-1-15.6-13.6.  
 30 (11) Any other person identified by the commissioner for  
 31 participation in the data base described in this chapter.  
 32 SECTION 145. IC 27-1-46.5-3, AS ADDED BY P.L.216-2025,  
 33 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2026]: Sec. 3. (a) As used in this chapter and except as  
 35 provided in subsection (b), "hospital" means an acute care hospital  
 36 licensed under IC 16-21.  
 37 (b) The term does not include the following:  
 38 (1) A hospital specifically intended to diagnose, care, and treat  
 39 the following:  
 40 (A) Individuals with a mental illness (as defined in  
 41 ~~IC 12-7-2-117.6~~ IC 12-7-2.1-197).  
 42 (B) Individuals with a developmental disability (as defined

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- 1 in ~~IC 12-7-2-61~~; IC 12-7-2.1-118).
- 2 (2) A hospital designated by the Medicaid program as a long
- 3 term care hospital.
- 4 (3) A hospital that is a Medicare certified, freestanding
- 5 rehabilitation hospital.
- 6 (4) A hospital that is operated by the federal government.
- 7 (5) A critical access hospital.
- 8 (6) A rural emergency hospital.

9 SECTION 146. IC 27-2-25.5-4, AS AMENDED BY

10 P.L.186-2025, SECTION 295, IS AMENDED TO READ AS

11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A plan sponsor

12 that contracts with a third party administrator, the office of the

13 secretary of family and social services that contracts with a managed

14 care organization (as defined in ~~IC 12-7-2-126.9~~) **IC 12-7-2.1-218**) to

15 provide services to a Medicaid recipient, or the state personnel

16 department that contracts with a prepaid health care delivery plan

17 under IC 5-10-8-7(c) to provide group health coverage for state

18 employees may, one (1) time in a calendar year and not earlier than six

19 (6) months following a previously requested audit, request an audit of

20 compliance with the contract. If requested by the plan sponsor, office

21 of the secretary of family and social services, or state personnel

22 department, the audit shall include full disclosure of the following

23 concerning data specific to the plan sponsor, office of the secretary, or

24 state personnel department:

- 25 (1) Claims data described in section 1 of this chapter.
- 26 (2) Claims received by the third party administrator, managed
- 27 care organization, or prepaid health care delivery plan on any of
- 28 the following:
- 29 (A) The CMS-1500 form or its successor form.
- 30 (B) The HCFA-1500 form or its successor form.
- 31 (C) The HIPAA X12 837P electronic claims transaction for
- 32 professional services, or its successor transaction.
- 33 (D) The HIPAA X12 837I institutional form or its successor
- 34 form.
- 35 (E) The CMS-1450 form or its successor form.
- 36 (F) The UB-04 form or its successor form.

37 The forms or transaction may be modified as necessary to

38 comply with the federal Health Insurance Portability and

39 Accountability Act (HIPAA) (P.L. 104-191).

- 40 (3) Claims payments, electronic funds transfer, or remittance
- 41 advice notices provided by the third party administrator,
- 42 managed care organization, or prepaid health care delivery plan

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as ASC X12N 835 files or a successor format. The files may be modified only as necessary to comply with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191). In the event that paper claims are provided, the third party administrator, managed care organization, or prepaid health care delivery plan shall convert the paper claims to the ASC X12N 835 electronic format or a successor format.

(4) Any fees charged to the plan sponsor, office of the secretary of family and social services, or state personnel department related to plan administration and claims processing, including renegotiation fees, access fees, repricing fees, or enhanced review fees.

(b) A third party administrator, managed care organization, or prepaid health care delivery plan may not impose:

(1) fees for:

(A) requesting an audit under this section; or

(B) selecting an auditor other than an auditor designated by the third party administrator, managed care organization, or prepaid health care delivery plan; or

(2) conditions that would restrict a party's right to conduct an audit under this section, including restrictions on the:

(A) time period of the audit;

(B) number of claims analyzed;

(C) type of analysis conducted;

(D) data elements used in the analysis; or

(E) selection of an auditor as long as the auditor:

(i) does not have a conflict of interest;

(ii) meets a threshold for liability insurance specified in the contract between the parties;

(iii) does not work on a contingent fee basis; and

(iv) does not have a history of breaching nondisclosure agreements.

(c) A third party administrator, managed care organization, or prepaid health care delivery plan shall provide claims data to the contract holder not later than fifteen (15) business days after the claims data is requested.

(d) Information provided in an audit under this section must be provided in accordance with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).

(e) A contract that is entered into, issued, amended, or renewed after June 30, 2024, may not contain a provision that violates this section.

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(f) A violation of this section is an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

(g) The department may also adopt rules under IC 4-22-2 to set forth fines for a violation under this section.

SECTION 147. IC 27-8-5-15.5, AS AMENDED BY P.L.56-2023, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) **As used The following terms are defined for use** in this section:

"Alcohol abuse" has the meaning set forth in ~~IC 12-7-2-10~~. IC 12-7-2.1-17.

"Community mental health center" has the meaning set forth in ~~IC 12-7-2-38 and IC 12-7-2-39~~. IC 12-7-2.1-77 and IC 12-7-2.1-78.

"Division of mental health and addiction" refers to the division created under IC 12-21-1-1.

"Drug abuse" has the meaning set forth in ~~IC 12-7-2-72~~. IC 12-7-2.1-128.

"Indiana department of health" refers to the department established by IC 16-19-1-1.

"Inpatient services" means services that require the beneficiary of the services to remain overnight in the facility in which the services are offered.

"Mental illness" has the meaning set forth in ~~IC 12-7-2-130(1)~~. IC 12-7-2.1-226(1).

"Psychiatric hospital" has the meaning set forth in ~~IC 12-7-2-151~~. IC 12-7-2.1-270.

"Substance abuse" means drug abuse or alcohol abuse.

(b) An insurance policy that provides coverage for inpatient services for the treatment of:

- (1) mental illness;
- (2) substance abuse; or
- (3) both mental illness and substance abuse;

may not exclude coverage for inpatient services for the treatment of mental illness or substance abuse that are provided by a community mental health center or by any psychiatric hospital licensed by the Indiana department of health or the division of mental health and addiction to offer those services.

SECTION 148. IC 27-8-5-15.8, AS ADDED BY P.L.103-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.8. (a) As used in this section, "treatment of a mental illness or substance abuse" means:

- (1) treatment for a mental illness, as defined in ~~IC 12-7-2-130(1)~~. IC 12-7-2.1-226(1); and

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- 1 (2) treatment for drug abuse or alcohol abuse.
- 2 (b) As used in this section, "act" refers to the Paul Wellstone and
- 3 Pete Domenici Mental Health Parity and Addiction Act of 2008 and
- 4 any amendments thereto, plus any federal guidance or regulations
- 5 relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45
- 6 CFR 147.160, and 45 CFR 156.115(a)(3).
- 7 (c) As used in this section, "nonquantitative treatment limitations"
- 8 refers to those limitations described in 26 CFR 54.9812-1, 29 CFR
- 9 2590.712, and 45 CFR 146.136.
- 10 (d) An insurer that issues a policy of accident and sickness
- 11 insurance that provides coverage of services for treatment of a mental
- 12 illness or substance abuse shall submit a report to the department not
- 13 later than December 31 of each year that contains the following
- 14 information:
- 15 (1) A description of the processes:
- 16 (A) used to develop or select the medical necessity criteria
- 17 for coverage of services for treatment of a mental illness or
- 18 substance abuse; and
- 19 (B) used to develop or select the medical necessity criteria
- 20 for coverage of services for treatment of other medical or
- 21 surgical conditions.
- 22 (2) Identification of all nonquantitative treatment limitations that
- 23 are applied to:
- 24 (A) coverage of services for treatment of a mental illness or
- 25 substance abuse; and
- 26 (B) coverage of services for treatment of other medical or
- 27 surgical conditions;
- 28 within each classification of benefits.
- 29 (e) There may be no separate nonquantitative treatment limitations
- 30 that apply to coverage of services for treatment of a mental illness or
- 31 substance abuse that do not apply to coverage of services for treatment
- 32 of other medical or surgical conditions within any classification of
- 33 benefits.
- 34 (f) An insurer that issues a policy of accident and sickness
- 35 insurance that provides coverage of services for treatment of a mental
- 36 illness or substance abuse shall also submit an analysis showing the
- 37 insurer's compliance with this section and the act to the department not
- 38 later than December 31 of each year. The analysis must do the
- 39 following:
- 40 (1) Identify the factors used to determine that a nonquantitative
- 41 treatment limitation will apply to a benefit, including factors that
- 42 were considered but rejected.

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(2) Identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to apply each nonquantitative limitation for treatment of other medical or surgical conditions.

(g) The department shall adopt rules to ensure compliance with this section and the applicable provisions of the act.

SECTION 149. IC 27-8-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. As used in this chapter, "insurer" has the meaning set forth in ~~IC 12-7-2-120~~. IC 12-7-2.1-202.

SECTION 150. IC 27-13-7-14.2, AS ADDED BY P.L.103-2020, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14.2. (a) As used in this section, "treatment of a mental illness or substance abuse" means:

(1) treatment for a mental illness, as defined in ~~IC 12-7-2-130(1)~~; IC 12-7-2.1-226(1); and

(2) treatment for drug abuse or alcohol abuse.

(b) As used in this section, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).

(c) As used in this section, "nonquantitative treatment limitations" refers to those limitations described in 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(d) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall submit a report to the department not later than December

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31 of each year that contains the following information:

(1) A description of the processes:

(A) used to develop or select the medical necessity criteria for coverage of services for treatment of a mental illness or substance abuse; and

(B) used to develop or select the medical necessity criteria for coverage of services for treatment of other medical or surgical conditions.

(2) Identification of all nonquantitative treatment limitations that are applied to:

(A) coverage of services for treatment of a mental illness or substance abuse; and

(B) coverage of services for treatment of other medical or surgical conditions;

within each classification of benefits.

(e) There may be no separate nonquantitative treatment limitations that apply to coverage of services for treatment of a mental illness or substance abuse that do not apply to coverage of services for treatment of other medical or surgical conditions within any classification of benefits.

(f) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall also submit an analysis showing the insurer's compliance with this section and the act to the department not later than December 31 of each year. The analysis must do the following:

(1) Identify the factors used to determine that a nonquantitative treatment limitation will apply to a benefit, including factors that were considered but rejected.

(2) Identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a

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1 mental illness or substance abuse are comparable to, and  
 2 applied no more stringently than, the processes and  
 3 strategies used to apply each nonquantitative limitation for  
 4 treatment of other medical or surgical conditions.

5 (g) The department shall adopt rules to ensure compliance with  
 6 this section and the applicable provisions of the act.

7 SECTION 151. IC 28-1-1-3.9, AS ADDED BY P.L.90-2025,  
 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2026]: Sec. 3.9. For purposes of section 7 of this chapter,  
 10 "foster youth" means an individual who is:

- 11 (1) at least sixteen (16) years of age; and
- 12 (2) certified or acknowledged as a foster youth (as defined in  
 13 ~~IC 31-9-2-47.3~~ IC 31-9-2.1-110) by the department of child  
 14 services or a designee of the department of child services.

15 SECTION 152. IC 29-3-1-2.5, AS AMENDED BY P.L.11-2023,  
 16 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2026]: Sec. 2.5. "Conduct a criminal history check" means to:

18 (1) request:

19 (A) the state police department to conduct a:

- 20 (i) fingerprint based criminal history background check  
 21 of both national and state records data bases  
 22 concerning a person who is at least eighteen (18) years  
 23 of age in accordance with IC 10-13-3-27 and  
 24 IC 10-13-3-39; or
- 25 (ii) national name based criminal history record check  
 26 (as defined in IC 10-13-3-12.5) of a person who is at  
 27 least eighteen (18) years of age as provided under  
 28 IC 10-13-3-27.5; or

29 (B) if an individual has:

- 30 (i) a physical disability that prevents fingerprinting and  
 31 a person approved by the department of child services  
 32 who is trained to take fingerprints or a qualified  
 33 medical practitioner (as defined in ~~IC 31-9-2-100.5~~)  
 34 IC 31-9-2.1-196) verifies that the individual has a  
 35 disabling condition that prevents fingerprinting; or
- 36 (ii) low quality fingerprints, as a result of age,  
 37 occupation, or otherwise, that prevent fingerprint  
 38 results from being obtained and the individual's  
 39 fingerprints have been rejected the required number of  
 40 times by automated fingerprint classification  
 41 equipment or rejected by a person designated by the  
 42 state police department to examine and classify

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- 1 fingerprints;  
 2 the state police department to conduct a national name  
 3 based criminal history record check (as defined in  
 4 IC 10-13-3-12.5) or request the state police department to  
 5 release or allow inspection of a limited criminal history (as  
 6 defined in IC 10-13-3-11) and the state police in every state  
 7 the individual has resided in the past five (5) years to  
 8 release or allow inspection of the individual's criminal  
 9 history;
- 10 (2) collect each substantiated report of child abuse or neglect  
 11 reported in a jurisdiction where a probation officer, a  
 12 caseworker, or the department of child services has reason to  
 13 believe that a person who is fourteen (14) years of age or older,  
 14 or a person for whom a fingerprint based criminal history  
 15 background check is required under IC 31, resided within the  
 16 previous five (5) years;
- 17 (3) conduct a check of the national sex offender registry  
 18 maintained by the United States Department of Justice for all  
 19 persons who are at least fourteen (14) years of age; and
- 20 (4) conduct a check of local law enforcement agency records in  
 21 every jurisdiction where a person who is at least eighteen (18)  
 22 years of age has resided within the previous five (5) years unless  
 23 the department of child services or a court grants an exception to  
 24 conducting this check.
- 25 SECTION 153. IC 29-3-1-3.5, AS ADDED BY P.L.194-2017,  
 26 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2026]: Sec. 3.5. "De facto custodian" has the meaning set  
 28 forth in ~~IC 31-9-2-35.5~~; IC 31-9-2.1-72.
- 29 SECTION 154. IC 29-3-1-7.5 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. "Incapacitated  
 31 person" means an individual who:
- 32 (1) cannot be located upon reasonable inquiry;  
 33 (2) is unable:
- 34 (A) to manage in whole or in part the individual's property;  
 35 (B) to provide self-care; or  
 36 (C) **to perform both activities in clauses (A) and (B);**  
 37 because of insanity, mental illness, mental deficiency, physical  
 38 illness, infirmity, habitual drunkenness, excessive use of drugs,  
 39 incarceration, confinement, detention, duress, fraud, undue  
 40 influence of others on the individual, or other incapacity; or  
 41 (3) has a developmental disability (as defined in ~~IC 12-7-2-61~~;  
 42 IC 12-7-2.1-118).

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SECTION 155. IC 29-3-3-6, AS AMENDED BY P.L.68-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The surviving parent of a minor does not have the right to custody of the minor without a proceeding authorized by law if the parent was not granted custody of the minor in a dissolution of marriage decree and the conditions specified in this section exist.

(b) If:

(1) the surviving parent, at the time of the custodial parent's death, had required supervision during parenting time privileges granted under a dissolution of marriage decree involving the minor; or

(2) the surviving parent's parenting time privileges with the minor had been suspended at the time of the death of the custodial parent;

the court on petition by any person, including a temporary custodian named under IC 31-17-2-11 (or IC 31-1-11.5-27 before its repeal), or on the court's own motion, may appoint a temporary guardian for the minor for a specified period not to exceed sixty (60) days.

(c) If a petition is filed under this section, a court shall appoint a guardian ad litem (as defined in ~~IC 31-9-2-50~~, IC 31-9-2.1-117) or a court appointed special advocate (as defined in ~~IC 31-9-2-28~~, IC 31-9-2.1-67) for the child. A guardian ad litem or court appointed special advocate appointed under this section serves until removed by the court.

(d) If a temporary guardian is appointed without notice and the minor files a petition that the guardianship be terminated or the court order modified, the court shall hold a hearing and make a determination on the petition at the earliest possible time.

(e) A temporary guardian appointed under this section has only the responsibilities and powers that are ordered by the court.

(f) A proceeding under this section may be joined with a proceeding under IC 29-3-4 or IC 29-3-5.

(g) The court shall appoint a guardian under this article if the court finds that the surviving parent is not entitled to the right of custody of the minor.

SECTION 156. IC 29-3-5-1.5, AS ADDED BY P.L.104-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. A petitioner for appointment as a guardian of a minor in a guardianship to which IC 29-3-8-9 applies shall submit the necessary information, forms, or consents for the department of child services to conduct a criminal history check (as defined in

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1 ~~IC 31-9-2-22.5)~~ IC 31-9-2.1-58) of the petitioner and any other  
 2 household members before the court appoints the guardian under this  
 3 chapter or during the guardianship administration.

4 SECTION 157. IC 29-3-8-9, AS AMENDED BY P.L.48-2012,  
 5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2026]: Sec. 9. (a) A probate or juvenile court may include in  
 7 its order creating a guardianship of a minor the following:

8 (1) A requirement that the minor must reside with the guardian  
 9 until the guardianship is terminated or modified.

10 (2) Any terms and conditions that a parent must meet in order to  
 11 seek modification or termination of the guardianship.

12 (b) Except as provided in IC 29-3-12, if an order creating a  
 13 guardianship contains terms and conditions described in subsection  
 14 (a)(2), the court may modify or terminate the guardianship only if the  
 15 parent:

16 (1) complies with the terms and conditions; and

17 (2) proves the parent's current fitness to assume all parental  
 18 obligations by a preponderance of the evidence.

19 (c) If:

20 (1) a petition is filed for modification, resignation, or removal of  
 21 the guardian or termination of the guardianship before the parent  
 22 complies with the court ordered terms and conditions described  
 23 in subsection (a)(2); and

24 (2) the minor:

25 (A) was the subject of a petition alleging the child to be a  
 26 child in need of services; or

27 (B) is participating in a program of informal adjustment;

28 the court shall refer the petition to the department of child services for  
 29 the department of child services to determine the placement of the child  
 30 in accordance with the best interests of the child.

31 (d) A court shall notify the department of child services:

32 (1) if:

33 (A) the court appoints a guardian for a minor who:

34 (i) was the subject of a petition alleging the minor to be  
 35 a child in need of services; or

36 (ii) is participating in a program of informal  
 37 adjustment; and

38 (B) a petition to modify or terminate the guardianship of the  
 39 minor or a petition regarding the death, resignation, or  
 40 removal of the guardian is filed; and

41 (2) of any hearings related to the petitions described under  
 42 subdivision (1)(B).

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(e) If a minor was the subject of a petition alleging the minor to be a child in need of services or is participating in a program of informal adjustment, the court shall do the following at a hearing regarding a petition filed under this section:

(1) Consider the position of the department of child services.

(2) If requested by the department of child services, allow the department of child services to present evidence regarding:

(A) whether the guardianship should be modified or terminated;

(B) the fitness of the parent to provide for the care and supervision of the minor at the time of the hearing;

(C) the appropriate care and placement of the child; and

(D) the best interests of the child.

(f) The department of child services or the proposed guardian shall notify the court creating a guardianship if the department of child services has approved financial assistance to a guardian for the benefit of the protected person, as a component of child services (as defined in ~~IC 31-9-2-17.8(1)(E))~~. IC 31-9-2.1-47(1)(E)). If the guardian will be provided assistance as a component of child services, the court shall order the guardian to provide financial support to the protected person to the extent the following resources do not fully support the needs of the protected person:

(1) The guardianship property of the protected person.

(2) Child support or other financial assistance received by the guardian from the protected person's parent or parents.

(3) Periodic payments the guardian receives from the department of child services for support of the protected person as set forth in the department of child service's rules or the terms of the guardianship assistance agreement.

SECTION 158. IC 29-3-9-1, AS AMENDED BY P.L.238-2025, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this section, "department" means the department of child services established by IC 31-25-1-1.

(b) As used in this section and except as otherwise provided in this section, "foster care" has the meaning set forth in ~~IC 31-9-2-46.7~~. IC 31-9-2.1-107.

(c) Except as provided in subsections (d) and (h), by a properly executed power of attorney, a parent of a minor or a guardian (other than a temporary guardian) of a protected person may delegate to another person for:

(1) any period during which the care and custody of the minor or protected person is entrusted to an institution furnishing care,

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1 custody, education, or training; or  
 2 (2) a period not exceeding twelve (12) months;  
 3 any powers regarding health care, support, custody, or property of the  
 4 minor or protected person. A delegation described in this subsection is  
 5 effective immediately unless otherwise stated in the power of attorney.

6 (d) A parent of a minor or a guardian of a protected person may  
 7 not delegate under subsection (c) the power to:

8 (1) consent to the marriage or adoption of a protected person  
 9 who is a minor; or

10 (2) petition the court to request the authority to petition for  
 11 dissolution of marriage, legal separation, or annulment of  
 12 marriage on behalf of a protected person as provided under  
 13 section 12.2 of this chapter.

14 (e) Subject to IC 30-5-5-16, a person having a power of attorney  
 15 executed under subsection (c) has and shall exercise, for the period  
 16 during which the power is effective, all other authority of the parent or  
 17 guardian respecting the health care, support, custody, or property of the  
 18 minor or protected person except any authority expressly excluded in  
 19 the written instrument delegating the power. The parent or guardian  
 20 remains responsible for any act or omission of the person having the  
 21 power of attorney with respect to the affairs, property, and person of the  
 22 minor or protected person as though the power of attorney had never  
 23 been executed.

24 (f) A delegation of powers executed under subsection (c) does not,  
 25 as a result of the execution of the power of attorney, subject any of the  
 26 parties to any laws, rules, or regulations concerning the licensing or  
 27 regulation of foster family homes, child placing agencies, or child  
 28 caring institutions under IC 31-27.

29 (g) Any child who is the subject of a power of attorney executed  
 30 under subsection (c) is not considered to be placed in foster care. The  
 31 parties to a power of attorney executed under subsection (c), including  
 32 a child, a protected person, a parent or guardian of a child or protected  
 33 person, or an attorney in fact, are not, as a result of the execution of the  
 34 power of attorney, subject to any foster care requirements or foster care  
 35 licensing regulations.

36 (h) A foster family home licensed under IC 31-27-4 may not  
 37 provide overnight or regular and continuous care and supervision to a  
 38 child who is the subject of a power of attorney executed under  
 39 subsection (c) while providing care to a child placed in the home by the  
 40 department or under a juvenile court order under a foster family home  
 41 license. Upon request, the department may grant an exception to this  
 42 subsection.

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- 1 (i) A parent who:  
 2 (1) is a member in the:  
 3 (A) active or reserve component of the armed forces of the  
 4 United States, including the:  
 5 (i) United States Army;  
 6 (ii) United States Navy;  
 7 (iii) United States Air Force;  
 8 (iv) United States Space Force;  
 9 (v) United States Marine Corps;  
 10 (vi) Indiana National Guard; or  
 11 (vii) United States Coast Guard; or  
 12 (B) commissioned corps of the:  
 13 (i) National Oceanic and Atmospheric Administration;  
 14 or  
 15 (ii) Public Health Service of the United States  
 16 Department of Health and Human Services;  
 17 detailed by proper authority for duty with the United States  
 18 Army or United States Navy; or  
 19 (2) is required to:  
 20 (A) enter or serve in the active military service of the  
 21 United States under a call or order of the President of the  
 22 United States; or  
 23 (B) serve on state active duty;  
 24 may delegate the powers designated in subsection (c) for a period  
 25 longer than twelve (12) months if the parent is on active duty service.  
 26 However, the term of delegation may not exceed the term of active duty  
 27 service plus thirty (30) days. The power of attorney must indicate that  
 28 the parent is required to enter or serve in the active military service of  
 29 the United States and include the estimated beginning and ending dates  
 30 of the active duty service.  
 31 (j) Except as otherwise stated in the power of attorney delegating  
 32 powers under this section, a delegation of powers under this section  
 33 may be revoked at any time by a written instrument of revocation that:  
 34 (1) identifies the power of attorney revoked; and  
 35 (2) is signed by the:  
 36 (A) parent of a minor; or  
 37 (B) guardian of a protected person;  
 38 who executed the power of attorney.  
 39 SECTION 159. IC 29-3-12-6, AS ADDED BY P.L.115-2012,  
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2026]: Sec. 6. (a) If a protected person:  
 42 (1) is a minor; and

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(2) has been adjudicated an incapacitated person;  
the court may not terminate the guardianship of the protected person  
when the protected person attains eighteen (18) years of age.

(b) If a protected person is:

(1) a minor; and

(2) a recipient or beneficiary of financial assistance provided by  
the department of child services through a guardianship  
described in ~~IC 31-9-2-17.8(1)(E)~~; IC 31-9-2.1-47(1)(E);

the court may not terminate the guardianship of the protected person  
when the protected person attains eighteen (18) years of age.

SECTION 160. IC 31-9-2 IS REPEALED [EFFECTIVE JULY 1,  
2026]. (Family Law and Juvenile Law Definitions).

SECTION 161. IC 31-9-2.1 IS ADDED TO THE INDIANA  
CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2026]:

**Chapter 2.1. Definitions**

**Sec. 1.** The amendments made to IC 31-1-11.5-11(a) (before its  
repeal, now codified at section 99 of this chapter) by P.L.170-1988  
do not apply to actions filed under IC 31-1-11.5-3 (before its repeal,  
now codified at IC 31-15-2-2, IC 31-15-2-3, and IC 31-16-2-2) that  
are filed before July 1, 1988.

**Sec. 2.** "Abandoned", for purposes of the Uniform Child  
Custody Jurisdiction Act under IC 31-21, has the meaning set forth  
in IC 31-21-2-2.

**Sec. 3.** "Abandoned infant", for purposes of IC 31-34-21-5.6,  
means a child who is less than twelve (12) months of age and whose  
parent, guardian, or custodian has knowingly or intentionally left  
the child in:

(1) an environment that endangers the child's life or health;

or

(2) a hospital or medical facility;

and has no reasonable plan to assume the care, custody, and  
control of the child.

**Sec. 4.** (a) "Account", for purposes of IC 31-25-4, has the  
meaning set forth in IC 31-25-4-3.

(b) "Account", for purposes of IC 31-26-1, has the meaning set  
forth in IC 31-26-1-1.

**Sec. 5.** "Act of rape", for purposes of IC 31-35-3.5, means an  
act described in:

(1) IC 35-42-4-1;

(2) IC 35-42-4-3; or

(3) IC 35-42-4-9.

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1       Sec. 6. "Active duty", for purposes of IC 31-14-13-6.3,  
2       IC 31-17-2-21.3, IC 31-33-8-7, and IC 31-33-14-3, means full-time  
3       service in:

4           (1) the armed forces of the United States (as defined in  
5           IC 5-9-4-3); or

6           (2) the National Guard (as defined in IC 5-9-4-4);  
7       for a period that exceeds thirty (30) consecutive days in a calendar  
8       year.

9       Sec. 7. "Actual notice", for purposes of IC 31-19-3, means  
10      written notice that is actually received by the putative father.

11      Sec. 8. "Adoptee", for purposes of IC 31-19-17 through  
12      IC 31-19-25.5, means a person who has been legally adopted.

13      Sec. 9. "Adoption", for purposes of IC 31-19-17 through  
14      IC 31-19-25.5, means the judicial act of creating the relationship of  
15      parent and child where the relationship did not exist previously.

16      Sec. 10. "Adoption assistance state", for purposes of the  
17      Interstate Compact on Adoption Assistance under IC 31-19-29, has  
18      the meaning set forth in IC 31-19-29-2.

19      Sec. 11. "Adoption history", for purposes of IC 31-19-17  
20      through IC 31-19-24, means:

21           (1) identifying information (as defined in section 122 of this  
22           chapter);

23           (2) the medical history (as defined in section 159 of this  
24           chapter); and

25           (3) nonidentifying information (as defined in section 165 of  
26           this chapter).

27      Sec. 12. "Adoption subsidy", for purposes of IC 31-19-26.5,  
28      has the meaning set forth in IC 31-19-26.5-1.

29      Sec. 13. "Adoptive parent", for purposes of IC 31-19-11 and  
30      IC 31-19-17 through IC 31-19-25.5, means an adult who has  
31      become a parent of a child through adoption.

32      Sec. 14. (a) "Adult", for purposes of IC 31-19-17 through  
33      IC 31-19-25.5, means a person who is at least twenty-one (21) years  
34      of age.

35           (b) "Adult", for purposes of the juvenile law, means a person  
36      other than a child.

37           (c) "Adult", for purposes of IC 31-11, means:

38               (1) a person at least eighteen (18) years of age; or

39               (2) a:

40                   (A) married minor who is at least sixteen (16) years of  
41                   age; or

42                   (B) minor who has been completely emancipated by a



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1 court;  
 2 subject to specific constitutional and statutory age  
 3 requirements and health and safety regulations that remain  
 4 applicable to the person because of the person's age.

5 Sec. 15. "Advisory board", for purposes of IC 31-31-9, refers  
 6 to the juvenile detention center advisory board described in  
 7 IC 31-31-9.

8 Sec. 16. "Age or developmentally appropriate", for purposes  
 9 of IC 31-34 and IC 31-37, means:

- 10 (1) activities or items that are generally:  
 11 (A) accepted as suitable for children of the same  
 12 chronological age or level of maturity; or  
 13 (B) determined to be developmentally appropriate for a  
 14 child based on the development of cognitive, emotional,  
 15 physical, and behavioral capacities that are typical for  
 16 an age or age group; and  
 17 (2) in the case of a specific child, activities or items that are  
 18 suitable for the child based on the developmental stages  
 19 attained by the child with respect to the cognitive, emotional,  
 20 physical, and behavioral capacities of the child.

21 Sec. 17. "Alleged father", for purposes of IC 31-14, means any  
 22 man claiming to be or charged with being a child's biological  
 23 father.

24 Sec. 18. (a) "Applicant", for purposes of IC 31-25-3,  
 25 IC 31-25-4, and IC 31-26-3.5, means a person who has applied for  
 26 assistance for the applicant or another person.

27 (b) "Applicant", for purposes of IC 31-27, means a person who  
 28 seeks a license to operate a child caring institution, foster family  
 29 home, group home, or child placing agency.

30 Sec. 19. "Application", for purposes of the Uniform Interstate  
 31 Family Support Act under IC 31-18.5, has the meaning set forth in  
 32 IC 31-18.5-7-1.

33 Sec. 20. "Appropriate public authorities", for purposes of  
 34 IC 31-28-4, has the meaning set forth in IC 31-28-4-3.

35 Sec. 21. "Assessment", for purposes of IC 31-25 and IC 31-33,  
 36 means an initial and ongoing investigation or evaluation that  
 37 includes:

- 38 (1) a review and determination of the safety issues that affect  
 39 a child and:  
 40 (A) a child's parents, guardians, or custodians; or  
 41 (B) another individual residing in the residence where  
 42 the child resides or is likely to reside;

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(2) an identification of the underlying causes of the safety issues described in subdivision (1);

(3) a determination whether child abuse, neglect, or maltreatment occurred; and

(4) a determination of the needs of a child's family in order for the child to:

(A) remain in the home safely;

(B) be returned to the home safely; or

(C) be placed in an alternative living arrangement.

**Sec. 22. "Assistance", for purposes of the following statutes, means money or services regardless of the source, paid or furnished under any of the following statutes:**

(1) IC 31-25-3.

(2) IC 31-25-4.

(3) IC 31-26-3.5.

**Sec. 23. "At-risk child" or "at-risk children", for purposes of IC 31-32-3, means a child or children who:**

(1) are at risk of becoming involved in a juvenile proceeding;

(2) are at risk of being suspended or expelled from school;

(3) are at risk of dropping out of school;

(4) were previously children in need of services and who are in need of ongoing supervision and assistance; or

(5) have been victims of domestic violence.

**Sec. 24. "Birth parent", for purposes of IC 31-19-17 through IC 31-19-25.5, means:**

(1) the woman who is legally presumed under Indiana law to be the mother of biological origin of an adoptee;

(2) the man who is legally presumed under Indiana law to be the father of biological origin of an adoptee; or

(3) a man who establishes paternity of a child born out of wedlock:

(A) in a court proceeding; or

(B) by executing a paternity affidavit under IC 16-37-2-2.1.

**Sec. 25. "Blind", for purposes of IC 31-25-3, IC 31-25-4, IC 31-28-1, IC 31-28-2, and IC 31-28-3, means an individual who has vision in the better eye with correcting glasses of 20/200 or less, or a disqualifying visual field defect as determined upon examination by an ophthalmologist or optometrist who has been designated to make such examinations by the local office and approved by the department.**

**Sec. 26. (a) "Board", for purposes of IC 31-25-4, has the**



1 meaning set forth in IC 31-25-4-34(a).

2 (b) "Board", for purposes of IC 31-26-4, has the meaning set  
3 forth in IC 31-26-4-2.

4 Sec. 27. "Bureau", for purposes of IC 31-16-15 and IC 31-25,  
5 has the meaning set forth in IC 31-25-4-1.

6 Sec. 28. "Case", for purposes of IC 31-33-18-1.5, has the  
7 meaning set forth in IC 31-33-18-1.5(d).

8 Sec. 29. "Caseworker", for purposes of the juvenile law  
9 (excluding IC 31-27), means an employee of the department of  
10 child services who is classified as a family case manager.

11 Sec. 30. "Center", for purposes of IC 31-31-9, means any  
12 secure juvenile detention center that operates in a county  
13 containing a consolidated city except for a center operated by the  
14 federal government. The term includes a juvenile detention facility.

15 Sec. 31. "Central authority", for purposes of the Uniform  
16 Interstate Family Support Act under IC 31-18.5, has the meaning  
17 set forth in IC 31-18.5-7-1.

18 Sec. 32. (a) "Child", for purposes of IC 31-15, IC 31-16  
19 (excluding IC 31-16-12.5), and IC 31-17, means a child or children  
20 of both parties to the marriage. The term includes the following:

21 (1) Children born out of wedlock to the parties.

22 (2) Children born or adopted during the marriage of the  
23 parties.

24 (b) "Child", for purposes of the Uniform Interstate Family  
25 Support Act under IC 31-18.5, has the meaning set forth in  
26 IC 31-18.5-1-2.

27 (c) "Child", for purposes of IC 31-19-5, includes an unborn  
28 child.

29 (d) Except as otherwise provided in this section, "child", for  
30 purposes of the juvenile law and IC 31-27, means:

31 (1) a person who is less than eighteen (18) years of age;

32 (2) a person:

33 (A) who is eighteen (18), nineteen (19), or twenty (20)  
34 years of age; and

35 (B) who either:

36 (i) is charged with a delinquent act committed  
37 before the person's eighteenth birthday; or

38 (ii) has been adjudicated a child in need of services  
39 before the person's eighteenth birthday; or

40 (3) a person:

41 (A) who is alleged to have committed an act that would  
42 have been murder if committed by an adult;

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- 1 (B) who was less than eighteen (18) years of age at the  
 2 time of the alleged act; and  
 3 (C) who is less than twenty-one (21) years of age.  
 4 (e) "Child", for purposes of IC 31-36-3, means a person who  
 5 is less than eighteen (18) years of age.  
 6 (f) "Child", for purposes of the Interstate Compact on  
 7 Juveniles under IC 31-37-23-1, has the meaning set forth in  
 8 IC 31-37-23-1.  
 9 (g) "Child", for purposes of IC 31-16-12.5, means an  
 10 individual to whom child support is owed under:  
 11 (1) a child support order issued under IC 31-14-10 or  
 12 IC 31-16-6; or  
 13 (2) any other child support order that is enforceable under  
 14 IC 31-16-12.5.  
 15 (h) "Child", for purposes of IC 31-32-5, means an individual  
 16 who is less than eighteen (18) years of age.  
 17 (i) "Child", for purposes of the Uniform Child Custody  
 18 Jurisdiction Act under IC 31-21, has the meaning set forth in  
 19 IC 31-21-2-3.  
 20 (j) "Child", for purposes of IC 31-35-2-4.5, means an  
 21 individual who is:  
 22 (1) less than eighteen (18) years of age; and  
 23 (2) a delinquent child or a child in need of services.  
 24 (k) "Child", for purposes of IC 31-33, includes an individual  
 25 who:  
 26 (1) is at least eighteen (18) years of age but less than  
 27 twenty-one (21) years of age; and  
 28 (2) resides, or has previously resided, at a residential facility  
 29 licensed by the department.  
 30 (l) "Child", for purposes of IC 31-42, means an unemancipated  
 31 individual who is less than eighteen (18) years of age.  
 32 Sec. 33. (a) "Child abuse or neglect", for purposes of  
 33 IC 31-32-11-1, IC 31-33, IC 31-34-7-4, and IC 31-39-8-4, refers to:  
 34 (1) a child described in IC 31-34-1-1 through IC 31-34-1-5  
 35 and IC 31-34-1-8 through IC 31-34-1-11, regardless of  
 36 whether the child needs care, treatment, rehabilitation, or  
 37 the coercive intervention of a court; or  
 38 (2) an individual who:  
 39 (A) is at least eighteen (18) years of age but less than  
 40 twenty-one (21) years of age;  
 41 (B) resides, or has previously resided, at a residential  
 42 facility licensed by the department; and



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(C) is harmed or threatened with harm as a result of:  
 (i) a battery offense included in IC 35-42-2; or  
 (ii) sexual activity (as defined in IC 35-42-4-13(b));  
 committed by a member of the staff at the residential  
 facility.

(b) For purposes of subsection (a), the term under subsection (a) does not refer to a child who is alleged to be a victim of a sexual offense under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3 involves the fondling or touching of the buttocks, genitals, or female breasts, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(c) "Child abuse or neglect", for purposes of IC 31-34-2.3 and IC 31-42, refers to acts or omissions by a person against a child as described in IC 31-34-1-1 through IC 31-34-1-11, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(d) "Child abuse or neglect" does not include raising or referring to a child in a manner consistent with the child's biological sex.

Sec. 34. "Child advocacy center", for purposes of IC 31-25-2-14.5 and IC 31-33-18-2, means a child focused, trauma informed community based organization that:

(1) is:

(A) recognized by the Indiana Chapter of National Children's Alliance; and

(B) designed to collaborate on reports of child abuse or neglect;

(2) coordinates a multidisciplinary team; and

(3) facilitates forensic interviews.

Sec. 35. "Child at imminent risk of placement", for purposes of IC 31-26-5, has the meaning set forth in IC 31-26-5-1.

Sec. 36. "Child born in wedlock", for purposes of IC 31-19-9, means a child born to:

(1) a woman; and

(2) a man who is presumed to be the child's father under IC 31-14-7-1(1) or IC 31-14-7-1(2) unless the presumption is rebutted.

Sec. 37. "Child born out of wedlock", for purposes of IC 31-19-3, IC 31-19-4-4, and IC 31-19-9, means a child who is born to:

(1) a woman; and

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(2) a man who is not presumed to be the child's father under IC 31-14-7-1(1) or IC 31-14-7-1(2).

Sec. 38. "Child care", for purposes of section 40 of this chapter and IC 31-27, means a service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth.

Sec. 39. "Child care provider", for purposes of IC 31-33-26, has the meaning set forth in IC 31-33-26-1.

Sec. 40. "Child care worker", for purposes of IC 31-33, means an individual who:

(1) is:

(A) employed, other than self-employed as an owner; or

(B) actively seeking employment;

with an agency, facility, or home described in section 71(b)(2) of this chapter;

(2) is a child caregiver; or

(3) has, or will have, direct contact with a child to whom the individual is not a relative (as defined in section 207(c)(1) through 207(c)(11) of this chapter) on a regular and continuing basis through current employment with any agency, facility, or home that provides:

(A) child care; or

(B) services to, or for the benefit of, a child who is a victim of child abuse or neglect (as described in section 33(c) of this chapter).

Sec. 41. "Child caregiver", for purposes of sections 40 and 71 of this chapter, means a person who provides, or is responsible for providing, care and supervision of a child (other than a child of whom the person is a parent, stepparent, grandparent, aunt, uncle, sibling, legal guardian, or custodian with whom the person resides) at a residential property that is not the child's place of residence, if the person:

(1) is not required to be licensed as the operator of:

(A) a child care home under IC 12-17.2-5; or

(B) a foster family home under IC 31-27-4;

(2) provides care and supervision of a child while unattended by the child's:

(A) parent;

(B) guardian; or

(C) custodian with whom the child resides; and

(3) receives more than two thousand dollars (\$2,000) in annual compensation for providing care and supervision of

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1 a child or children.

2 Sec. 42. "Child caring institution", for purposes of IC 31-27,  
3 means:

4 (1) a residential facility that provides child care on a  
5 twenty-four (24) hour basis for more than ten (10) children;

6 or

7 (2) a residential facility with a capacity of not more than ten  
8 (10) children that does not meet the residential structure  
9 requirements of a group home.

10 Sec. 43. "Child custody determination", for purposes of the  
11 Uniform Child Custody Jurisdiction Act under IC 31-21, has the  
12 meaning set forth in IC 31-21-2-4.

13 Sec. 44. "Child custody proceeding", for purposes of the  
14 Uniform Child Custody Jurisdiction Act under IC 31-21, has the  
15 meaning set forth in IC 31-21-2-5.

16 Sec. 45. "Child in need of services", for purposes of this title,  
17 refers to a child described in IC 31-34-1.

18 Sec. 46. "Child placing agency", for purposes of IC 31-27,  
19 means a person that provides child welfare services to children and  
20 families, including:

21 (1) home studies, investigation, and recommendation of  
22 families for the purpose of placing, arranging, or causing the  
23 placement of children for adoption, foster care, or residential  
24 care; and

25 (2) supervision of those placements.

26 Sec. 47. "Child services", for purposes of this title, means the  
27 following:

28 (1) Services, other than services that are costs of secure  
29 detention, specifically provided by or on behalf of the  
30 department for or on behalf of children who are:

31 (A) adjudicated to be:

32 (i) children in need of services under IC 31-34; or

33 (ii) delinquent children under IC 31-37;

34 (B) parties in a child in need of services case filed under  
35 IC 31-34 or in a delinquency case filed under IC 31-37  
36 before adjudication or entry of a dispositional decree;

37 (C) subject to temporary care or supervision by the  
38 department under any applicable provision of IC 31-33,  
39 IC 31-34, or IC 31-37;

40 (D) recipients or beneficiaries of a program of informal  
41 adjustment approved under IC 31-34-8 or IC 31-37-9;

42 or

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(E) recipients or beneficiaries of:

(i) adoption assistance or kinship guardianship assistance under Title IV-E of the federal Social Security Act (42 U.S.C. 673), as amended;

(ii) adoption subsidies or assistance under IC 31-19-26.5;

(iii) assistance, including emergency assistance or assisted guardianships, provided under Title IV-A of the federal Social Security Act (42 U.S.C. 601 et seq.), as amended; or

(iv) other financial assistance provided to or for the benefit of a child who was previously adjudicated as a child in need of services or delinquent child, including a legal guardianship established to implement a permanency plan under IC 31-34-21-7.5(c)(1)(E) if IC 29-3-8-9 applies and the assistance is approved under a rule or published policy of the department.

(2) Costs of using an institution or facility for providing educational services to children described in subdivision (1)(A), under either IC 20-33-2-29 (if applicable) or IC 20-26-11-13 (if applicable).

Sec. 48. "Child support guidelines", for purposes of IC 31-16-8-1, refers to the guidelines adopted by the Indiana supreme court.

Sec. 49. "Child support order", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 50. "Child welfare agency", for purposes of IC 31-25-2-20.4, means:

(1) the department of child services; and

(2) a person (as defined in IC 24-4-14-5) that, directly or indirectly, provides:

(A) services to a child or family of a child, for which payment is made, in whole or in part, by the department of child services or a local office of the department of child services;

(B) services to:

(i) a child who is; or

(ii) a family with;

a child at imminent risk of placement (as defined in IC 31-26-5-1) who is referred by the department of child

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1 services or a local office of the department of child  
 2 services to the person for family support or family  
 3 preservation services; or

4 (C) assistance to or works in cooperation with the  
 5 department of child services in the investigations of  
 6 allegations of possible child abuse or neglect in  
 7 accordance with IC 31-33.

8 Sec. 51. "Child welfare program", for purposes of this title,  
 9 has the meaning set forth in IC 31-26-3.5-1.

10 Sec. 52. "Child welfare services", for purposes of this title,  
 11 means services provided under a child welfare program.

12 Sec. 53. "Child with a disability", for purposes of IC 31-34-1-9,  
 13 means an individual who:

14 (1) is less than eighteen (18) years of age; and

15 (2) has a disability (as defined in IC 22-9-1-3(r)).

16 Sec. 54. "Child with special needs", for purposes of  
 17 IC 31-19-26.5, has the meaning set forth in IC 31-19-26.5-2.

18 Sec. 55. "Commencement", for purposes of the Uniform Child  
 19 Custody Jurisdiction Act under IC 31-21, has the meaning set forth  
 20 in IC 31-21-2-6.

21 Sec. 56. "Compact", for purposes of IC 31-37-23, has the  
 22 meaning set forth in IC 31-37-23-2.

23 Sec. 57. (a) Subject to subsection (b), "concurrent planning",  
 24 for purposes of IC 31-34 and IC 31-35, means the establishment of  
 25 a case plan with concurrent permanency plan goals, including the  
 26 following:

27 (1) Return to or continuation of existing custodial care within  
 28 the home of the child's parent, guardian, or custodian or  
 29 placement of the child with the child's noncustodial parent.

30 (2) Placement of the child for adoption.

31 (3) Placement of the child with a fit and willing relative who  
 32 is able and willing to act as the child's permanent custodian  
 33 and carry out the responsibilities required by the  
 34 permanency plan.

35 (4) Appointment of a legal guardian.

36 (5) A supervised independent living arrangement or foster  
 37 care for the child with a permanency plan of another  
 38 planned, permanent living arrangement. However, a child  
 39 less than sixteen (16) years of age may not have another  
 40 planned, permanent living arrangement as the child's  
 41 permanency plan.

42 (b) "Concurrent planning", for purposes of IC 31-34, requires

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the identification of two (2) permanency plan goals and simultaneous reasonable efforts toward both goals with knowledge of all participants.

Sec. 58. "Conduct a criminal history check", for purposes of IC 31-19, IC 31-26, IC 31-27, IC 31-28, IC 31-33, IC 31-34, IC 31-37, and IC 31-39-2-13.5, means to:

(1) request:

(A) the state police department to conduct a:

(i) fingerprint based criminal history background check of both national and state records data bases concerning a person who is at least eighteen (18) years of age in accordance with IC 10-13-3-27 and IC 10-13-3-39; or

(ii) national name based criminal history record check (as defined in IC 10-13-3-12.5) of a person who is at least eighteen (18) years of age as provided by IC 10-13-3-27.5; or

(B) if an individual has:

(i) a physical disability that prevents fingerprinting and a person approved by the department who is trained to take fingerprints or a qualified medical practitioner (as defined in section 196 of this chapter) verifies that the individual has a disabling condition that prevents fingerprinting; or

(ii) low quality fingerprints, as a result of age, occupation, or otherwise, that prevent fingerprint results from being obtained and the individual's fingerprints have been rejected the required number of times by automated fingerprint classification equipment or rejected by a person designated by the Indiana state police department to examine and classify fingerprints;

the state police department to conduct a national name based criminal history record check (as defined in IC 10-13-3-12.5) or request the state police department to release or allow inspection of a limited criminal history (as defined in IC 10-13-3-11) and the state police in every state the individual has resided in the past five (5) years to release or allow inspection of the state's criminal history;

(2) collect each substantiated report of child abuse or neglect reported in a jurisdiction where a probation officer, a

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caseworker, or the department of child services has reason to believe that a person who is fourteen (14) years of age or older, or a person for whom a fingerprint based criminal history background check is required under this title, resided within the previous five (5) years;

(3) conduct a check of the national sex offender registry maintained by the United States Department of Justice for all persons who are at least fourteen (14) years of age; and

(4) conduct a check of local criminal records in every jurisdiction where a person who is at least eighteen (18) years of age has resided within the previous five (5) years unless the department of child services or a court grants an exception to conducting this check.

Sec. 59. "Contact", for purposes of IC 31-33-18-1.5, has the meaning set forth in IC 31-33-18-1.5(d).

Sec. 60. "Contact preference form" means the form prescribed by the state registrar under IC 31-19-25-4.6.

Sec. 61. "Controlled substance", for purposes of the juvenile law, has the meaning set forth in IC 35-48-1.1.

Sec. 62. "Convention", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 63. "Convention support order", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-7-1.

Sec. 64. "Costs of secure detention", for purposes of this title, has the meaning set forth in IC 31-40-1-1.5.

Sec. 65. "Council", for purposes of IC 31-31-9, refers to the city-county council of the consolidated city within the county.

Sec. 66. (a) "Court", for purposes of IC 31-15, IC 31-16, and IC 31-17, means the circuit, superior, or other courts of Indiana upon which jurisdiction to enter dissolution decrees has been or may be conferred.

(b) "Court", for purposes of IC 31-16-15, refers to the court having jurisdiction over child support orders.

(c) "Court", for purposes of IC 31-37-23, has the meaning set forth in IC 31-37-23-3.

(d) "Court", for purposes of the Interstate Compact on Juveniles under IC 31-37-23-1, has the meaning set forth in IC 31-37-23-1.

(e) "Court", for purposes of IC 31-27, means a circuit or superior court.

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(f) "Court", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-7.

Sec. 67. (a) "Court appointed special advocate", for purposes of IC 31-15-6, IC 31-17-6, IC 31-19-16, IC 31-19-16.5, IC 31-28-5, IC 31-32-3-10.5, and the juvenile law, means a community volunteer who:

- (1) has completed a training program approved by the court;
- (2) has been appointed by a court to represent and protect the best interests of a child; and
- (3) may research, examine, advocate, facilitate, and monitor a child's situation.

(b) "Court appointed special advocate", for purposes of IC 31-32-3-10.5, IC 31-33, IC 31-34, IC 31-35, and IC 31-37, means a community volunteer who:

- (1) has completed a training program approved by the court that includes training in:
  - (A) the identification and treatment of child abuse and neglect; and
  - (B) early childhood, child, and adolescent development; as required by 42 U.S.C. 5106a(b)(2)(B)(xiii);
- (2) has been appointed by a court to represent and protect the best interests of a child; and
- (3) may research, examine, advocate, facilitate, and monitor a child's situation.

Sec. 68. "Crime", for purposes of the juvenile law, means an offense for which an adult might be imprisoned or incarcerated if convicted under the law of the jurisdiction in which the offense is committed.

Sec. 69. "Crime involving domestic or family violence" means a crime that occurs when a family or household member commits, attempts to commit, or conspires to commit any of the following against another family or household member:

- (1) A homicide offense under IC 35-42-1.
- (2) A battery offense under IC 35-42-2.
- (3) Kidnapping or confinement under IC 35-42-3.
- (4) A sex offense under IC 35-42-4.
- (5) Robbery under IC 35-42-5.
- (6) Arson or mischief under IC 35-43-1.
- (7) Burglary or trespass under IC 35-43-2.
- (8) Disorderly conduct under IC 35-45-1.
- (9) Intimidation or harassment under IC 35-45-2.

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(10) Voyeurism under IC 35-45-4.

(11) Stalking under IC 35-45-10.

(12) An offense against the family under IC 35-46-1-2 through IC 35-46-1-8, IC 35-46-1-12, IC 35-46-1-15.1, or IC 35-46-1-15.3.

(13) Human and sexual trafficking crimes under IC 35-42-3.5.

(14) A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5.

Sec. 70. "Custodial parent", for purposes of IC 31-14-13-8, IC 31-14-15, IC 31-16-6-1.5, IC 31-16-12.5, IC 31-17-2-22, and IC 31-17-4, means the parent who has been awarded physical custody of a child by a court.

Sec. 71. (a) "Custodian", for purposes of the juvenile law, means a person with whom a child resides.

(b) "Custodian", for purposes of IC 31-34-1, includes any person who is:

(1) a license applicant or licensee of:

(A) a foster home or residential child care facility that is required to be licensed or is licensed under IC 31-27;

(B) a child care center that is required to be licensed or is licensed under IC 12-17.2-4; or

(C) a child care home that is required to be licensed or is licensed under IC 12-17.2-5;

(2) a person who is responsible for care, supervision, or welfare of children while providing services as an owner, operator, director, manager, supervisor, employee, or volunteer at:

(A) a home, center, or facility described in subdivision (1);

(B) a child care ministry, as defined in IC 12-7-2.1-58, that is exempt from licensing requirements and is registered or required to be registered under IC 12-17.2-6;

(C) a home, center, or facility of a child care provider, as defined in IC 12-7-2.1-267(5);

(D) a home, center, or facility that is the location of a program that provides child care, as defined in section 38 of this chapter, to serve migrant children and that is exempt from licensing under IC 12-17.2-2-8(6), whether or not the program is certified as described in

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- 1 IC 12-17.2-2-9; or
- 2 (E) a school, as defined in section 220 of this chapter;
- 3 (3) a child caregiver, as defined in section 41 of this chapter;
- 4 (4) a member of the household of the child's noncustodial
- 5 parent; or
- 6 (5) an individual who has or intends to have direct contact,
- 7 on a regular and continuing basis, with a child for whom the
- 8 individual provides care and supervision.

9 Sec. 72. "De facto custodian", for purposes of IC 31-14-13,  
10 IC 31-17-2, and IC 31-34-4, means a person who has been the  
11 primary caregiver for, and financial support of, a child who has  
12 resided with the person for at least:

- 13 (1) six (6) months if the child is less than three (3) years of
- 14 age; or
- 15 (2) one (1) year if the child is at least three (3) years of age.

16 Any period after a child custody proceeding has been commenced  
17 may not be included in determining whether the child has resided  
18 with the person for the required minimum period. The term does  
19 not include a person providing care for a child in a foster family  
20 home (as defined in section 108 of this chapter).

21 Sec. 73. (a) "Delinquent", for purposes of IC 31-16-15, refers  
22 to a situation in which an obligor is the equivalent of one (1) month  
23 in arrears in the payment of child support ordered by a court.

24 (b) "Delinquent", for purposes of IC 31-16-16, refers to a  
25 situation in which an obligor is in arrears in the payment of child  
26 support ordered by a court in Indiana or another state that has  
27 jurisdiction over the support order.

28 Sec. 74. (a) "Delinquent child", for purposes of the juvenile  
29 law, except as provided in subsection (b), means:

- 30 (1) a child described in IC 31-37-1-1; or
- 31 (2) a child described in IC 31-37-2-1.
- 32 (b) "Delinquent child", for purposes of IC 31-37-23, has the
- 33 meaning set forth in IC 31-37-23-4.

34 Sec. 75. "Delinquent juvenile", for purposes of the Interstate  
35 Compact on Juveniles under IC 31-37-23-1, has the meaning set  
36 forth in IC 31-37-23-1.

37 Sec. 76. "Department", for purposes of this chapter, IC 31-19,  
38 and IC 31-25 through IC 31-40, has the meaning set forth in  
39 IC 31-25-2-1.

40 Sec. 77. "Dependent child" or "neglected child", for purposes  
41 of IC 31-37-23, has the meaning set forth in IC 31-37-23-5.

42 Sec. 78. "Destitute child", for purposes of this title, means an



individual:

- (1) who is needy;
- (2) who is not a public ward;
- (3) who is less than eighteen (18) years of age;
- (4) who has been deprived of parental support or care because of a parent's:
  - (A) death;
  - (B) continued absence from the home; or
  - (C) physical or mental incapacity;
- (5) whose relatives liable for the individual's support are not able to provide adequate care or support for the individual without public assistance; and
- (6) who is in need of foster care, under circumstances that do not require the individual to be made a public ward.

Sec. 79. "Detention tool" means a validated instrument that assesses a child's risk for rearrest in order to inform a decision on the use of secure detention.

Sec. 80. "Diagnostic assessment" means a clinical evaluation provided by a certified professional in order to gather information to determine appropriate behavioral health treatment for a child.

Sec. 81. "Direct request", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-7-1.

Sec. 82. "Director", for purposes of IC 31-25-1, IC 31-25-2, IC 31-33, IC 31-34, and IC 31-37, refers to the director of the department of child services.

Sec. 83. "Dissolution decree", for purposes of IC 31-15, IC 31-16, and IC 31-17, means a judicial decree entered in a proceeding for the dissolution of marriage which:

- (1) has the effect of terminating the marriage and restoring the parties to the state of unmarried persons; and
- (2) may include those matters set forth in IC 31-15-2-16.

Sec. 84. "Domestic or family violence" means, except for an act of self-defense, the occurrence of one (1) or more of the following acts committed by a family or household member:

- (1) Attempting to cause, threatening to cause, or causing physical harm to another family or household member without legal justification.
- (2) Placing a family or household member in fear of physical harm without legal justification.
- (3) Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.

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(4) Abusing (as described in IC 35-46-3-0.5), torturing (as described in IC 35-46-3-0.5), mutilating (as described in IC 35-46-3-0.5), or killing a vertebrate animal without justification with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member.

For purposes of IC 22-4-15-1 and IC 34-26-5, domestic or family violence also includes stalking (as defined in IC 35-45-10-1) or a sex offense under IC 35-42-4, whether or not the stalking or sex offense is committed by a family or household member.

Sec. 85. "Drug or alcohol screen test" means a test used to determine the presence or use of alcohol, a controlled substance, or a drug in a person's bodily substance.

Sec. 86. "Duty of support", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 87. "Early intervention advocate", for purposes of IC 31-32-3, means a volunteer or staff member of a preventative program who is appointed by the court as an officer of the court to assist, represent, and protect the interests of at-risk children.

Sec. 88. "Emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

Sec. 89. "Emergency shelter", for purposes of IC 31-27, means a short term place of residence, other than a private secure facility, that:

(1) is not locked to prevent a child's departure unless the administrator determines that locking is necessary to protect the child's health; and

(2) provides twenty-four (24) hours a day temporary care for not more than sixty (60) consecutive days to a child who is admitted on an emergency basis.

Sec. 90. "Evaluator", for purposes of IC 31-32-2 and IC 31-37-8-4.5, means a person responsible for providing mental health screening, evaluation, or treatment to a child in connection with a juvenile proceeding or probation proceeding under this title.

Sec. 91. "Executive authority", for purposes of IC 31-37-23, has the meaning set forth in IC 31-37-23-6.

Sec. 92. (a) "Exigent circumstances", as applied to an action by the department with regard to a child, means that:

(1) the department has definite and articulable evidence giving rise to a reasonable suspicion that the child or a child residing in the home with the child:

(A) has been or is in imminent danger of being



- 1 physically or sexually abused; or
- 2 (B) has been or is in imminent danger of being neglected
- 3 in a manner that would lead a reasonable person to
- 4 believe the child's physical safety is seriously
- 5 endangered;
- 6 (2) there is no less intrusive alternative to the department's
- 7 action that would reasonably and sufficiently protect the
- 8 child's imminent health or safety; and
- 9 (3) one (1) or more of the following applies:
- 10 (A) The parent, guardian, or custodian of the child:
- 11 (i) is the alleged perpetrator of the abuse or neglect
- 12 of the child; or
- 13 (ii) is allegedly aware of the abuse or neglect of the
- 14 child and has allegedly not ensured the child's
- 15 safety.
- 16 (B) There is reason to believe that:
- 17 (i) the safety of the child might be jeopardized; or
- 18 (ii) essential evidence regarding signs or symptoms
- 19 of abuse or neglect under subdivision (1) on or in
- 20 the child's body might not be available;
- 21 if the department's action is delayed or the child's
- 22 parent, guardian, or custodian is notified before the
- 23 department's action.
- 24 (C) The child is a homeless unaccompanied minor and
- 25 is voluntarily receiving services at an emergency shelter
- 26 or shelter care facility without the presence or consent
- 27 of the child's parent, guardian, or custodian.
- 28 (b) An allegation of educational neglect does not qualify as an
- 29 exigent circumstance.
- 30 Sec. 93. (a) An individual is a "family or household member"
- 31 of another person if the individual:
- 32 (1) is a current or former spouse of the other person;
- 33 (2) is dating or has dated the other person;
- 34 (3) is engaged or was engaged in a sexual relationship with
- 35 the other person;
- 36 (4) is related by blood or adoption to the other person;
- 37 (5) is or was related by marriage to the other person;
- 38 (6) has or previously had an established legal relationship:
- 39 (A) as a guardian of the other person;
- 40 (B) as a ward of the other person;
- 41 (C) as a custodian of the other person;
- 42 (D) as a foster parent of the other person; or

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(E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D); or

(7) has a child in common with the other person.

(b) An individual is a "family or household member" of both persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), or (a)(7) applies if the individual is a minor child of one (1) of the persons.

Sec. 94. "Family preservation services", for purposes of IC 31-26-5 and IC 31-26-6, means short term, highly intensive services designed to protect, treat, and support the following:

(1) A family with a child at risk of placement by enabling the family to remain intact and care for the child at home.

(2) A family that adopts or plans to adopt an abused or neglected child who is at risk of placement or adoption disruption by assisting the family to achieve or maintain a stable, successful adoption of the child.

Sec. 95. "Family services", for purposes of the juvenile law, means services provided to:

(1) prevent a child from being removed from a parent, guardian, or custodian;

(2) reunite the child with a parent, guardian, or custodian; or

(3) implement a permanent plan of adoption, guardianship, or emancipation of a child.

Sec. 96. "Fentanyl containing substance", for purposes of the juvenile law, has the meaning set forth in IC 35-31.5-2-130.6.

Sec. 97. "Fentanyl related substance", for purposes of the juvenile law, has the meaning set forth in IC 35-31.5-2-130.5.

Sec. 98. "Final agency action" means, with respect to an administrative action taken by the department, the issuance of an order by the ultimate authority of the department that:

(1) disposes of all issues for all parties to an administrative proceeding regarding the action after the parties to the administrative proceeding have exhausted all administrative remedies concerning the action; and

(2) is designated as a final order by the ultimate authority of the department.

Sec. 99. "Final separation", for purposes of IC 31-15-7, means the date of filing of the petition for dissolution of marriage under IC 31-15-2-4 (or IC 31-1-11.5-3 before its repeal). However, if:

(1) a legal separation proceeding involving the parties was pending when the petition for dissolution of marriage under IC 31-15-2-4 (or IC 31-1-11.5-3 before its repeal) was filed;



1 or

2 (2) a provisional order or final decree for legal separation of  
3 the parties was in effect when the petition for dissolution of  
4 marriage under IC 31-15-2-4 (or IC 31-1-11.5-3 before its  
5 repeal) was filed;

6 the term means the date that the petition for legal separation was  
7 filed under IC 31-15-3-4 (or IC 31-1-11.5-3 before its repeal).

8 Sec. 100. "Financial institution", for purposes of IC 31-25-3  
9 and IC 31-25-4, has the meaning set forth in IC 31-25-4-3.

10 Sec. 101. "Foreign central authority", for purposes of the  
11 Uniform Interstate Family Support Act under IC 31-18.5, has the  
12 meaning set forth in IC 31-18.5-7-1.

13 Sec. 102. "Foreign country", for purposes of the Uniform  
14 Interstate Family Support Act under IC 31-18.5, has the meaning  
15 set forth in IC 31-18.5-1-2.

16 Sec. 103. "Foreign support agreement", for purposes of the  
17 Uniform Interstate Family Support Act under IC 31-18.5, has the  
18 meaning set forth in IC 31-18.5-7-1.

19 Sec. 104. "Foreign support order", for purposes of the  
20 Uniform Interstate Family Support Act under IC 31-18.5, has the  
21 meaning set forth in IC 31-18.5-1-2.

22 Sec. 105. "Foreign tribunal", for purposes of the Uniform  
23 Interstate Family Support Act under IC 31-18.5, has the meaning  
24 set forth in IC 31-18.5-1-2.

25 Sec. 106. "Forensic interview", for purposes of section 34 of  
26 this chapter and IC 31-25-2-14.5, means an interview in response  
27 to a report of child abuse or neglect conducted by a professional  
28 specially trained in a nationally recognized model using a  
29 multidisciplinary team approach.

30 Sec. 107. "Foster care", for purposes of IC 31-25, IC 31-26,  
31 IC 31-27, IC 31-28-1, IC 31-28-2, IC 31-28-3, IC 31-34-21-7.6, and  
32 IC 31-37-22-10, means living in:

33 (1) a place licensed under IC 31-27 or a comparable law of  
34 another state; or

35 (2) the home of an adult relative who is not licensed as a  
36 foster family home.

37 Sec. 108. "Foster family home", for purposes of IC 31-27 and  
38 IC 31-34-23-6, means a place where an individual resides and  
39 provides care and supervision on a twenty-four (24) hour basis to  
40 a child, as defined in section 32(d) of this chapter, who is receiving  
41 care and supervision under a juvenile court order or for purposes  
42 of placement.

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1       **Sec. 109. "Foster parent"**, for purposes of the juvenile law,  
 2       means an individual who provides care and supervision to a child  
 3       in a foster family home (as defined in section 108 of this chapter).  
 4       The term includes a licensed kinship caregiver and an unlicensed  
 5       kinship caregiver.

6       **Sec. 110. "Foster youth"**, for purposes of IC 31-26-4.5, refers  
 7       to an individual:

- 8       (1) who is at least fifteen (15) years of age;
- 9       (2) who is not more than twenty-three (23) years of age; and
- 10      (3) who:
  - 11          (A) is adjudicated a child in need of services under
  - 12          IC 31-34-1; or
  - 13          (B) was in foster care when the individual became an
  - 14          adult (as defined in section 14(b) of this chapter).

15      **Sec. 111. "Fund"**, for purposes of IC 31-26-4, has the meaning  
 16      set forth in IC 31-26-4-3.

17      **Sec. 112. (a) "Governmental entity"**, for purposes of IC 31-42,  
 18      means the whole or any part of a branch, department, agency, or  
 19      instrumentality, or an official, or other individual or entity, acting  
 20      under color of law of any of the following:

- 21      (1) State government.
- 22      (2) A political subdivision (as defined in IC 36-1-2-13).
- 23      (3) An instrumentality of a governmental entity described in
- 24      subdivision (1) or (2), including a state educational
- 25      institution, a body politic, a body corporate and politic, or
- 26      any other similar entity established by law.

27      (b) The term does not include a hospital that is established and  
 28      operated under IC 16-22-2, IC 16-22-8, or IC 16-23.

29      **Sec. 113. "Governor"**, for purposes of IC 31-18.5-8, in the  
 30      Uniform Interstate Family Support Act, has the meaning set forth in  
 31      IC 31-18.5-8-1.

32      **Sec. 114. "Grandparent visitation"**, for purposes of  
 33      IC 31-17-2.2, means visitation rights granted to a grandparent  
 34      under IC 31-17-5.

35      **Sec. 115. "Group home"**, for purposes of IC 31-27, means a  
 36      residential structure in which care is provided on a twenty-four  
 37      (24) hour basis for not more than ten (10) children.

38      **Sec. 116. (a) "Guardian"**, for purposes of IC 31-11-10-1,  
 39      IC 31-15-2-5, and IC 31-15-3-4, has the meaning set forth in  
 40      IC 29-3-1-6.

41      (b) "Guardian", for purposes of the juvenile law, means a  
 42      person appointed by a court to have the care and custody of a child



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or the child's estate, or both.

Sec. 117. (a) "Guardian ad litem", for purposes of IC 31-15-6, IC 31-19-16, IC 31-19-16.5, IC 31-28-5, IC 31-32-3-10.5, and the juvenile law, means an attorney, a volunteer, or an employee of a county program designated under IC 33-24-6-4 who is appointed by a court to:

- (1) represent and protect the best interests of a child; and
- (2) provide the child with services requested by the court, including:

- (A) researching;
- (B) examining;
- (C) advocating;
- (D) facilitating; and
- (E) monitoring;

the child's situation.

A guardian ad litem who is not an attorney must complete the same court approved training program that is required for a court appointed special advocate under section 67 of this chapter.

(b) "Guardian ad litem", for purposes of IC 31-32-3-10.5, IC 31-33, IC 31-34, IC 31-35, and IC 31-37, means an attorney, a volunteer, or an employee of a county program designated under IC 33-24-6-4 who:

- (1) is appointed by a court to represent and protect the best interests of a child;
- (2) is appointed by a court to provide the child with services requested by the court, including:

- (A) researching;
- (B) examining;
- (C) advocating;
- (D) facilitating; and
- (E) monitoring;

the child's situation; and

- (3) has completed training appropriate for the person's role, including training in:

- (A) the identification and treatment of child abuse and neglect; and
- (B) early childhood, child, and adolescent development;

as required by 42 U.S.C. 5106a(b)(2)(B)(xiii).

A guardian ad litem who is not an attorney must complete the same court approved training program that is required for a court appointed special advocate under section 67 of this chapter.

Sec. 118. "Hard to place child" or "hard to place children",

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for purposes of IC 31-19 and IC 31-34, means a child who is or children who are disadvantaged:

(1) because of:

(A) ethnic background;

(B) race;

(C) color;

(D) language;

(E) physical, mental, or medical disability; or

(F) age; or

(2) because the child or children are members of a sibling group that should be placed in the same home.

Sec. 119. "Health care", for purposes of IC 31-42, has the meaning set forth in IC 16-36-1-1.

Sec. 120. "Health care provider", for purposes of IC 31-32-6-4, IC 31-32-11-1, and IC 31-33, means any of the following:

(1) A licensed physician, intern, or resident.

(2) An osteopath.

(3) A chiropractor.

(4) A dentist.

(5) A podiatrist.

(6) A registered nurse or other licensed nurse.

(7) A mental health professional.

(8) A paramedic or an emergency medical technician.

(9) A social worker, an x-ray technician, or a laboratory technician employed by a hospital.

(10) A pharmacist.

(11) A person working under the direction of any of the practitioners listed in subdivisions (1) through (10).

Sec. 121. (a) "Home state", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-8.

(b) "Home state", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 122. "Identifying information", for purposes of IC 31-19-9-6 and IC 31-19-17 through IC 31-19-25.5, means:

(1) any name that a party to an adoption has used or is using;

(2) any address that a party to an adoption has used or is using;

(3) the original certificates of birth stored with the Indiana department of health with evidence of adoption under IC 31-19-13-2; and

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(4) any other information, except the medical history, that may identify a person as a party to an adoption or as a birth parent, an adoptee, or an adoptive parent.

Sec. 123. "Incapacitated person", for purposes of IC 31-11-10-1, IC 31-15-2-5, and IC 31-15-3-4, has the meaning set forth in IC 29-3-1-7.5.

Sec. 124. "Incarceration", for purposes of IC 31-16 and IC 31-25-4, means confinement of an individual on a full-time basis in a place of detention that prohibits the individual from gainful employment, including home detention or a municipal, county, state, or federal prison or jail. The term does not include an individual on parole, probation, work release, community corrections, or any other detention alternative program that allows the individual to be gainfully employed.

Sec. 125. "Includes" means includes but is not limited to.

Sec. 126. (a) "Income", for purposes of IC 31-16-15 and IC 31-16-16, means anything of value owed to an obligor.

(b) "Income", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, means earnings or other periodic entitlements to money from any source, and any other property subject to withholding for support under Indiana law (as defined in IC 31-18.5-1-2).

Sec. 127. (a) "Income payor", for purposes of IC 31-16-15 and IC 31-16-16, means an employer or other person who owes income to an obligor (as defined in section 170(a) of this chapter).

(b) "Income payor", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, means an employer or other person who owes income to an obligor (as defined in IC 31-18.5-1-2).

Sec. 128. (a) "Income withholding order", for purposes of IC 31-16-15 and IC 31-16-16, means an order or other legal process directed to an obligor's income payor to withhold:

(1) support; and

(2) support fees and maintenance fees as described in IC 33-37-5-6;

from the income of the obligor.

(b) "Income withholding order", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 129. "Index", for purposes of IC 31-33-26, means the child protection index established under IC 31-33-26-2.

Sec. 130. "Indian child" has the same meaning as the term is



defined in the Indian Child Welfare Act (25 U.S.C. 1901 et seq.).

Sec. 131. "Initial determination", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-9.

Sec. 132. "Initiating tribunal", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 133. "Intake officer", for purposes of the juvenile law, means a probation officer or a caseworker who performs the intake, preliminary inquiry, or other functions specified by the juvenile court or by the juvenile law.

Sec. 134. "Intended biological parent", for purposes of sections 240 and 241 of this chapter, means a party to a surrogate agreement who:

(1) agrees to be or is genetically related to a child borne by a surrogate; and

(2) is not the surrogate's spouse.

Sec. 135. "Interested person", for purposes of IC 31-19-20 and IC 31-19-24, means any of the following:

(1) An adoptee.

(2) A birth parent.

(3) An adoptive parent.

(4) A relative of a birth parent.

(5) A relative of an adoptive parent.

(6) A relative of an adoptee.

(7) A pre-adoptive sibling (as defined in section 182 of this chapter).

(8) The department.

(9) An adoption agency.

(10) A court.

Sec. 136. "Issuing court", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-10.

Sec. 137. "Issuing foreign country", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 138. (a) "Issuing state", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

(b) "Issuing state", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-11.



1       Sec. 139. "Issuing tribunal", for purposes of the Uniform  
2 Interstate Family Support Act under IC 31-18.5, has the meaning  
3 set forth in IC 31-18.5-1-2.

4       Sec. 140. "Joint legal custody", for purposes of IC 31-14-13,  
5 IC 31-17-2-13, IC 31-17-2-14, and IC 31-17-2-15, means that the  
6 persons awarded joint custody will share authority and  
7 responsibility for the major decisions concerning the child's  
8 upbringing, including the child's education, health care, and  
9 religious training.

10       Sec. 141. "Judge", for purposes of the juvenile law, refers to  
11 the judge of the juvenile court.

12       Sec. 142. "Juvenile", for purposes of the Interstate Compact  
13 on Juveniles under IC 31-37-23-1, has the meaning set forth in  
14 IC 31-37-23-1.

15       Sec. 143. "Juvenile court", for purposes of the juvenile law,  
16 refers to a court having juvenile jurisdiction.

17       Sec. 144. "Juvenile detention facility", for purposes of the  
18 juvenile law, means a facility described in IC 31-31-8-2.

19       Sec. 145. "Juvenile diversion" has the meaning set forth in  
20 IC 31-37-8.5-1.

21       Sec. 146. "Juvenile law" refers to IC 31-30 through IC 31-40.

22       Sec. 147. "Kinship care navigator program", for purposes of  
23 IC 31-25-2-25, means the program established by the department  
24 of child services to assist kinship caregivers in learning about,  
25 finding, and using programs and services to meet the needs of the  
26 caregivers and of the children the caregivers are raising, and to  
27 promote effective partnerships among public and private agencies  
28 to ensure kinship caregiver families are served.

29       Sec. 148. "Law", for purposes of the Uniform Interstate  
30 Family Support Act under IC 31-18.5, has the meaning set forth in  
31 IC 31-18.5-1-2.

32       Sec. 149. "Law enforcement agency", for purposes of IC 31-36,  
33 means a governmental agency or department whose principal  
34 function is the apprehension of criminal offenders.

35       Sec. 150. "Legal settlement", for purposes of IC 31-34-20-5,  
36 IC 31-34-21-10, IC 31-37-19-26, and IC 31-37-20-6, has the  
37 meaning set forth in IC 20-18-2-11.

38       Sec. 151. "Legend drug", for purposes of the juvenile law, has  
39 the meaning set forth in IC 16-18-2-199.

40       Sec. 152. "Licensed kinship caregiver" means a relative who  
41 is:

42       (1) providing care and supervision to a child under a court

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order for purposes of placement in a child in need of services case or juvenile delinquency case; and

(2) licensed as a foster parent under IC 31-27-4.

Sec. 153. "Licensee", for purposes of IC 31-27, means a person who holds a valid license issued under IC 31-27.

Sec. 154. "Lifetime sex or violent offender" has the meaning set forth in IC 34-28-2-1.5.

Sec. 155. "Local law enforcement authority" has the meaning set forth in IC 11-8-8-2.

Sec. 156. "Local office", for purposes of this title, refers to a local office established by the department to serve a county or a region.

Sec. 157. "Long term foster parent", for purposes of IC 31-32-2.5 and IC 31-34-21, means a foster parent who has provided care and supervision for a child:

(1) for at least the twelve (12) most recent months;

(2) for at least fifteen (15) months of the most recent twenty-two (22) months; or

(3) if the child is less than twelve (12) months of age, for at least six (6) months.

Sec. 158. "Maternal or paternal grandparent", for purposes of IC 31-17-5, includes:

(1) the adoptive parent of the child's parent;

(2) the parent of the child's adoptive parent; and

(3) the parent of the child's parent.

Sec. 159. "Medical history", for purposes of IC 31-19-18 through IC 31-19-20, means:

(1) a comprehensive report required by IC 31-19-2-7; and

(2) any voluntary medical information transmitted to the state registrar under IC 31-19-18-3.

Sec. 160. "Medical information", for purposes of IC 31-19-18, IC 31-19-20, and IC 31-19-24, means any information that may affect the medical history of an adoptee.

Sec. 161. "Modification", for purposes of the Uniform Child Custody Jurisdiction Act under IC 31-21, has the meaning set forth in IC 31-21-2-12.

Sec. 162. "Monitor", for purposes of IC 31-27, means observation to determine the licensee's continuing compliance with IC 31-27.

Sec. 163. "Neglected child" or "dependent child", for purposes of IC 31-37-23, has the meaning set forth in IC 31-37-23-5.

Sec. 164. "Noncustodial parent", for purposes of IC 31-14-15,

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1 IC 31-16-6-1.5, and IC 31-17-4, means the parent who is not the  
2 custodial parent.

3 Sec. 165. "Nonidentifying information", for purposes of  
4 IC 31-19-18, IC 31-19-21, IC 31-19-23, and IC 31-19-24, means any  
5 information, other than a medical history, that:

- 6 (1) concerns an interested person to an adoption; and
- 7 (2) does not identify a birth parent, an adoptive parent, or an  
8 adoptee.

9 Sec. 166. "Nonrelocating individual", for purposes of  
10 IC 31-14-13 and IC 31-17-2.2, means an individual who has, or has  
11 filed an action seeking:

- 12 (1) custody of the child, whether by court order or by  
13 paternity affidavit under IC 16-37-2;
- 14 (2) parenting time with the child, whether by court order or  
15 by paternity affidavit under IC 16-37-2; or
- 16 (3) visitation with the child under IC 31-17-5.

17 Sec. 167. "Nonrelocating parent", for purposes of IC 31-14-13  
18 and IC 31-17-2.2, means a parent of a child who has or is seeking:

- 19 (1) custody of the child, whether by court order or by  
20 paternity affidavit under IC 16-37-2; or
- 21 (2) parenting time with the child, whether by court order or  
22 by paternity affidavit under IC 16-37-2;

23 and does not intend to move the individual's principal residence.

24 Sec. 168. "Nonwaivable offense", for purposes of this title,  
25 means a conviction of any of the following felonies:

- 26 (1) Murder (IC [ ] 35-42-1-1).
- 27 (2) Causing suicide (IC [ ] 35-42-1-2).
- 28 (3) Assisting suicide (IC [ ] 35-42-1-2.5).
- 29 (4) Voluntary manslaughter (IC [ ] 35-42-1-3).
- 30 (5) Involuntary manslaughter (IC [ ] 35-42-1-4).
- 31 (6) Reckless homicide (IC [ ] 35-42-1-5).
- 32 (7) Feticide (IC [ ] 35-42-1-6).
- 33 (8) Battery (IC [ ] 35-42-2-1) within the past five (5) years.
- 34 (9) Domestic battery (IC [ ] 35-42-2-1.3).
- 35 (10) Aggravated battery (IC [ ] 35-42-2-1.5).
- 36 (11) Criminal recklessness (IC [ ] 35-42-2-2) within the past  
37 five (5) years.
- 38 (12) Strangulation (IC [ ] 35-42-2-9).
- 39 (13) Kidnapping (IC [ ] 35-42-3-2).
- 40 (14) Criminal confinement (IC [ ] 35-42-3-3) within the past  
41 five (5) years.
- 42 (15) Human and sexual trafficking (IC [ ] 35-42-3.5).

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- (16) A felony sex offense under IC 35-42-4.
- (17) Arson (IC 35-43-1-1) within the past five (5) years.
- (18) Incest (IC 35-46-1-3).
- (19) Neglect of a dependent (IC 35-46-1-4(a) and IC 35-46-1-4(b)).
- (20) Child selling (IC 35-46-1-4(d)).
- (21) Reckless supervision (IC 35-46-1-4.1).
- (22) Nonsupport of a dependent child (IC 35-46-1-5) within the past five (5) years.
- (23) Operating a motorboat while intoxicated (IC 35-46-9-6) within the past five (5) years.
- (24) A felony involving a weapon under IC 35-47 within the past five (5) years.
- (25) A felony relating to controlled substances under IC 35-48-4 within the past five (5) years.
- (26) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.
- (27) A felony under IC 9-30-5 within the past five (5) years.
- (28) A felony related to the health or safety of a child (as defined in section 32(h) of this chapter) or an endangered adult (as defined in IC 12-10-3-2).

Sec. 169. (a) "Obligee", for purposes of IC 31-16-15 and IC 31-16-16, means a person who is entitled to receive a payment under a support order.

(b) "Obligee", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 170. (a) "Obligor", for purposes of IC 31-16-15 and IC 31-16-16, means an individual who has been ordered by a court to pay child support.

(b) "Obligor", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

(c) "Obligor", for purposes of IC 31-25-4, has the meaning set forth in IC 31-25-4-4.

Sec. 171. "Office of administrative law proceedings" means the office of administrative law proceedings established by IC 4-15-10.5-7.

Sec. 172. "Omission", for purposes of IC 31-34-1-2, means an occurrence in which the parent, guardian, or custodian allowed the child of the parent, guardian, or custodian to receive an injury that the parent, guardian, or custodian had a reasonable opportunity to



1 prevent or mitigate.

2 Sec. 173. "Outside this state", for purposes of the Uniform  
3 Interstate Family Support Act under IC 31-18.5, has the meaning  
4 set forth in IC 31-18.5-1-2.

5 Sec. 174. (a) "Parent", for purposes of the juvenile law, means  
6 a biological or an adoptive parent. Unless otherwise specified, the  
7 term includes both parents, regardless of their marital status.

8 (b) "Parent", for purposes of IC 31-34-1, IC 31-34-8,  
9 IC 31-34-19, IC 31-34-20, and IC 31-35-2, includes an alleged  
10 father.

11 (c) "Parent", for purposes of IC 31-42, means a child's:

12 (1) biological father or mother;

13 (2) adopting father or mother; or

14 (3) court appointed guardian or custodian.

15 Sec. 175. "Parenting time" means the time set aside by a court  
16 order for a parent and child to spend together.

17 Sec. 176. "Permanency roundtable", for purposes of  
18 IC 31-34-21-5.7 and IC 31-37-20-3, means an intervention designed  
19 to facilitate the permanency planning process for youth placed  
20 out-of-home by identifying solutions for permanency obstacles.

21 Sec. 177. (a) "Person", for purposes of IC 31-19-19,  
22 IC 31-19-25, and the juvenile law, means:

23 (1) a human being;

24 (2) a corporation;

25 (3) a limited liability company;

26 (4) a partnership;

27 (5) an unincorporated association; or

28 (6) a governmental entity.

29 (b) "Person", for purposes of section 93 of this chapter, means  
30 an adult or a minor.

31 (c) "Person", for purposes of IC 31-27, means an individual  
32 who is at least twenty-one (21) years of age, a corporation, a  
33 partnership, a voluntary association, or other entity.

34 (d) "Person", for purposes of the Uniform Child Custody  
35 Jurisdiction Act under IC 31-21, has the meaning set forth in  
36 IC 31-21-2-13.

37 (e) "Person", for purposes of the Uniform Interstate Family  
38 Support Act under IC 31-18.5, has the meaning set forth in  
39 IC 31-18.5-1-2.

40 Sec. 178. "Person acting as a parent", for purposes of the  
41 Uniform Child Custody Jurisdiction Act under IC 31-21, has the  
42 meaning set forth in IC 31-21-2-14.

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1       Sec. 179. "Petitioner", for purposes of the Uniform Child  
2       Custody Jurisdiction Act under IC 31-21, has the meaning set forth  
3       in IC 31-21-2-15.

4       Sec. 180. "Physical custody", for purposes of the Uniform  
5       Child Custody Jurisdiction Act under IC 31-21, has the meaning  
6       set forth in IC 31-21-2-16.

7       Sec. 181. (a) "Plan", for purposes of IC 31-26-6, has the  
8       meaning set forth in IC 31-26-6-1.

9       (b) "Plan", for purposes of IC 31-25-4, has the meaning set  
10      forth in IC 31-25-4-5.

11      Sec. 182. "Pre-adoptive sibling", for purposes of:

12      (1) IC 31-19-18;

13      (2) IC 31-19-16.5;

14      (3) IC 31-19-24; and

15      (4) IC 31-19-25.5;

16      means a person who would have been a sibling of an adoptee had  
17      the adoptee not been adopted, regardless of whether the person is  
18      born before or after the adoptee's adoption is finalized.

19      Sec. 183. "Preliminary inquiry", for purposes of IC 31-34 and  
20      IC 31-37, means an informal investigation into the facts and  
21      circumstances reported to the court.

22      Sec. 184. "Premarital agreement", for purposes of the  
23      Uniform Premarital Agreement Act under IC 31-11-3, has the  
24      meaning set forth in IC 31-11-3-2.

25      Sec. 185. "Prior family law and juvenile law", for purposes of  
26      IC 31-10, refers to the statutes that are repealed or amended in the  
27      recodification act of the 1997 regular session of the general  
28      assembly as the statutes existed before the effective date of the  
29      applicable or corresponding provision of the recodification act of  
30      the 1997 regular session of the general assembly.

31      Sec. 186. (a) Except as provided in subsection (b), "private  
32      secure facility", for purposes of the juvenile law, means the  
33      following:

34      (1) A facility that is licensed under IC 31-27 to operate as a  
35      private secure facility.

36      (2) A private facility that is licensed in another state to  
37      provide residential care and treatment to one (1) or more  
38      children in a secure facility other than a detention center,  
39      prison, jail, or similar correctional facility.

40      (b) "Private secure facility", for purposes of IC 31-27, means  
41      a private secure facility other than the following:

42      (1) A juvenile detention facility established under IC 31-31-8

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or IC 31-31-9 (or IC 31-6-9-5 or IC 31-6-9.5 before their repeal).

(2) A facility operated by the department of correction.

(3) A county jail.

(4) A detention center operated by a county sheriff.

Sec. 187. "Probation or parole", for purposes of the Interstate Compact on Juveniles under IC 31-37-23-1, has the meaning set forth in IC 31-37-23-1.

Sec. 188. "Professional health care provider", for purposes of IC 31-19-25, has the meaning set forth in IC 34-6-2.1-165.

Sec. 189. "Project", for purposes of IC 31-26-4, has the meaning set forth in IC 31-26-4-4.

Sec. 190. (a) "Property", for purposes of the Uniform Premarital Agreement Act under IC 31-11-3, has the meaning set forth in IC 31-11-3-3.

(b) "Property", for purposes of IC 31-15, IC 31-16, and IC 31-17, means all the assets of either party or both parties, including:

(1) a present right to withdraw pension or retirement benefits;

(2) the right to receive pension or retirement benefits that are not forfeited upon termination of employment or that are vested (as defined in Section 411 of the Internal Revenue Code) but that are payable after the dissolution of marriage; and

(3) the right to receive disposable retired or retainer pay (as defined in 10 U.S.C. 1408(a)) acquired during the marriage that is or may be payable after the dissolution of marriage.

Sec. 191. "Prosecuting attorney", for purposes of the juvenile law, means the prosecuting attorney or the prosecuting attorney's deputy.

Sec. 192. "Prospective adoptive parent", for purposes of IC 31-19-2-15, means a person who has filed a petition for adoption of a child under IC 31-19-2-2.

Sec. 193. (a) "Provider", for purposes of IC 31-28-2 and IC 31-28-3, means an individual, a partnership, a corporation, or a governmental entity that is enrolled in the Medicaid program under rules adopted under IC 4-22-2 by the office of Medicaid policy and planning.

(b) "Provider", for purposes of IC 31-28-1, has the meaning set forth in IC 31-28-1-2.

(c) "Provider", for purposes of IC 31-27, means a person who



operates a child caring institution, foster family home, group home, or child placing agency under IC 31-27.

Sec. 194. "Public welfare", for purposes of IC 31-25-3 and IC 31-25-4, means any form of public welfare or Social Security provided in IC 31-25-3 or IC 31-25-4. The term does not include direct township assistance as administered by township trustees under IC 12-20.

Sec. 195. "Putative father", for purposes of IC 31-19 and IC 31-35-1, means a male of any age who is alleged to be or claims that he may be a child's father but who:

(1) is not presumed to be the child's father under IC 31-14-7-1(1) or IC 31-14-7-1(2); and

(2) has not established paternity of the child:

(A) in a court proceeding; or

(B) by executing a paternity affidavit under IC 16-37-2-2.1;

before the filing of an adoption petition.

Sec. 196. "Qualified medical practitioner", for purposes of this chapter, means the following:

(1) A physician licensed under IC 25-22.5.

(2) A physician assistant licensed under IC 25-27.5.

(3) A physical therapist licensed under IC 25-27.

(4) An advanced practice registered nurse licensed under IC 25-23.

(5) A chiropractor licensed under IC 25-10.

(6) A psychologist licensed under IC 25-33.

Sec. 197. "Reason to believe", for purposes of IC 31-33, means evidence that, if presented to individuals of similar background and training, would cause the individuals to believe that a child was abused or neglected.

Sec. 198. "Reasonable and prudent parent standard", for purposes of IC 31-27, IC 31-34, and IC 31-37, means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child.

Sec. 199. "Receiving state", for purposes of the Interstate Compact on Juveniles under IC 31-37-23-1, has the meaning set forth in IC 31-37-23-1.

Sec. 200. "Recipient", for purposes of IC 31-25-3 and IC 31-25-4, means a person who has received or is receiving assistance for the person or another person.

Sec. 201. (a) "Record", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in



1 IC 31-18.5-1-2.

2 (b) "Record", for purposes of the Uniform Child Custody  
3 Jurisdiction Act under IC 31-21, has the meaning set forth in  
4 IC 31-21-2-17.

5 Sec. 202. "Region", for purposes of this title, refers to an area  
6 in Indiana designated as a region by the department. However, for  
7 purposes of IC 31-26-6, the term refers to a service region  
8 established under IC 31-26-6.

9 Sec. 203. "Regional services council", for purposes of this title,  
10 refers to a regional services council established for a region under  
11 IC 31-26-6-4.

12 Sec. 204. "Register", for purposes of the Uniform Interstate  
13 Family Support Act under IC 31-18.5, has the meaning set forth in  
14 IC 31-18.5-1-2.

15 Sec. 205. "Registering tribunal", for purposes of the Uniform  
16 Interstate Family Support Act under IC 31-18.5, has the meaning  
17 set forth in IC 31-18.5-1-2.

18 Sec. 206. "Registry", for purposes of IC 31-19-5, refers to the  
19 putative father registry established by IC 31-19-5-2.

20 Sec. 207. (a) "Relative", for purposes of IC 31-19-18 and  
21 IC 31-19-25, means:

- 22 (1) an adoptive or whole blood related parent;
- 23 (2) a sibling; or
- 24 (3) a child.

25 (b) "Relative", for purposes of IC 31-34-3, means:

- 26 (1) a maternal or paternal grandparent;
- 27 (2) an adult aunt or uncle;
- 28 (3) a parent of a child's sibling if the parent has legal custody  
29 of the sibling; or
- 30 (4) any other adult relative suggested by either parent of a  
31 child.

32 (c) "Relative", for purposes of sections 40, 152, and 251 of this  
33 chapter, IC 31-27, IC 31-28-5.8, IC 31-34-4, IC 31-34-19,  
34 IC 31-34-23-6, and IC 31-37, means any of the following in relation  
35 to a child:

- 36 (1) A parent.
- 37 (2) A grandparent.
- 38 (3) A brother.
- 39 (4) A sister.
- 40 (5) A stepparent.
- 41 (6) A stepgrandparent.
- 42 (7) A stepbrother.

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1 (8) A stepsister.

2 (9) A first cousin.

3 (10) An uncle.

4 (11) An aunt.

5 (12) Any other individual with whom a child has an  
6 established and significant relationship.

7 Sec. 208. "Relocating individual", for purposes of IC 31-14-13  
8 and IC 31-17-2.2, means an individual who has or is seeking:

9 (1) custody of a child, whether by court order or by paternity  
10 affidavit under IC 16-37-2; or

11 (2) parenting time with a child, whether by court order or by  
12 paternity affidavit under IC 16-37-2;

13 and intends to move the individual's principal residence. The term  
14 does not include an individual granted visitation rights under  
15 IC 31-17-5.

16 Sec. 209. "Relocation", for purposes of IC 31-14-13 and  
17 IC 31-17-2.2, means a change in the primary residence of an  
18 individual for a period of at least sixty (60) days.

19 Sec. 210. "Residence", for purposes of the Interstate Compact  
20 on Juveniles under IC 31-37-23-1, has the meaning set forth in  
21 IC 31-37-23-1.

22 Sec. 211. "Residence state", for purposes of the Interstate  
23 Compact on Adoption Assistance under IC 31-19-29, has the  
24 meaning set forth in IC 31-19-29-2.

25 Sec. 212. "Residential placement committee", for purposes of  
26 IC 31-25-2-23, means a committee that reviews the placement of  
27 youth in a child caring institution, a private secure facility, or a  
28 group home licensed by the department to ensure that the  
29 placement is in the least restrictive, most family like, and most  
30 appropriate setting available and close to the parent's home,  
31 consistent with the best interests and special needs of the child.

32 Sec. 213. "Respondent", for purposes of the Uniform Child  
33 Custody Jurisdiction Act under IC 31-21, has the meaning set forth  
34 in IC 31-21-2-18.

35 Sec. 214. "Responding state", for purposes of the Uniform  
36 Interstate Family Support Act under IC 31-18.5, has the meaning  
37 set forth in IC 31-18.5-1-2.

38 Sec. 215. "Responding tribunal", for purposes of the Uniform  
39 Interstate Family Support Act under IC 31-18.5, has the meaning  
40 set forth in IC 31-18.5-1-2.

41 Sec. 216. "Restorative justice services" has the meaning set  
42 forth in IC 31-37-8.5-1.

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1        **Sec. 217. "Risk and needs assessment tool"** means a validated  
 2 instrument approved by the judicial conference of Indiana for use  
 3 at appropriate stages in the juvenile justice system to identify  
 4 specific risk factors and needs shown to be statistically related to  
 5 a child's risk of reoffending, and that when properly addressed  
 6 may reduce a child's risk of reoffending.

7        **Sec. 218. "Risk screening tool"** means a validated screening  
 8 instrument approved by the judicial conference of Indiana that:

9            (1) measures a child's risk to reoffend; and

10          (2) is used to inform a child's eligibility to participate in  
 11 juvenile diversion and informal adjustment.

12        **Sec. 219. "Safe haven infant"**, for purposes of IC 31-34 and  
 13 IC 31-35, means a child:

14            (1) who is, or appears to be, not more than sixty (60) days of  
 15 age; and

16            (2) who has been voluntarily left:

17                  (A) by a parent with an emergency medical services  
 18 provider (as defined in IC 16-41-10-1); or

19                  (B) in a newborn safety device;

20            under IC 31-34-2.5-1.

21        **Sec. 220. "School"**, for purposes of section 71 of this chapter  
 22 and IC 31-39-2-13.8, means a:

23            (1) public school (including a charter school as defined in  
 24 IC 20-24-1-4); or

25            (2) nonpublic school (as defined in IC 20-18-2-12);

26 that must comply with the education records privacy provisions of  
 27 the federal Family Educational Rights and Privacy Act (20 U.S.C.  
 28 1232g) to be eligible to receive designated federal education  
 29 funding.

30        **Sec. 221. "Secure detention facility"**, for purposes of this title,  
 31 has the meaning set forth in IC 31-40-1-1.5.

32        **Sec. 222. "Secure facility"**, for purposes of the juvenile law,  
 33 means a place of residence, other than a shelter care facility, that  
 34 prohibits the departure of a child.

35        **Sec. 223. (a)** Except as provided in subsection (b), "secure  
 36 private facility", for purposes of the juvenile law, means the  
 37 following:

38            (1) A facility that is licensed under IC 31-27 to operate as a  
 39 secure private facility.

40            (2) A private facility that is licensed in another state to  
 41 provide residential care and treatment to one (1) or more  
 42 children in a secure facility other than a detention center,



- 1 prison, jail, or similar correctional facility.
- 2 (b) "Secure private facility", for purposes of IC 31-27, means
- 3 a secure private facility other than the following:
- 4 (1) A juvenile detention facility established under IC 31-31-8
- 5 or IC 31-31-9 (or IC 31-6-9-5 or IC 31-6-9.5 before their
- 6 repeal).
- 7 (2) A facility operated by the department of correction.
- 8 (3) A county jail.
- 9 (4) A detention center operated by a county sheriff.
- 10 Sec. 224. "Sending state", for purposes of the Interstate
- 11 Compact on Juveniles under IC 31-37-23-1, has the meaning set
- 12 forth in IC 31-37-23-1.
- 13 Sec. 225. "Services", for purposes of IC 31-40-1, has the
- 14 meaning set forth in IC 31-40-1-1.5.
- 15 Sec. 226. "Services or items", for purposes of IC 31-36-3, has
- 16 the meaning set forth in IC 31-36-3-1.
- 17 Sec. 227. (a) Except as provided in subsection (b), "shelter care
- 18 facility", for purposes of the juvenile law, means a place of
- 19 residence that:
- 20 (1) is licensed under the laws of any state; and
- 21 (2) is not locked to prevent a child's departure unless the
- 22 administrator determines that locking is necessary to protect
- 23 the child's health.
- 24 (b) "Shelter care facility", for purposes of IC 31-27-3 and
- 25 IC 31-27-5, means a child caring institution or group home that
- 26 provides temporary service twenty-four (24) hours a day for not
- 27 more than twenty (20) consecutive days to a child:
- 28 (1) who is admitted to a residential facility on an emergency
- 29 basis; and
- 30 (2) who is:
- 31 (A) receiving care and supervision under an order of a
- 32 juvenile court;
- 33 (B) voluntarily placed by the parent or guardian of the
- 34 child; or
- 35 (C) self-referred.
- 36 Sec. 228. (a) "Sibling", for purposes of IC 31-19, IC 31-28-5,
- 37 and IC 31-34 (except for IC 31-34-3-4.5), means a brother or sister
- 38 by blood, half-blood, or adoption.
- 39 (b) "Sibling", for purposes of IC 31-34-3-4.5, means:
- 40 (1) a brother or sister by blood, half-blood, or adoption; and
- 41 (2) any other individual who would be considered a sibling if
- 42 parental rights had not been terminated.



1       Sec. 229. "Spousal support order", for purposes of the  
2       Uniform Interstate Family Support Act under IC 31-18.5, has the  
3       meaning set forth in IC 31-18.5-1-2.

4       Sec. 230. (a) "State", for purposes of the Uniform Child  
5       Custody Jurisdiction Act under IC 31-21, has the meaning set forth  
6       in IC 31-21-2-19.

7       (b) "State", for purposes of the Uniform Interstate Family  
8       Support Act under IC 31-18.5, has the meaning set forth in  
9       IC 31-18.5-1-2.

10      (c) "State", for purposes of the Interstate Compact on  
11      Adoption Assistance under IC 31-19-29, has the meaning set forth  
12      in IC 31-19-29-2.

13      (d) "State", for purposes of the Interstate Compact on  
14      Juveniles under IC 31-37-23-1, has the meaning set forth in  
15      IC 31-37-23-1.

16      Sec. 231. "State department", for purposes of IC 31-19-5,  
17      refers to the Indiana department of health.

18      Sec. 232. "State registrar", for purposes of IC 31-19-18  
19      through IC 31-19-25.5, means the person who:

20          (1) is in charge of the division of the Indiana department of  
21          health that administers the system of vital records; and

22          (2) has charge of the files and records pertaining to vital  
23          records.

24      Sec. 233. "STEVE system", for purposes of IC 31-19-20,  
25      IC 31-19-25, and IC 31-19-25.5, refers to the State and Territorial  
26      Exchange of Vital Events Exchange System, administered by the  
27      National Association for Public Health Statistics and Information  
28      Systems.

29      Sec. 234. (a) "Substantially burden", for purposes of IC 31-42,  
30      means:

31          (1) constraining, inhibiting, curtailing, or denying the right  
32          of a parent, either directly or indirectly; or

33          (2) compelling any action contrary to the right of a parent;  
34      to direct the upbringing, religious instruction, education, or health  
35      care of the parent's child.

36      (b) The term includes the following:

37          (1) Withholding benefits.

38          (2) Assessing criminal, civil, or administrative penalties or  
39          damages.

40          (3) Exclusion from governmental programs.

41      Sec. 235. "Substantiated", when used in reference to a child  
42      abuse or neglect report made under IC 31-33, means a

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determination regarding the status of the report whenever facts obtained during an assessment of the report provide a preponderance of evidence that child abuse or neglect has occurred.

Sec. 236. "Successful adulthood services", for purposes of IC 31-25 and IC 31-28, means services for youth that are designed to assist youth who will age out of foster care with the skills and abilities necessary or desirable to be self-reliant, including housing and educational support, career exploration, vocational training, job placement and support, daily living skills, budgeting and financial management skills, substance abuse prevention, preventative health activities, and counseling.

Sec. 237. "Supervised independent living arrangement", for purposes of IC 31-28-5.8 and IC 31-34-21-7.5, means a living arrangement that provides housing for a youth that is not supervised on site, such as a dormitory, an apartment, or shared housing, and is not a foster home, host home, group home, child caring institution, or private secure facility.

Sec. 238. "Support enforcement agency", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 239. (a) "Support order", for purposes of IC 31-16-15 and IC 31-16-16, means any judgment, decree, or order of child support, including medical support, issued by a court, in Indiana or another state, that has jurisdiction over the support order. The term includes orders issued under IC 31-14 through IC 31-17.

(b) "Support order", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, has the meaning set forth in IC 31-18.5-1-2.

Sec. 240. "Surrogate", for purposes of IC 31-20, means a party to a surrogate agreement who agrees to bear or bears a child that is genetically related to:

- (1) the party who agrees to bear or bears the child and an intended biological parent;
- (2) an intended biological parent and a gamete donor who is not:
  - (A) an intended biological parent; and
  - (B) the spouse of the party who agrees to bear or bears the child; or
- (3) two (2) intended biological parents of the child.

Sec. 241. "Surrogate agreement", for purposes of IC 31-20, means an agreement that is entered into before the birth of a child



1 between a surrogate and one (1) or more parties and that is  
 2 intended by the parties at the time that the agreement is made to  
 3 induce the surrogate to relinquish care, custody, and control over  
 4 the child at birth to any of the following:

5 (1) An intended biological parent of the child.

6 (2) An intended biological parent of the child and another  
 7 person who is not:

8 (A) genetically related to the child; and

9 (B) the surrogate's spouse.

10 (3) Two (2) intended biological parents of the child.

11 Sec. 242. "Team", for purposes of IC 31-33-3, refers to a  
 12 community child protection team appointed under IC 31-33-3.

13 Sec. 243. "Therapeutic foster family home", for purposes of  
 14 IC 31-27, means a foster family home:

15 (1) that provides care to:

16 (A) a child; or

17 (B) an individual at least eighteen (18) but less than  
 18 twenty-one (21) years of age receiving collaborative care  
 19 under IC 31-28-5.8;

20 who has serious emotional disturbances, significant  
 21 behavioral health needs and functional impairments, or  
 22 developmental or physical disabilities;

23 (2) in which the child or individual receives treatment in a  
 24 family home through an integrated array of services  
 25 supervised and supported by qualified program staff from:

26 (A) the department of child services;

27 (B) a managed care provider that contracts with the  
 28 division of mental health and addiction; or

29 (C) a licensed child placing agency; and

30 (3) that meets the additional requirements of IC 31-27-4-2.

31 Sec. 244. "Title IV-D agency" means:

32 (1) the bureau of child support established in the department  
 33 of child services established by IC 31-25-3-1; or

34 (2) a designated agent of the department described in  
 35 IC 31-25-4-13.1.

36 Sec. 245. "Title IV-D case", for purposes of IC 31-16-15,  
 37 means a case arising under Title IV-D of the federal Social Security  
 38 Act (42 U.S.C. 651 through 669).

39 Sec. 246. "Transitional services plan", for purposes of  
 40 IC 31-25-2-21, IC 31-34-15, and IC 31-37-19, has the meaning set  
 41 forth in IC 31-25-2-21(a).

42 Sec. 247. "Tribe", for purposes of the Uniform Child Custody



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1 Jurisdiction Act under IC 31-21, has the meaning set forth in  
2 IC 31-21-2-20.

3 Sec. 248. "Tribunal", for purposes of the Uniform Interstate  
4 Family Support Act under IC 31-18.5, has the meaning set forth in  
5 IC 31-18.5-1-2.

6 Sec. 249. "Ultimate authority of the department" refers to the  
7 director or the director's designee under IC 31-25-2-11.5.

8 Sec. 250. "United States central authority", for purposes of the  
9 Uniform Interstate Family Support Act under IC 31-18.5, has the  
10 meaning set forth in IC 31-18.5-7-1.

11 Sec. 251. "Unlicensed kinship caregiver", for purposes of  
12 section 109 of this chapter, IC 31-32-2.5, IC 31-34-21-4.5, and  
13 IC 31-28-7, means a relative (as defined in section 207(c) of this  
14 chapter) who is:

15 (1) providing care and supervision to a child under a court  
16 order for purposes of placement in a child in need of services  
17 case or juvenile delinquency case; and

18 (2) not licensed as a foster parent under IC 31-27-4.

19 Sec. 252. "Unsubstantiated", for purposes of IC 31-33 and  
20 IC 31-39-8-4, means a determination regarding the status of a  
21 report made under IC 31-33 whenever facts obtained during an  
22 assessment of the report provide credible evidence that child abuse  
23 or neglect has not occurred.

24 Sec. 253. (a) "Victim of child abuse or neglect", for purposes  
25 of IC 31-32-11-1 and IC 31-33, refers to:

26 (1) a child as described in:

27 (A) IC 31-34-1-1 through IC 31-34-1-5;

28 (B) IC 31-34-1-10; or

29 (C) IC 31-34-1-11;

30 regardless of whether the child needs care, treatment,  
31 rehabilitation, or the coercive intervention of a court; or

32 (2) an individual who:

33 (A) is at least eighteen (18) years of age but less than  
34 twenty-one (21) years of age;

35 (B) resides, or has previously resided, at a residential  
36 facility licensed by the department; and

37 (C) is harmed or threatened with harm as a result of:

38 (i) a battery offense included in IC 35-42-2; or

39 (ii) sexual activity (as defined in IC 35-42-4-13(b));  
40 committed by a member of the staff at the residential  
41 facility.

42 (b) The term does not include a child who is alleged to be a

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1 victim of a sexual offense under IC 35-42-4-3 unless the alleged  
2 offense under IC 35-42-4-3 involves the fondling or touching of the  
3 buttocks, genitals, or female breasts.

4 Sec. 254. "Victim of human or sexual trafficking", for  
5 purposes of IC 31-34-1-3.5, refers to a child who is recruited,  
6 harbored, transported, or engaged in:

- 7 (1) forced labor;
- 8 (2) involuntary servitude;
- 9 (3) prostitution;
- 10 (4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;
- 11 (5) child exploitation, as defined in IC 35-42-4-4(b);
- 12 (6) marriage, unless authorized by a court under
- 13 IC 31-11-1-7;
- 14 (7) trafficking for the purpose of prostitution, juvenile
- 15 prostitution, or participation in sexual conduct as defined in
- 16 IC 35-42-4-4(a); or
- 17 (8) human trafficking as defined in IC 35-42-3.5-0.5.

18 Sec. 255. "Voluntary information", for purposes of  
19 IC 31-19-18, means the information transmitted to the state  
20 registrar as provided in IC 31-19-18-3.

21 Sec. 256. (a) "Wardship", for purposes of the juvenile law,  
22 means the responsibility for temporary care and custody of a child  
23 by transferring the rights and obligations from the child's parent,  
24 guardian, or custodian to the person granted wardship. Except to  
25 the extent a right or an obligation is specifically addressed in the  
26 court order establishing wardship, the rights and obligations of the  
27 person granted wardship include making decisions concerning the:

- 28 (1) physical custody of the child;
- 29 (2) care and supervision of the child;
- 30 (3) child's visitation with parents, relatives, or other
- 31 individuals; and
- 32 (4) medical care and treatment of the child.

33 (b) "Wardship" does not apply to requirements for consenting  
34 to an adoption under IC 31-19-9.

35 Sec. 257. (a) "Warrant", for purposes of IC 31-25-3 and  
36 IC 31-25-4, means an instrument that is:

- 37 (1) the equivalent of a money payment; and
- 38 (2) immediately convertible into cash by the payee for the
- 39 full face amount of the instrument.

40 (b) "Warrant", for purposes of the Uniform Child Custody  
41 Jurisdiction Act under IC 31-21, has the meaning set forth in  
42 IC 31-21-2-21.

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1       **Sec. 258. "Youth service bureau", for purposes of IC 31-26-1,**  
 2       **has the meaning set forth in IC 31-26-1-2.**

3       SECTION 162. IC 31-12-3-2 IS AMENDED TO READ AS  
 4       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The family relations  
 5       division may be administered by:

- 6           (1) the community mental health center;
- 7           (2) a managed care provider (as defined in ~~IC 12-7-2-127(b)~~);
- 8           **IC 12-7-2.1-219**); or
- 9           (3) any other person approved by the court.

10       SECTION 163. IC 31-15-7-4 IS AMENDED TO READ AS  
 11       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) In an action for  
 12       dissolution of marriage under IC 31-15-2-2, the court shall divide the  
 13       property of the parties, whether:

- 14           (1) owned by either spouse before the marriage;
- 15           (2) acquired by either spouse in his or her own right:
  - 16               (A) after the marriage; and
  - 17               (B) before final separation of the parties; or
- 18           (3) acquired by their joint efforts.

19       (b) The court shall divide the property in a just and reasonable  
 20       manner by:

- 21           (1) division of the property in kind;
- 22           (2) setting the property or parts of the property over to one (1) of
- 23           the spouses and requiring either spouse to pay an amount, either
- 24           in gross or in installments, that is just and proper;
- 25           (3) ordering the sale of the property under such conditions as the
- 26           court prescribes and dividing the proceeds of the sale; or
- 27           (4) ordering the distribution of benefits described in
- 28           ~~IC 31-9-2-98(b)(2)~~ IC 31-9-2.1-190(b)(2) or ~~IC 31-9-2-98(b)(3)~~
- 29           IC 31-9-2.1-190(b)(3) that are payable after the dissolution of
- 30           marriage, by setting aside to either of the parties a percentage of
- 31           those payments either by assignment or in kind at the time of
- 32           receipt.

33       SECTION 164. IC 31-18.5-1-2, AS ADDED BY P.L.206-2015,  
 34       SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35       JULY 1, 2026]: Sec. 2. In this article:

- 36           (1) "Child" means an individual, whether over or under the age
- 37           of majority, who is or is alleged to be owed a duty of support by
- 38           the individual's parent or who is or is alleged to be the
- 39           beneficiary of a support order directed to the parent.
- 40           (2) "Child support order" means a support order for a child,
- 41           including a child who has attained the age of majority under the
- 42           law of the issuing state or foreign country.

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- 1 (3) "Convention" means the Convention on the International  
 2 Recovery of Child Support and Other Forms of Family  
 3 Maintenance, concluded at The Hague on November 23, 2007.  
 4 (4) "Duty of support" means an obligation imposed or imposable  
 5 by law to provide support for a:  
 6 (A) child;  
 7 (B) spouse; or  
 8 (C) former spouse;  
 9 including an unsatisfied obligation to provide support.  
 10 (5) "Foreign country" means a country, including a political  
 11 subdivision thereof, other than the United States, that authorizes  
 12 the issuance of support orders and:  
 13 (A) which has been declared under the law of the United  
 14 States to be a foreign reciprocating country;  
 15 (B) which has established a reciprocal arrangement for  
 16 child support with Indiana as provided in IC 31-18.5-3-8;  
 17 (C) which has enacted a law or established procedures for  
 18 the issuance and enforcement of support orders which are  
 19 substantially similar to the procedures under this article; or  
 20 (D) in which the Convention is in force with respect to the  
 21 United States.  
 22 (6) "Foreign support order" means a support order of a foreign  
 23 tribunal.  
 24 (7) "Foreign tribunal" means a court, administrative agency, or  
 25 quasi-judicial entity of a foreign country which is authorized to:  
 26 (A) establish, enforce, or modify support orders; or  
 27 (B) determine parentage of a child.  
 28 The term includes a competent authority under the Convention.  
 29 (8) "Home state" means:  
 30 (A) the state or foreign country in which a child lived with  
 31 a parent or a person acting as parent for at least six (6)  
 32 consecutive months immediately preceding the time of  
 33 filing of a petition or comparable pleading for support; and  
 34 (B) if a child is less than six (6) months old, the state or  
 35 foreign country in which the child lived from birth with any  
 36 parent or person acting as parent.  
 37 A period of temporary absence of any parent or person acting as  
 38 parent is counted as part of the six (6) month or other period.  
 39 (9) "Income" includes earnings or other periodic entitlements to  
 40 money from any source and any other property subject to  
 41 withholding for support under Indiana law.  
 42 (10) "Income withholding order" means an order or other legal

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process directed to an obligor's income payor (as defined in ~~IC 31-9-2-57~~ IC 31-9-2.1-127) or other debtor to withhold support from the income of the obligor.

(11) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(12) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(13) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(15) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(16) "Obligee" means:

(A) an individual to whom a duty of support is or is alleged to be owed or in whose favor:

(i) a support order; or

(ii) a judgment determining parentage of a child; has been issued;

(B) a foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) an individual seeking a judgment determining parentage of the individual's child; or

(D) a person that is a creditor in a proceeding under IC 31-18.5-7.

(17) "Obligor" means an individual or the estate of a decedent that:

(A) owes or is alleged to owe a duty of support;

(B) is alleged but has not been adjudicated to be a parent of a child;

(C) is liable under a support order; or

(D) is a debtor in a proceeding under IC 31-18.5-7.

(18) "Outside this state" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

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- 1 (19) "Person" means:  
 2 (A) an individual;  
 3 (B) a corporation;  
 4 (C) a business trust;  
 5 (D) an estate;  
 6 (E) a trust;  
 7 (F) a partnership;  
 8 (G) a limited liability company;  
 9 (H) an association;  
 10 (I) a joint venture;  
 11 (J) a public corporation;  
 12 (K) a government;  
 13 (L) a governmental subdivision, agency, or instrumentality;  
 14 or  
 15 (M) any other legal or commercial entity.  
 16 (20) "Record" means information that is inscribed on a tangible  
 17 medium or that is stored in an electronic or other medium and is  
 18 retrievable in perceivable form.  
 19 (21) "Register" means to file in an Indiana tribunal a support  
 20 order or judgment determining parentage of a child issued in  
 21 another state or a foreign country.  
 22 (22) "Registering tribunal" means a tribunal in which a support  
 23 order or judgment determining parentage of a child is registered.  
 24 (23) "Responding state" means a state in which a petition or  
 25 comparable pleading for support or to determine parentage of a  
 26 child is filed or to which a petition or comparable pleading is  
 27 forwarded for filing from another state or a foreign country.  
 28 (24) "Responding tribunal" means the authorized tribunal in a  
 29 responding state or foreign country.  
 30 (25) "Spousal support order" means a support order for a spouse  
 31 or former spouse of the obligor.  
 32 (26) "State" means:  
 33 (A) a state of the United States;  
 34 (B) the District of Columbia;  
 35 (C) Puerto Rico;  
 36 (D) the United States Virgin Islands; or  
 37 (E) any territory or insular possession under the jurisdiction  
 38 of the United States.  
 39 The term includes an Indian nation or tribe.  
 40 (27) "Support enforcement agency" means a public official,  
 41 governmental entity, or private agency authorized to:  
 42 (A) seek enforcement of support orders or laws relating to

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- 1 the duty of support;  
 2 (B) seek establishment or modification of child support;  
 3 (C) request determination of parentage of a child;  
 4 (D) attempt to locate obligors or their assets; or  
 5 (E) request determination of the controlling child support  
 6 order.
- 7 (28) "Support order" means a judgment, decree, order, or  
 8 directive, whether:  
 9 (A) temporary;  
 10 (B) final; or  
 11 (C) subject to modification;  
 12 issued in a state or foreign country for the benefit of a child, a  
 13 spouse, or a former spouse, which provides for monetary  
 14 support, health care, arrearages, retroactive support, or  
 15 reimbursement for financial assistance provided to an individual  
 16 obligee in place of child support. The term may include related  
 17 costs and fees, interest, income withholding, automatic  
 18 adjustment, reasonable attorney's fees, and other relief.
- 19 (29) "Tribunal" means a court, administrative agency, or  
 20 quasi-judicial entity authorized to establish, enforce, or modify  
 21 support orders or to determine parentage of a child.
- 22 SECTION 165. IC 31-18.5-1-3, AS ADDED BY P.L.206-2015,  
 23 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2026]: Sec. 3. (a) The court is the tribunal of Indiana.  
 25 (b) The Title IV-D agency (as defined in ~~IC 31-9-2-130~~  
 26 IC 31-9-2.1-244) is the support enforcement agency of Indiana.
- 27 SECTION 166. IC 31-18.5-5-1, AS ADDED BY P.L.206-2015,  
 28 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2026]: Sec. 1. An income withholding order issued in another  
 30 state may be sent by or on behalf of the obligee, or by the support  
 31 enforcement agency, to the person defined as the obligor's income  
 32 payor under ~~IC 31-9-2-57~~ IC 31-9-2.1-127 without first filing a petition  
 33 or comparable pleading or registering the order with an Indiana  
 34 tribunal.
- 35 SECTION 167. IC 31-19-2-7.5, AS AMENDED BY  
 36 P.L.183-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) This section does not apply  
 38 to a petitioner for adoption who provides the licensed child placing  
 39 agency or the local office with the results of a criminal history check  
 40 conducted:  
 41 (1) in accordance with ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58; and  
 42 (2) not more than one (1) year before the date on which the

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1 petition is filed.

2 (b) Every petitioner for adoption shall submit the necessary  
3 information, forms, or consents for:

4 (1) a licensed child placing agency; or

5 (2) the local office;

6 that conducts the inspection and investigation required for adoption of  
7 a child under IC 31-19-8-5 to conduct a criminal history check (as  
8 defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) of the petitioner as part of  
9 its investigation.

10 (c) Except as provided in subsection (d), the petitioner for  
11 adoption shall pay the fees and other costs of the criminal history check  
12 required under this section.

13 (d) If the petitioner for adoption seeks to adopt a child who is  
14 under the care and supervision of the department at the time of or any  
15 time after the filing of the petition for adoption, the department may  
16 pay the fees and other costs of the criminal history check required  
17 under this section.

18 SECTION 168. IC 31-19-2-12, AS AMENDED BY P.L.128-2012,  
19 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2026]: Sec. 12. As soon as a petition for adoption is found to  
21 be in proper form, the clerk of the court shall forward one (1) copy of  
22 the petition for adoption to a licensed child placing agency as described  
23 in ~~IC 31-9-2-17.5~~ IC 31-9-2.1-46, with preference to be given to the  
24 agency, if any, sponsoring the adoption, as shown by the petition for  
25 adoption.

26 SECTION 169. IC 31-19-7-1, AS AMENDED BY P.L.128-2012,  
27 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2026]: Sec. 1. (a) A child may not be placed in a proposed  
29 adoptive home without the prior written approval of a licensed child  
30 placing agency or the local office approved for that purpose by the  
31 department.

32 (b) Except as provided in subsection (d), before giving prior  
33 written approval for placement in a proposed adoptive home of a child,  
34 a licensed child placing agency or the department of child services  
35 shall conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~  
36 IC 31-9-2.1-58) concerning the proposed adoptive parent and any other  
37 person who is currently residing in the proposed adoptive home.

38 (c) The prospective adoptive parent shall pay the fees and other  
39 costs of the criminal history check required under this section.

40 (d) A licensed child placing agency or the department of child  
41 services is not required to conduct a criminal history check (as defined  
42 in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) if a prospective adoptive parent

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provides the licensed child placing agency or the local office with the results of a criminal history check conducted:

- (1) in accordance with ~~IC 31-9-2-22.5~~; IC 31-9-2.1-58; and
- (2) not more than one (1) year before the date on which the licensed child placing agency or the local office provides written approval for the placement.

SECTION 170. IC 31-19-11-1, AS AMENDED BY P.L.56-2023, SECTION 282, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Whenever the court has heard the evidence and finds that:

- (1) the adoption requested is in the best interest of the child;
- (2) the petitioner or petitioners for adoption are of sufficient ability to rear the child and furnish suitable support and education;
- (3) the report of the investigation and recommendation under IC 31-19-8-5 has been filed;
- (4) the attorney or agency arranging an adoption has filed with the court an affidavit prepared by the Indiana department of health under IC 31-19-5-16 indicating whether a man is entitled to notice of the adoption because the man has registered with the putative father registry in accordance with IC 31-19-5;
- (5) proper notice arising under subdivision (4), if notice is necessary, of the adoption has been given;
- (6) the attorney or agency has filed with the court an affidavit prepared by the Indiana department of health under:
  - (A) IC 31-19-6 indicating whether a record of a paternity determination; or
  - (B) IC 16-37-2-2(g) indicating whether a paternity affidavit executed under IC 16-37-2-2.1;
- has been filed in relation to the child;
- (7) proper consent, if consent is necessary, to the adoption has been given;
- (8) the petitioner for adoption is not prohibited from adopting the child as the result of an inappropriate criminal history described in subsection (c) or (d); and
- (9) the person, licensed child placing agency, or local office that has placed the child for adoption has provided the documents and other information required under IC 31-19-17 to the prospective adoptive parents;

the court shall grant the petition for adoption and enter an adoption decree.

- (b) A court may not grant an adoption unless the Indiana

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department of health's affidavit under IC 31-19-5-16 is filed with the court as provided under subsection (a)(4).

(c) A juvenile adjudication for an act listed in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that would be a felony if committed by an adult, a conviction of a misdemeanor related to the health and safety of a child, or a conviction of a felony not listed in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 by a petitioner for adoption or household member is a permissible basis for the court to deny the petition for adoption. In addition, the court may not grant an adoption if a petitioner for adoption has been convicted of a nonwaivable offense under ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. However, the court is not prohibited from granting an adoption based upon a felony conviction for:

- (1) a felony under IC 9-30-5;
- (2) battery (IC 35-42-2-1);
- (3) criminal recklessness (IC 35-42-2-2) as a felony;
- (4) criminal confinement (IC 35-42-3-3);
- (5) arson (IC 35-43-1-1);
- (6) nonsupport of a dependent child (IC 35-46-1-5);
- (7) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;
- (8) a felony involving a weapon under IC 35-47; or
- (9) a felony relating to controlled substances under IC 35-48-4;

if the date of the conviction did not occur within the immediately preceding five (5) year period.

(d) A court may not grant an adoption if the petitioner is a sex or violent offender (as defined in IC 11-8-8-5) or a sexually violent predator (as defined in IC 35-38-1-7.5).

(e) In addition to this section, section 1.1 of this chapter applies when one (1) or more petitioners is a person with a disability.

SECTION 171. IC 31-25-2-23, AS AMENDED BY P.L.123-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) The department shall establish a permanency roundtable (as defined in ~~IC 31-9-2-88.7~~ IC 31-9-2.1-176). The permanency roundtable shall review:

- (1) a child's permanency plan under IC 31-34-21-5.7 if the child is placed in a child caring institution, group home, or private secure facility; and
- (2) a child's permanency plan under IC 31-37-20-3 if the child is placed in a child caring institution, group home, or private secure facility;

and make recommendations to the court.

(b) The department shall establish a residential placement

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committee (as defined in ~~IC 31-9-2-109.5~~). IC 31-9-2.1-212). The residential placement committee shall, before a case plan is approved by the local office or court, review:

- (1) a child's placement in a child caring institution, group home, or private secure facility under IC 31-34-15-2; and
- (2) a child's placement in a child caring institution, group home, or private secure facility under IC 31-37-19-1.5 if the placement is contrary to the department's recommendation under IC 31-37-17-1.4;

and make recommendations to the court.

SECTION 172. IC 31-26-5-3, AS AMENDED BY P.L.186-2025, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Family preservation services may provide:

- (1) comprehensive, coordinated, flexible, and accessible services;
- (2) intervention as early as possible with emphasis on establishing a safe and nurturing environment;
- (3) services to families who have members placed in care settings outside the nuclear family; and
- (4) planning options for temporary placement outside the family if it would endanger the child to remain in the home.

(b) Unless authorized by a juvenile court, family preservation services may not include a temporary out-of-home placement if a person who is currently residing in the location designated as the out-of-home placement has committed an act resulting in a substantiated report of child abuse or neglect or has a juvenile adjudication or a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~. IC 31-9-2.1-168.

(c) Before placing a child at imminent risk of placement in a temporary out-of-home placement, the department shall conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~) IC 31-9-2.1-58) for each person described in subsection (b). However, the department is not required to conduct a criminal history check under this section if the temporary out-of-home placement is made to an entity or facility that is not a residence (as defined in IC 3-5-2.1-90) or that is licensed by the state.

SECTION 173. IC 31-27-2-1, AS AMENDED BY P.L.128-2012, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The department shall perform the following duties:

- (1) Administer the licensing and monitoring of child caring

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institutions, foster family homes, group homes, and child placing agencies in accordance with this article.

(2) Ensure that a criminal history check of an applicant is conducted under ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58 before issuing a license.

(3) Provide for the issuance, denial, and revocation of licenses.

(4) Cooperate with governing bodies of child caring institutions, foster family homes, group homes, and child placing agencies and their staffs to improve standards of child care.

(5) Prepare at least biannually a directory of licensees, except for foster family homes, with a description of the program capacity and type of children served that will be distributed to the legislature, licensees, and other interested parties as a public document.

(6) Deposit all license application fees collected under section 2 of this chapter in the department of child services child care fund established by IC 31-25-2-16.

SECTION 174. IC 31-27-2-8, AS AMENDED BY P.L.183-2017, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (f), the department may grant a variance or waiver of a rule governing child caring institutions, foster family homes, group homes, or child placing agencies. A variance or waiver granted under this section must promote statewide practices and must protect the rights of persons affected by this article.

(b) The department may grant a variance to a rule if an applicant for a license or a licensee under this article does the following:

(1) Submits to the department a written request for the variance in the form and manner specified by the department.

(2) Documents that compliance with an alternative method of compliance approved by the department will not be adverse to the health, safety, or welfare of a child receiving services from the applicant for the variance, as determined by the department.

(c) A variance granted under subsection (b) must be conditioned upon compliance with the alternative method approved by the department. Noncompliance constitutes the violation of a rule of the department and may be the basis for revoking the variance.

(d) The department may grant a waiver of a rule if an applicant for a license or a licensee under this article does the following:

(1) Submits to the department a written request for the waiver in the form and manner specified by the department.

(2) Documents that compliance with the rule specified in the

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1 application for the waiver will create an undue hardship on the  
2 applicant for the waiver, as determined by the department.

3 (3) Documents that the applicant for the waiver will be in  
4 substantial compliance with the rules adopted by the department  
5 after the waiver is granted, as determined by the department.

6 (4) Documents that noncompliance with the rule specified in the  
7 application for a waiver will not be adverse to the health, safety,  
8 or welfare of a child receiving services from the applicant for the  
9 waiver, as determined by the department.

10 (e) Except for a variance or waiver of a rule governing foster  
11 family homes, a variance or waiver of a rule under this section that  
12 conflicts with a building rule or fire safety rule adopted by the fire  
13 prevention and building safety commission is not effective until the  
14 variance or waiver is approved by the fire prevention and building  
15 safety commission.

16 (f) A waiver may not be granted for an applicant who has been  
17 convicted of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8.~~  
18 ~~IC 31-9-2.1-168.~~

19 SECTION 175. IC 31-27-3-3, AS AMENDED BY P.L.81-2025,  
20 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2026]: Sec. 3. (a) An applicant must apply for a child caring  
22 institution license on forms provided by the department.

23 (b) An applicant must submit the required information as part of  
24 the application.

25 (c) The applicant must submit with the application a statement  
26 attesting the following:

27 (1) Whether the applicant has been convicted of:

28 (A) a felony; or

29 (B) a misdemeanor relating to the health and safety of  
30 children.

31 (2) Whether the applicant has been charged with:

32 (A) a felony; or

33 (B) a misdemeanor relating to the health and safety of  
34 children;

35 during the pendency of the application.

36 (d) The department, on behalf of an applicant, or, at the discretion  
37 of the department, an applicant, shall conduct a criminal history check  
38 of the following:

39 (1) Each individual who is an applicant.

40 (2) The director or manager of a facility where children will be  
41 placed.

42 (3) Each employee or volunteer of the applicant.

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- 1 (4) Each contractor or individual working in the child caring  
 2 institution who is likely to have unsupervised contact with  
 3 children in the child caring institution.
- 4 (e) If the applicant conducts a criminal history check under  
 5 subsection (d), the applicant shall:
- 6 (1) maintain records of the information it receives concerning  
 7 each individual who is the subject of a criminal history check;  
 8 and  
 9 (2) submit to the department a copy of the information it receives  
 10 concerning each person described in subsection (d)(1) through  
 11 (d)(4).
- 12 (f) If the department conducts a criminal history check on behalf  
 13 of an applicant under subsection (d), the department shall:
- 14 (1) determine whether the subject of a national fingerprint based  
 15 criminal history check has a record of:
- 16 (A) a conviction for a felony;  
 17 (B) a conviction for a misdemeanor relating to the health  
 18 and safety of a child; or  
 19 (C) a juvenile adjudication for a nonwaivable offense, as  
 20 defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
 21 committed by an adult, would be a felony;
- 22 (2) notify the applicant of the determination under subdivision  
 23 (1) without identifying a specific offense or other identifying  
 24 information concerning a conviction or juvenile adjudication  
 25 contained in the national criminal history record information;
- 26 (3) submit to the applicant a copy of any state limited criminal  
 27 history report that the department receives on behalf of any  
 28 person described in subsection (d); and
- 29 (4) maintain a record of every report and all information the  
 30 department receives concerning a person described in subsection  
 31 (d).
- 32 (g) Except as provided in subsection (h), a criminal history check  
 33 described in subsection (d) is required only at the time an application  
 34 for a new license or the renewal of an existing license is submitted.
- 35 (h) Except as provided in subsection (i), a criminal history check  
 36 of each person described in subsection (d)(2), (d)(3), or (d)(4) must be  
 37 completed on or before the date the person:
- 38 (1) is employed;  
 39 (2) is assigned as a volunteer; or  
 40 (3) enters into, or the person's employing entity enters into, a  
 41 contract with the applicant.
- 42 (i) An individual may be employed by a child caring institution as

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an employee, volunteer, or contractor before a criminal history check of the individual is completed as required under subsection (h) if all of the following conditions are satisfied:

(1) The following checks have been completed regarding the individual:

(A) A fingerprint based check of national crime information data bases under ~~IC 31-9-2-22.5(1)~~, IC 31-9-2.1-58(1).

(B) A national sex offender registry check under ~~IC 31-9-2-22.5(3)~~, IC 31-9-2.1-58(3).

(C) An in-state local criminal records check under ~~IC 31-9-2-22.5(4)~~, IC 31-9-2.1-58(4).

(D) An in-state child protection index check under IC 31-33-26.

(2) If the individual has resided outside Indiana at any time during the five (5) years preceding the individual's date of hiring by the child caring institution, the following checks have been requested regarding the individual:

(A) An out-of-state child abuse registry check under ~~IC 31-9-2-22.5(2)~~, IC 31-9-2.1-58(2).

(B) An out-of-state local criminal records check under ~~IC 31-9-2-22.5(4)~~, IC 31-9-2.1-58(4).

(3) The individual's employment before the completion of the criminal history check required under subsection (h) is limited to training during which the individual:

(A) does not have contact with children who are under the care and control of the child caring institution; and

(B) does not have access to records containing information regarding children who are under the care and control of the child caring institution.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation.

(j) The applicant or facility is responsible for any fees associated with a criminal history check.

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(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective services investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 176. IC 31-27-3-5, AS AMENDED BY P.L.243-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The following constitute sufficient grounds for a denial of a license application:

(1) A determination by the department of child abuse or neglect by:

(A) the applicant; or

(B) an employee, volunteer, or contractor of the applicant.

(2) A criminal conviction of the applicant, or the director or manager of a facility where children will be placed by the applicant, of:

(A) a felony;

(B) a misdemeanor related to the health and safety of a child;

(C) a misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal); or

(D) a misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.

(3) A determination by the department that the applicant made false statements in the applicant's application for licensure.

(4) A determination by the department that the applicant made false statements in the records required by the department.

(5) A determination by the department that:

(A) the applicant; or

(B) an employee, volunteer, or contractor of the applicant; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

(6) A juvenile adjudication of the applicant for a nonwaivable

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- 1 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
 2 committed by an adult, would be a felony.
- 3 (b) An application for a license may also be denied if an employee,  
 4 volunteer, or contractor of the applicant has had any of the following:
- 5 (1) A conviction of a nonwaivable offense, as defined in  
 6 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
- 7 (2) A conviction of any other felony or a misdemeanor relating  
 8 to the health and safety of a child, unless the applicant is granted  
 9 a waiver by the department with regard to the employee,  
 10 volunteer, or contractor.
- 11 (3) A juvenile adjudication for a nonwaivable offense, as defined  
 12 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,  
 13 would be a felony, unless the applicant is granted a waiver by the  
 14 department with regard to the employee, volunteer, or contractor.
- 15 (c) In determining whether to grant a waiver under subsection (b),  
 16 the department shall consider the following factors:
- 17 (1) The length of time that has passed since the disqualifying  
 18 conviction.
- 19 (2) The severity, nature, and circumstances of the offense.
- 20 (3) Evidence of rehabilitation.
- 21 (4) The duties and qualifications required for the proposed  
 22 employment positions, volunteer assignment, or contract.
- 23 (d) Notwithstanding subsection (a) or (b), if:
- 24 (1) a license application could be denied due to a criminal  
 25 conviction of, or a determination of child abuse or neglect by, an  
 26 employee, volunteer, or contractor of the applicant; and  
 27 (2) the department determines that the employee, volunteer, or  
 28 contractor has been dismissed by the applicant within a  
 29 reasonable time after the applicant became aware of the  
 30 conviction or determination;
- 31 the criminal conviction of, or determination of child abuse or neglect  
 32 by, the former employee, former volunteer, or former contractor does  
 33 not constitute a sufficient basis for the denial of a license application.
- 34 (e) The department may adopt rules to implement this section.
- 35 SECTION 177. IC 31-27-3-31, AS AMENDED BY P.L.243-2019,  
 36 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2026]: Sec. 31. (a) The following constitute sufficient grounds  
 38 for revocation of a license:
- 39 (1) A determination by the department of child abuse or neglect  
 40 by:
- 41 (A) the licensee; or  
 42 (B) an employee, volunteer, or contractor of the licensee.

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(2) A criminal conviction of the licensee, or the director or manager of a facility where children will be placed by the licensee, of any of the following:

(A) A felony.

(B) A misdemeanor related to the health or safety of a child.

(C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal).

(D) A misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.

(3) A determination by the department that the licensee made false statements in the licensee's application for licensure.

(4) A determination by the department that the licensee made false statements in the records required by the department.

(5) A determination by the department that:

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

(6) A juvenile adjudication of a licensee for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony.

(b) A license may also be revoked if an employee, volunteer, or contractor of the licensee has had any of the following:

(1) A conviction of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(3) A juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

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- 1 (4) The duties and qualifications required for the proposed  
 2 employment positions, volunteer assignment, or contract.  
 3 (d) Notwithstanding subsection (a) or (b), if:  
 4 (1) a license could be revoked due to a criminal conviction of, or  
 5 a determination of child abuse or neglect by, an employee,  
 6 volunteer, or contractor of the licensee; and  
 7 (2) the department determines that the employee, volunteer, or  
 8 contractor has been dismissed by the licensee within a  
 9 reasonable time after the licensee became aware of the  
 10 conviction or determination;  
 11 the criminal conviction of, or determination of child abuse or neglect  
 12 by, the former employee, former volunteer, or former contractor does  
 13 not constitute a sufficient basis for the revocation of a license.  
 14 (e) The department may adopt rules to implement this section.  
 15 SECTION 178. IC 31-27-4-5, AS AMENDED BY P.L.183-2017,  
 16 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2026]: Sec. 5. (a) An applicant must apply for a foster family  
 18 home license on forms provided by the department.  
 19 (b) An applicant must submit the required information as part of  
 20 the application.  
 21 (c) An applicant must submit with the application a statement  
 22 attesting the following:  
 23 (1) Whether the applicant has been convicted of:  
 24 (A) a felony; or  
 25 (B) a misdemeanor relating to the health and safety of  
 26 children.  
 27 (2) Whether the applicant has been charged with:  
 28 (A) a felony; or  
 29 (B) a misdemeanor relating to the health and safety of  
 30 children;  
 31 during the pendency of the application.  
 32 (d) An applicant shall submit the necessary information, forms, or  
 33 consents for the department to conduct a criminal history check for  
 34 each individual who is an applicant.  
 35 (e) The department or, at the discretion of the department, an  
 36 applicant, shall conduct a criminal history check of:  
 37 (1) the applicant's employees and volunteers who have or will  
 38 have direct contact, on a regular and continuing basis, with  
 39 children who are or will be under the direct supervision of the  
 40 applicant; and  
 41 (2) all household members.  
 42 (f) If the applicant conducts criminal history checks under

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subsection (e), the applicant shall maintain records of the information received concerning each individual subject of a criminal history check.

(g) If the department conducts a criminal history check on behalf of an applicant under subsection (e), the department shall:

(1) make a determination whether the subject of a national fingerprint based criminal history check has a record of:

(A) a conviction for a felony;

(B) a conviction for a misdemeanor relating to the health and safety of a child; or

(C) a juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony;

(2) notify the applicant of the determination under subdivision

(1) without identifying a specific offense or other identifying information concerning a conviction or juvenile adjudication contained in the national criminal history record information;

(3) submit to the applicant a copy of any state limited criminal history report that the department receives on behalf of any person described in subsection (e); and

(4) maintain a record of every report and all information the department receives concerning a person described in subsection (e).

(h) Except as provided in subsection (i), a criminal history check described in subsection (e) is required only at the time an application for a new license or the renewal of an existing license is submitted.

(i) A criminal history check concerning a person described in subsection (e) must be completed on or before the date the employee or volunteer has direct contact on a regular and continuing basis with a child placed in the home or the person first becomes a resident of the applicant's household as described in subsection (e)(2).

(j) The applicant is responsible for any fees associated with a criminal history check.

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police

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department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 179. IC 31-27-4-6, AS AMENDED BY P.L.45-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The following constitute sufficient grounds for a denial of a license application:

(1) A determination by the department of child abuse or neglect by:

(A) the applicant;

(B) an employee or a volunteer of the applicant who has direct contact, on a regular and continuous basis, with children who are under the direct supervision of the applicant; or

(C) a person residing in the applicant's residence.

(2) A criminal conviction of the applicant of any of the following:

(A) a felony;

(B) a misdemeanor related to the health and safety of a child;

(C) a misdemeanor for operating a child care center or child care home without a license under IC 12-17.2-5; or

(D) a misdemeanor for operating a foster family home without a license under this chapter (or IC 12-17.4-4 before its repeal).

(3) A determination by the department that the applicant made false statements in the applicant's application for licensure.

(4) A determination by the department that the applicant made false statements in the records required by the department.

(5) A determination by the department that:

(A) the applicant;

(B) an employee or a volunteer of the applicant who has direct contact, on a regular and continuous basis, with children who are under the direct supervision of the applicant; or

(C) a person residing in the applicant's residence;

previously operated a child care center or child care home without a license under IC 12-17.2-5 or a foster family home without a license under this chapter (or IC 12-17.4-4 before its repeal).

(6) A juvenile adjudication of the applicant for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony.

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(b) An application for a license may also be denied if an individual who resides in the residence of the applicant or an employee or volunteer of the applicant who has direct contact on a regular and continuous basis with children who are under the direct supervision of the applicant has had any of the following:

(1) A conviction of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the applicant is granted a waiver by the department to employ or assign the person as a volunteer in a position described in this subsection or to permit the individual to reside in the applicant's residence.

(3) A juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony, unless the applicant is granted a waiver by the department to:

(A) employ or assign the person as a volunteer in a position described in this subsection; or

(B) permit the individual to reside in the applicant's residence.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions or volunteer assignment.

(5) The nature and extent of unsupervised contact with children residing in the home.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, a volunteer, or a person residing in the residence of the applicant; and

(2) the department determines that the employee or volunteer has been dismissed before the employee or volunteer has direct contact on a regular and continuing basis with a child who is or will be placed in a facility operated by the applicant or that the person residing in the residence no longer resides there;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former household

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1 resident does not constitute a sufficient basis for the denial of a license  
2 application.

3 (e) The following do not constitute a sufficient basis for the denial  
4 of a license application:

5 (1) The applicant's immunization status or refusal to receive an  
6 immunization.

7 (2) The immunization status of or refusal to receive an  
8 immunization by:

9 (A) an individual who resides in the applicant's residence;  
10 or

11 (B) an employee or volunteer of the applicant who has  
12 direct contact on a regular and continuous basis with  
13 children who are under the direct supervision of the  
14 applicant.

15 (f) Nothing in this section prohibits a licensed child placing  
16 agency from making placement decisions based on the individual needs  
17 of a medically fragile child or on biological parental preferences.

18 (g) The department may adopt rules to implement this section.

19 SECTION 180. IC 31-27-4-13, AS AMENDED BY P.L.183-2017,  
20 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2026]: Sec. 13. (a) The department shall deny a license when  
22 an applicant fails to meet the requirements for a license. The  
23 department shall deny a license to an applicant who has been convicted  
24 of a nonwaivable offense (as defined in ~~IC 31-9-2-84.8~~).  
25 IC 31-9-2.1-168).

26 (b) The department may deny a license to an applicant who:

27 (1) has been convicted of a felony that is not described in  
28 subsection (a); or

29 (2) has had a juvenile adjudication for an act described in  
30 subsection (a) that, if committed by an adult, would be a felony.

31 (c) The department shall send written notice by certified mail that  
32 the application has been denied and give the reasons for the denial.

33 (d) An administrative hearing concerning the denial of a license  
34 shall be provided upon written request by the applicant. The request  
35 must be made not more than thirty (30) days after receiving the written  
36 notice under subsection (c).

37 (e) An administrative hearing shall be held in accordance with  
38 IC 4-21.5-3.

39 SECTION 181. IC 31-27-4-32, AS AMENDED BY P.L.183-2017,  
40 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2026]: Sec. 32. (a) The following constitute sufficient grounds  
42 for revocation of a license:



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- 1 (1) A determination by the department of child abuse or neglect
- 2 by:
- 3 (A) the licensee;
- 4 (B) an employee or a volunteer of the licensee who has
- 5 direct contact, on a regular and continuous basis, with
- 6 children who are under the direct supervision of the
- 7 licensee; or
- 8 (C) a person who is residing in the home of the licensee.
- 9 (2) A criminal conviction of the licensee for any of the
- 10 following:
- 11 (A) A felony.
- 12 (B) A misdemeanor related to the health or safety of a child.
- 13 (C) A misdemeanor for operating a child care center or
- 14 child care home without a license under IC 12-17.2-5.
- 15 (D) A misdemeanor for operating a foster family home
- 16 without a license under this chapter (or IC 12-17.4-4 before
- 17 its repeal).
- 18 (3) A determination by the department that the licensee made
- 19 false statements in the licensee's application for licensure.
- 20 (4) A determination by the department that the licensee made
- 21 false statements in the records required by the department.
- 22 (5) A determination by the department that:
- 23 (A) the licensee;
- 24 (B) an employee or a volunteer of the licensee who has
- 25 direct contact, on a regular and continuous basis, with
- 26 children who are under the direct supervision of the
- 27 licensee; or
- 28 (C) a person residing in the licensee's residence;
- 29 previously operated a child care center or child care home
- 30 without a license under IC 12-17.2-5 or a foster family home
- 31 without a license under this chapter (or IC 12-17.4-4 before its
- 32 repeal).
- 33 (6) A juvenile adjudication of the licensee for a nonwaivable
- 34 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
- 35 committed by an adult, would be a felony.
- 36 (b) A license may also be revoked if an individual who resides in
- 37 the residence of the licensee or an employee or volunteer of the
- 38 licensee who has direct contact on a regular and continuous basis with
- 39 children who are under the direct supervision of the licensee has had
- 40 any of the following:
- 41 (1) A conviction of a nonwaivable offense, as defined in
- 42 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

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(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the licensee is granted a waiver by the department to employ or assign the person as a volunteer in a position described in this subsection or to permit the individual to reside in the licensee's residence.

(3) A juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony, unless the licensee is granted a waiver by the department to:

(A) employ or assign the individual as a volunteer in a position described in this subsection; or

(B) permit the individual to reside in the licensee's residence.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions or volunteer assignment.

(d) Notwithstanding subsection (b), if:

(1) a license could be revoked due to a criminal conviction of, or a determination of child abuse or neglect by, an employee or a volunteer of the licensee or an individual residing in the residence of the licensee; and

(2) the department determines that the employee or volunteer has been dismissed by the licensee within a reasonable time after the licensee became aware of the conviction or that the individual no longer resides in the licensee's residence;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former household resident does not constitute a sufficient basis for the revocation of a license.

(e) The department may adopt rules to implement this section.

SECTION 182. IC 31-27-4-33, AS AMENDED BY P.L.183-2017, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 33. (a) A licensee shall operate a foster family home in compliance with the rules established under this article and is subject to the disciplinary sanctions under subsection (b) if the department finds that the licensee has violated this article or a rule adopted under this article.

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(b) After complying with the procedural provisions in sections 22 through 24 of this chapter, the department may revoke the license when the department finds that a licensee has committed a violation under subsection (a). However, the department shall permanently revoke the license of a licensee who has been convicted of any of the nonwaivable offenses, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. The department may permanently revoke the license of a person who has been convicted of a nonwaivable offense that is not described in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 and for other reasons set forth in rules adopted by the department.

SECTION 183. IC 31-27-5-4, AS AMENDED BY P.L.81-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) An applicant must apply for a group home license on forms provided by the department.

(b) An applicant must submit the required information as part of the application.

(c) An applicant must submit with the application a statement attesting the following:

(1) Whether the applicant has been convicted of:

(A) a felony; or

(B) a misdemeanor relating to the health and safety of children.

(2) Whether the applicant has been charged with:

(A) a felony; or

(B) a misdemeanor relating to the health and safety of children;

during the pendency of the application.

(d) The department on behalf of an applicant, or, at the discretion of the department, an applicant, shall conduct a criminal history check of the following:

(1) Each individual who is an applicant.

(2) The director or manager of a facility where children will be placed.

(3) Each employee or volunteer of the applicant.

(4) Each contractor or individual working in the group home who is likely to have unsupervised contact with children in the group home.

(e) If the applicant conducts a criminal history check under subsection (d), the applicant shall:

(1) maintain records of the information it receives concerning each individual who is the subject of a criminal history check; and

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- 1 (2) submit to the department a copy of the information the  
 2 applicant receives concerning each person described in  
 3 subsection (d)(1) through (d)(4).  
 4 (f) If the department conducts a criminal history check on behalf  
 5 of an applicant under subsection (d), the department shall:  
 6 (1) determine whether the subject of a national fingerprint based  
 7 criminal history check has a record of a:  
 8 (A) conviction for a felony;  
 9 (B) conviction for a misdemeanor relating to the health and  
 10 safety of a child; or  
 11 (C) juvenile adjudication for a nonwaivable offense, as  
 12 defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
 13 committed by an adult, would be a felony;  
 14 (2) notify the applicant of the determination under subdivision  
 15 (1) without identifying a specific offense or other identifying  
 16 information concerning a conviction or juvenile adjudication  
 17 contained in the national criminal history record information;  
 18 (3) submit to the applicant a copy of any state limited criminal  
 19 history report that the department receives on behalf of any  
 20 person described in subsection (d); and  
 21 (4) maintain a record of every report and all information it  
 22 receives concerning a person described in subsection (d).  
 23 (g) Except as provided in subsection (h), a criminal history check  
 24 described in subsection (d) is required only at the time an application  
 25 for a new license or the renewal of an existing license is submitted.  
 26 (h) Except as provided in subsection (i), a criminal history check  
 27 of each person described in subsection (d)(2), (d)(3), or (d)(4) must be  
 28 completed on or before the date the person:  
 29 (1) is employed;  
 30 (2) is assigned as a volunteer; or  
 31 (3) enters into, or the person's employing entity enters into, a  
 32 contract with the applicant.  
 33 (i) An individual may be employed by a group home as an  
 34 employee, volunteer, or contractor before a criminal history check of  
 35 the individual is completed as required under subsection (h) if all of the  
 36 following conditions are satisfied:  
 37 (1) The following checks have been completed regarding the  
 38 individual:  
 39 (A) A fingerprint based check of national crime information  
 40 data bases under ~~IC 31-9-2-22.5(1)~~ IC 31-9-2.1-58(1).  
 41 (B) A national sex offender registry check under  
 42 ~~IC 31-9-2-22.5(3)~~ IC 31-9-2.1-58(3).

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- 1 (C) An in-state local criminal records check under  
 2 ~~IC 31-9-2-22.5(4)~~; IC 31-9-2.1-58(4).  
 3 (D) An in-state child protection index check under  
 4 IC 31-33-26.  
 5 (2) If the individual has resided outside Indiana at any time  
 6 during the five (5) years preceding the individual's date of hiring  
 7 by the group home, the following checks have been requested  
 8 regarding the individual:  
 9 (A) An out-of-state child abuse registry check under  
 10 ~~IC 31-9-2-22.5(2)~~; IC 31-9-2.1-58(2).  
 11 (B) An out-of-state local criminal records check under  
 12 ~~IC 31-9-2-22.5(4)~~; IC 31-9-2.1-58(4).  
 13 (3) The individual's employment before the completion of the  
 14 criminal history check required under subsection (h) is limited  
 15 to training during which the individual:  
 16 (A) does not have contact with children who are under the  
 17 care and control of the group home; and  
 18 (B) does not have access to records containing information  
 19 regarding children who are under the care and control of the  
 20 group home.  
 21 (4) The individual completes an attestation, under penalty of  
 22 perjury, disclosing:  
 23 (A) any abuse or neglect complaints made against the  
 24 individual with the child welfare agency of a state other  
 25 than Indiana in which the individual resided within the five  
 26 (5) years preceding the date of the attestation; and  
 27 (B) any contact the individual had with a law enforcement  
 28 agency in connection with the individual's suspected or  
 29 alleged commission of a crime in a state other than Indiana  
 30 in which the individual resided within the five (5) years  
 31 preceding the date of the attestation.  
 32 (j) The applicant is responsible for any fees associated with a  
 33 criminal history check.  
 34 (k) The department shall, at the applicant's request, inform the  
 35 applicant as to whether the department has or does not have a record of  
 36 the person who is the subject of a criminal history check and whether  
 37 the department has identified the person as an alleged perpetrator of  
 38 abuse or neglect. The department may not provide to the applicant any  
 39 details or personally identifying information contained in any child  
 40 protective services investigation report.  
 41 (l) A person who is the subject of a criminal history check  
 42 conducted in accordance with this section may request the state police

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1 department to provide the person with a copy of any state or national  
2 criminal history report concerning the person.

3 SECTION 184. IC 31-27-5-6, AS AMENDED BY P.L.243-2019,  
4 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2026]: Sec. 6. (a) The following constitute sufficient grounds  
6 for a denial of a license application:

7 (1) A determination by the department of child abuse or neglect  
8 by:

9 (A) the applicant; or

10 (B) an employee, volunteer, or contractor of the applicant.

11 (2) A criminal conviction of the applicant, or the director or  
12 manager of a facility where children will be placed by the  
13 applicant, for any of the following:

14 (A) A felony.

15 (B) A misdemeanor related to the health and safety of a  
16 child.

17 (C) A misdemeanor for operating a child caring institution,  
18 foster family home, group home, or child placing agency  
19 without a license under this article (or IC 12-17.4 before its  
20 repeal).

21 (D) A misdemeanor for operating a child care center or  
22 child care home without a license under IC 12-17.2.

23 (3) A determination by the department that the applicant made  
24 false statements in the applicant's application for licensure.

25 (4) A determination by the department that the applicant made  
26 false statements in the records required by the department.

27 (5) A determination by the department that:

28 (A) the applicant; or

29 (B) an employee, volunteer, or contractor of the applicant;  
30 previously operated a home or facility without a license required  
31 under any applicable provision of this article (or IC 12-17.4  
32 before its repeal) or IC 12-17.2.

33 (6) A juvenile adjudication of the applicant for a nonwaivable  
34 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
35 committed by an adult, would be a felony.

36 (b) An application for a license may also be denied if an employee,  
37 volunteer, or contractor of the applicant has had any of the following:

38 (1) A conviction of a nonwaivable offense, as defined in  
39 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

40 (2) A conviction of any other felony or a misdemeanor relating  
41 to the health and safety of a child, unless the applicant is granted  
42 a waiver by the department to employ or assign the person as a

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volunteer in a position described in this subsection.

(3) A juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony, unless the applicant is granted a waiver by the department to employ or assign the person as a volunteer in a position described in this subsection.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

(e) The department may adopt rules to implement this section.

SECTION 185. IC 31-27-5-31, AS AMENDED BY P.L.243-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 31. (a) The following constitute sufficient grounds for revocation of a license:

(1) A determination by the department of child abuse or neglect by:

(A) the licensee; or

(B) an employee, volunteer, or contractor of the licensee.

(2) A criminal conviction of the licensee, or the director or manager of a facility where children will be placed by the licensee, for any of the following:

(A) A felony.

(B) A misdemeanor related to the health or safety of a child.

(C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its

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- 1 repeal).
- 2 (D) A misdemeanor for operating a child care center or
- 3 child care home without a license under IC 12-17.2.
- 4 (3) A determination by the department that the licensee made
- 5 false statements in the licensee's application for licensure.
- 6 (4) A determination by the department that the licensee made
- 7 false statements in the records required by the department.
- 8 (5) A determination by the department that:
- 9 (A) the licensee; or
- 10 (B) an employee, volunteer, or contractor of the licensee;
- 11 previously operated a home or facility without a license required
- 12 under any applicable provision of this article (or IC 12-17.4
- 13 before its repeal) or IC 12-17.2.
- 14 (6) A juvenile adjudication of the licensee for a nonwaivable
- 15 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
- 16 committed by an adult, would be a felony.
- 17 (b) A license may also be revoked if an employee, volunteer, or
- 18 contractor of the licensee has had any of the following:
- 19 (1) A conviction of a nonwaivable offense, as defined in
- 20 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
- 21 (2) A conviction of any other felony or a misdemeanor relating
- 22 to the health and safety of a child, unless the licensee is granted
- 23 a waiver by the department with regard to the employee,
- 24 volunteer, or contractor.
- 25 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 26 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
- 27 would be a felony, unless the licensee is granted a waiver by the
- 28 department with regard to the employee, volunteer, or contractor.
- 29 (c) In determining whether to grant a waiver under subsection (b),
- 30 the department shall consider the following factors:
- 31 (1) The length of time that has passed since the disqualifying
- 32 conviction.
- 33 (2) The severity, nature, and circumstances of the offense.
- 34 (3) Evidence of rehabilitation.
- 35 (4) The duties and qualifications required for the proposed
- 36 employment positions, volunteer assignment, or contract.
- 37 (d) Notwithstanding subsection (a) or (b), if:
- 38 (1) a license could be revoked due to a criminal conviction of, or
- 39 a determination of child abuse or neglect by, an employee,
- 40 volunteer, or contractor of the licensee; and
- 41 (2) the department determines that the employee, volunteer, or
- 42 contractor has been dismissed by the licensee within a

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1 reasonable time after the licensee became aware of the  
 2 conviction;  
 3 the criminal conviction of, or determination of child abuse or neglect  
 4 by, the former employee, former volunteer, or former contractor does  
 5 not constitute a sufficient basis for the revocation of a license.  
 6 (e) The department may adopt rules to implement this section.  
 7 SECTION 186. IC 31-27-6-2, AS AMENDED BY P.L.173-2022,  
 8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2026]: Sec. 2. (a) An applicant must apply for a child placing  
 10 agency license on forms provided by the department.  
 11 (b) An applicant must submit the required information as part of  
 12 the application.  
 13 (c) The applicant must submit with the application a statement  
 14 attesting the following:  
 15 (1) Whether the applicant has been convicted of:  
 16 (A) a felony; or  
 17 (B) a misdemeanor relating to the health and safety of  
 18 children.  
 19 (2) Whether the applicant has been charged with:  
 20 (A) a felony; or  
 21 (B) a misdemeanor relating to the health and safety of  
 22 children;  
 23 during the pendency of the application.  
 24 (d) The department on behalf of an applicant, or, at the discretion  
 25 of the department, an applicant, shall conduct a criminal history check  
 26 of the following:  
 27 (1) Each individual who is an applicant.  
 28 (2) The director or manager of a facility where children will be  
 29 placed.  
 30 (3) Each employee, volunteer, or contractor of the applicant.  
 31 (e) If the applicant conducts a criminal history check under  
 32 subsection (d), the applicant shall:  
 33 (1) maintain records of the information it receives concerning  
 34 each individual who is the subject of a criminal history check;  
 35 and  
 36 (2) submit to the department a copy of the information it receives  
 37 concerning each person described in subsection (d)(1) through  
 38 (d)(3).  
 39 (f) If the department conducts a criminal history check on behalf  
 40 of an applicant under subsection (d), the department shall:  
 41 (1) determine whether the subject of a national fingerprint based  
 42 criminal history check has a record of a:

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- 1 (A) conviction for a felony;  
 2 (B) conviction for a misdemeanor relating to the health and  
 3 safety of a child; or  
 4 (C) juvenile adjudication for a nonwaivable offense, as  
 5 defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
 6 committed by an adult, would be a felony;  
 7 (2) notify the applicant of the determination under subdivision  
 8 (1) without identifying a specific offense or other identifying  
 9 information concerning a conviction or juvenile adjudication  
 10 contained in the national criminal history record information;  
 11 (3) submit to the applicant a copy of any state limited criminal  
 12 history report that the department receives on behalf of any  
 13 person described in subsection (d); and  
 14 (4) maintain a record of every report and all information the  
 15 department receives concerning a person described in subsection  
 16 (d).  
 17 (g) Except as provided in subsection (h), a criminal history check  
 18 described in subsection (d) is required only at the time an application  
 19 for a new license or the renewal of an existing license is submitted.  
 20 (h) Except as provided in subsection (i), a criminal history check  
 21 of each person described in subsection (d)(2) or (d)(3) must be  
 22 completed on or before the date the person:  
 23 (1) is employed;  
 24 (2) is assigned as a volunteer; or  
 25 (3) enters into, or the person's employing entity enters into, a  
 26 contract with the applicant.  
 27 (i) An individual may be employed by a child placing agency as  
 28 an employee, volunteer, or contractor before a criminal history check  
 29 of the individual is completed as required under subsection (h) if all of  
 30 the following conditions are satisfied:  
 31 (1) The following checks have been completed regarding the  
 32 individual:  
 33 (A) A fingerprint based check of national crime information  
 34 data bases under ~~IC 31-9-2-22.5(1)~~ IC 31-9-2.1-58(1).  
 35 (B) A national sex offender registry check under  
 36 ~~IC 31-9-2-22.5(3)~~ IC 31-9-2.1-58(3).  
 37 (C) An in-state local criminal records check under  
 38 ~~IC 31-9-2-22.5(4)~~ IC 31-9-2.1-58(4).  
 39 (D) An in-state child protection index check under  
 40 IC 31-33-26.  
 41 (2) If the individual has resided outside Indiana at any time  
 42 during the five (5) years preceding the individual's date of hiring

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by the child placing agency, the following checks have been requested regarding the individual:

(A) An out-of-state child abuse registry check under ~~IC 31-9-2-22.5(2)~~, IC 31-9-2.1-58(2).

(B) An out-of-state local criminal records check under ~~IC 31-9-2-22.5(4)~~, IC 31-9-2.1-58(4).

(3) The individual's employment before the completion of the criminal history check required under subsection (h) is limited to training during which the individual:

(A) does not have contact with children who are under the care and control of the child placing agency; and

(B) does not have access to records containing information regarding children who are under the care and control of the child placing agency.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation.

(j) The applicant or facility is responsible for any fees associated with a criminal history check.

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 187. IC 31-27-6-3, AS AMENDED BY P.L.243-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds for denial of a license application:

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- 1 (1) A determination by the department of child abuse or neglect
- 2 by:
- 3 (A) the applicant; or
- 4 (B) an employee, volunteer, or contractor of the applicant.
- 5 (2) A criminal conviction of the applicant, or the director or
- 6 manager of a facility where children will be placed by the
- 7 licensee, for any of the following:
- 8 (A) A felony.
- 9 (B) A misdemeanor related to the health and safety of a
- 10 child.
- 11 (C) A misdemeanor for operating a child caring institution,
- 12 foster family home, group home, or child placing agency
- 13 without a license under this article (or IC 12-17.4 before its
- 14 repeal).
- 15 (D) A misdemeanor for operating a child care center or
- 16 child care home without a license under IC 12-17.2.
- 17 (3) A determination by the department that the applicant made
- 18 false statements in the applicant's application for licensure.
- 19 (4) A determination by the department that the applicant made
- 20 false statements in the records required by the department.
- 21 (5) A determination by the department that:
- 22 (A) the applicant; or
- 23 (B) an employee, volunteer, or contractor of the applicant;
- 24 previously operated a home or facility without a license required
- 25 under any applicable provision of this article (or IC 12-17.4
- 26 before its repeal) or IC 12-17.2.
- 27 (6) A juvenile adjudication of the applicant for a nonwaivable
- 28 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
- 29 committed by an adult, would be a felony.
- 30 (b) An application for a license may also be denied if an employee,
- 31 volunteer, or contractor of the applicant has had any of the following:
- 32 (1) A conviction of a nonwaivable offense, as defined in
- 33 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
- 34 (2) A conviction of any other felony or a misdemeanor relating
- 35 to the health and safety of a child, unless the applicant is granted
- 36 a waiver by the department with regard to the employee,
- 37 volunteer, or contractor.
- 38 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 39 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
- 40 would be a felony, unless the applicant is granted a waiver by the
- 41 department with regard to the employee, volunteer, or contractor.
- 42 (c) In determining whether to grant a waiver under subsection (b),

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the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

(e) The department may adopt rules to implement this section.

SECTION 188. IC 31-27-6-15.5, AS AMENDED BY P.L.81-2025, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) A child placing agency shall establish minimum qualifications for each classification of employee. The standards in subsections (b) through (e) must be used as a guide by each child placing agency in establishing minimum qualifications for the classifications of an executive, a casework supervisor, a caseworker, and a worker in training, and by the department in the licensing of each child placing agency.

(b) An executive must have the following:

(1) A bachelor's degree.

(2) At least one (1) of the following:

(A) Five (5) years of paid experience in a field related to social work, at least two (2) years of which were:

(i) in social work; or

(ii) in a supervisory or administrative capacity in a field related to social work, including working for the department.

(B) A master's degree in social work, counseling, or a related human services area and at least two (2) years of paid experience:

(i) in social work; or

(ii) in a supervisory or administrative capacity in a

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- 1 field related to social work, including working for the  
 2 department.
- 3 (c) A casework supervisor must have the following:
- 4 (1) A bachelor's degree.
- 5 (2) At least one (1) of the following:
- 6 (A) Three (3) years of supervised paid casework experience,  
 7 at least one (1) year of which was with a child welfare  
 8 agency (as defined in ~~IC 31-9-2-19.3~~, IC 31-9-2.1-50).
- 9 (B) At least eight (8) credit hours of master's degree level  
 10 courses in:
- 11 (i) social work;  
 12 (ii) counseling; or  
 13 (iii) a human services area of study or related field;  
 14 and at least one (1) year of supervised paid casework with  
 15 a child welfare agency (as defined in ~~IC 31-9-2-19.3~~,  
 16 IC 31-9-2.1-50).
- 17 (d) A caseworker must have the following:
- 18 (1) A bachelor's degree.
- 19 (2) At least one (1) of the following:
- 20 (A) Three (3) years of supervised paid casework experience.  
 21 (B) One (1) year of supervised paid casework experience in  
 22 a licensed child placing agency or with the department.  
 23 (C) One (1) year of graduate training in a recognized school  
 24 of social work.
- 25 (e) A worker in training must have a bachelor's degree.
- 26 (f) A child placing agency must only employ a staff member who  
 27 is:
- 28 (1) duly qualified;  
 29 (2) of good moral character; and  
 30 (3) in satisfactory health.
- 31 (g) An employee who is in a position on January 1, 2012, and who  
 32 qualified for that position on December 31, 2011, is exempt from the  
 33 requirements of this section.
- 34 SECTION 189. IC 31-27-6-28, AS AMENDED BY P.L.243-2019,  
 35 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2026]: Sec. 28. (a) The following constitute sufficient grounds  
 37 for revocation of a license:
- 38 (1) A determination by the department of child abuse or neglect  
 39 (as defined in ~~IC 31-9-2-14~~, IC 31-9-2.1-33) by:
- 40 (A) the licensee; or  
 41 (B) an employee, volunteer, or contractor of the licensee.
- 42 (2) A criminal conviction of the licensee, or the director or

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manager of a facility where children will be placed by the licensee, for any of the following:

- (A) A felony.
- (B) A misdemeanor related to the health or safety of a child.
- (C) A misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal).
- (D) A misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.

(3) A determination by the department that the licensee made false statements in the licensee's application for licensure.

(4) A determination by the department that the licensee made false statements in the records required by the department.

(5) A determination by the department that:

- (A) the licensee; or
- (B) an employee, volunteer, or contractor of the licensee; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

(6) A juvenile adjudication of a licensee for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony.

(b) A license may also be revoked if an employee, volunteer, or contractor of the licensee has had any of the following:

(1) A conviction of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(3) A juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony, unless the licensee is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

- (1) The length of time that has passed since the disqualifying conviction.
- (2) The severity, nature, and circumstances of the offense.
- (3) Evidence of rehabilitation.
- (4) The duties and qualifications required for the proposed

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employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license could be revoked due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the licensee; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the licensee within a reasonable time after the licensee became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the revocation of a license.

(e) The department may adopt rules to implement this section.

SECTION 190. IC 31-27-7-2, AS ADDED BY P.L.173-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "child services provider" means the following:

(1) A child caring institution, as defined in ~~IC 31-9-2-16.7~~. IC 31-9-2.1-42.

(2) A group home, as defined in ~~IC 31-9-2-48.5~~. IC 31-9-2.1-115.

(3) A licensed child placing agency, as defined in ~~IC 31-9-2-17.5~~. IC 31-9-2.1-46.

(4) A secure private facility, as defined in ~~IC 31-9-2-115~~. IC 31-9-2.1-223.

SECTION 191. IC 31-32-2-2.5, AS ADDED BY P.L.120-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) This section applies only to a court ordered or voluntary mental health:

- (1) screening;
- (2) assessment;
- (3) evaluation; or
- (4) treatment;

provided by or under the direction of an evaluator, as defined in ~~IC 31-9-2-43.8~~. IC 31-9-2.1-90, in conjunction with proceedings under this article.

(b) Except as provided in subsection (d) and except for purposes of:

- (1) a probation revocation proceeding; or
- (2) a modification of a dispositional decree under IC 31-37-22;

a statement communicated to an evaluator in the evaluator's official capacity may not be admitted as evidence against the child on the issue

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of whether the child committed a delinquent act or a crime.

(c) This section does not affect the admissibility of evidence when a juvenile interposes the defense of insanity.

(d) This section does not affect a disclosure or reporting requirement in effect on July 1, 2007, under statute or in case law regarding a statement that:

(1) relates directly to the facts or immediate circumstances of a homicide; or

(2) reveals that the child may intend to commit a crime.

SECTION 192. IC 31-32-2-3.5, AS ADDED BY P.L.179-2025, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. An individual with whom a child is placed, or a representative of a licensed child placing agency (as defined by ~~IC 31-9-2-17.5~~) in IC 31-9-2.1-46) that is providing services to a child, during child in need of services proceedings regarding the child is entitled to attend, in its entirety, any hearing conducted as part of:

(1) the child in need of services proceedings; or

(2) proceedings to terminate the parent-child relationship resulting from a petition filed with regard to the child under IC 31-35-2-4 during the child in need of services proceedings.

SECTION 193. IC 31-32-2.5-1, AS AMENDED BY P.L.179-2025, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in subsection (b) and subject to this chapter, an individual who is providing care and supervision of a child as:

(1) a foster parent;

(2) a long term foster parent; or

(3) an unlicensed kinship caregiver;

at the time the child is the subject of a child in need of services proceeding under IC 31-34 or a termination of parent-child relationship proceeding under IC 31-35 may intervene as a party during any stage of the proceeding if the individual files a petition to intervene with the court and the court makes the findings described in section 3 of this chapter.

(b) Any person described in subsection (a) who has been:

(1) the subject of a substantiated report of child abuse or neglect; or

(2) convicted of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~; IC 31-9-2.1-168;

may not intervene under this chapter.

SECTION 194. IC 31-32-3-10.5, AS ADDED BY P.L.120-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2026]: Sec. 10.5. (a) As used in this section, "court appointed special advocate" has the meaning set forth in ~~IC 31-9-2-28~~. IC 31-9-2.1-67.

(b) As used in this section, "guardian ad litem" has the meaning set forth in ~~IC 31-9-2-50~~. IC 31-9-2.1-117.

(c) When a juvenile court appoints a guardian ad litem or court appointed special advocate in a proceeding from a volunteer based program funded through IC 33-24-6-4, and, due to the caseload of the guardian ad litem program or court appointed special advocate program, the child is placed on a waiting list for guardian ad litem or court appointed special advocate services:

(1) the guardian ad litem program or court appointed special advocate program;

(2) any employee of or volunteer for the guardian ad litem program or court appointed special advocate program; and

(3) any individual acting as a contracted guardian ad litem;

are immune from civil liability based on the child being placed on the waiting list unless the placement of the child on the waiting list is the result of gross negligence or willful and wanton misconduct.

(d) Nothing in this section shall be construed to negate the appointment of a:

(1) guardian ad litem; or

(2) court appointed special advocate;

when required by IC 31-34-10-3.

SECTION 195. IC 31-32-3-11, AS AMENDED BY P.L.183-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) A juvenile court may establish a voluntary preventative program for at-risk children.

(b) A juvenile court that establishes a program under subsection (a) may, after conducting a criminal history check of every individual who is likely to have contact with a child, appoint staff and an early intervention advocate to implement, coordinate, and carry out the purposes of the program. The court may not appoint an individual under this subsection if the results of the criminal history check disclose that the individual has a record of:

(1) a conviction for a felony;

(2) a conviction for a misdemeanor relating to the health and safety of a child; or

(3) a juvenile adjudication for an act that, if committed by an adult, would be a nonwaivable offense, as defined in

~~IC 31-9-2-84.8. <IC 31-9-2-168>~~ [IC 31-9-2.1-168].

(c) The program staff or an early intervention advocate appointed

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- 1 under subsection (b) may:
- 2 (1) receive information concerning an at-risk child from any
- 3 person; and
- 4 (2) use the information received under subdivision (1) to create,
- 5 implement, and maintain an individualized plan for the at-risk
- 6 child and the child's family if the child's parent, guardian, or
- 7 custodian has consented to the participation of the child in the
- 8 program. The individualized plan created under this subdivision
- 9 may include a program of counseling, tutoring, or mentoring.
- 10 (d) All information received under the program by the program
- 11 staff or an early intervention advocate:
- 12 (1) is confidential; and
- 13 (2) may be disclosed only to the following:
- 14 (A) Program staff or an early intervention advocate
- 15 appointed to the program under subsection (b).
- 16 (B) Any person or entity engaged by a person described in
- 17 clause (A) in creating, implementing, and maintaining a
- 18 plan for an at-risk child and the child's family.
- 19 (C) The juvenile court.
- 20 (e) The privileged communication between:
- 21 (1) a husband and wife;
- 22 (2) a health care provider and the health care provider's patient;
- 23 (3) a juvenile client and a:
- 24 (A) licensed social worker;
- 25 (B) licensed clinical social worker;
- 26 (C) licensed marriage and family therapist;
- 27 (D) licensed mental health counselor;
- 28 (E) licensed addiction counselor; or
- 29 (F) licensed clinical addiction counselor;
- 30 (4) a school counselor and a student; or
- 31 (5) a school psychologist and a student;
- 32 may not prevent an individual described in this subsection from
- 33 reporting to, requesting assistance from, or cooperating with program
- 34 staff or an early intervention advocate under this section.
- 35 (f) Any individual may request that a child receive assistance
- 36 under a program established under subsection (a) if the individual
- 37 believes a child may be an at-risk child.
- 38 (g) After receiving a request that a child receive assistance under
- 39 a program described in subsection (a), or after receiving information
- 40 that a child may be an at-risk child, program staff or an early
- 41 intervention advocate shall determine whether the child would benefit
- 42 from the program. If the program staff or early intervention advocate

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determines that the child would benefit from the program, the staff or early intervention advocate shall inform the parent, guardian, or custodian of the determination and request that the parent, guardian, or custodian permit the child to participate in the program. The child (and the parent, guardian, or custodian) may participate in the program only with the consent of the parent, guardian, or custodian.

(h) A person who:

(1) makes a good faith request under subsection (f);

(2) in good faith provides information concerning a child to program staff or an early intervention advocate appointed under subsection (b); or

(3) in good faith participates in a plan under this section;

is immune from civil or criminal liability.

(i) Except as provided under IC 31-33-5, no information received under the program by the program staff or an early intervention advocate may be used against the child in a criminal or civil proceeding.

SECTION 196. IC 31-33-7-8, AS AMENDED BY P.L.198-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) This section applies if the department receives a report of suspected child abuse or neglect from:

(1) a hospital;

(2) a community mental health center;

(3) a managed care provider (as defined in ~~IC 12-7-2-127~~; IC 12-7-2.1-219);

(4) a referring physician;

(5) a dentist;

(6) a licensed psychologist;

(7) a school;

(8) a child caring institution licensed under IC 31-27;

(9) a group home licensed under IC 31-27 or IC 12-28-4;

(10) a secure private facility; or

(11) a child placing agency (as defined in ~~IC 31-9-2-17.5~~; IC 31-9-2.1-46).

(b) Not later than forty-five (45) days after the date the department initiates an assessment or investigation of a report of suspected child abuse or neglect from a person described in subsection (a), the department shall send a report to:

(1) the administrator of the hospital;

(2) the community mental health center;

(3) the managed care provider;

(4) the referring physician;

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- 1 (5) the dentist;
- 2 (6) the principal of the school;
- 3 (7) a licensed psychologist;
- 4 (8) a child caring institution licensed under IC 31-27;
- 5 (9) a group home licensed under IC 31-27 or IC 12-28-4;
- 6 (10) a secure private facility; or
- 7 (11) a child placing agency (as defined in ~~IC 31-9-2-17.5~~;
- 8 IC 31-9-2.1-46).
- 9 The report must contain the items listed in subsection (d) that are
- 10 known at the time the report is sent.
- 11 (c) The administrator, director, referring physician, dentist,
- 12 licensed psychologist, or principal may appoint a designee to receive
- 13 the report.
- 14 (d) A report made by the department under this section must
- 15 contain the following information:
- 16 (1) The name of the alleged victim of child abuse or neglect.
- 17 (2) The name of the alleged perpetrator and the alleged
- 18 perpetrator's relationship to the alleged victim.
- 19 (3) Whether the assessment is closed.
- 20 (4) Whether the department has made an assessment of the case
- 21 and has not taken any further action.
- 22 (5) The caseworker's name and telephone number.
- 23 (6) The date the report is prepared.
- 24 (7) Other information that the department may prescribe.
- 25 (e) A report made under this section:
- 26 (1) is confidential; and
- 27 (2) may be made available only to:
- 28 (A) the agencies named in this section; and
- 29 (B) the persons and agencies listed in IC 31-33-18-2.
- 30 SECTION 197. IC 31-33-8-7, AS AMENDED BY P.L.213-2021,
- 31 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2026]: Sec. 7. (a) The department's assessment, to the extent
- 33 that is reasonably possible, must include the following:
- 34 (1) The nature, extent, and cause of the known or suspected child
- 35 abuse or neglect.
- 36 (2) The identity of the person allegedly responsible for the child
- 37 abuse or neglect.
- 38 (3) The names and conditions of other children in the home.
- 39 (4) An evaluation of the parent, guardian, custodian, or person
- 40 responsible for the care of the child.
- 41 (5) The home environment and the relationship of the child to
- 42 the parent, guardian, or custodian or other persons responsible

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- 1 for the child's care.
- 2 (6) All other data considered pertinent.
- 3 (b) The assessment may include the following:
- 4 (1) A visit to the child's home.
- 5 (2) An interview with the subject child:
- 6 (A) upon receiving parental consent;
- 7 (B) upon receiving a court order; or
- 8 (C) if there are exigent circumstances as defined by
- 9 ~~IC 31-9-2-44.1~~ in IC 31-9-2.1-92.
- 10 (3) A physical, psychological, or psychiatric examination of any
- 11 child in the home.
- 12 (c) If:
- 13 (1) admission to the home, the school, or any other place that the
- 14 child may be; or
- 15 (2) permission of the parent, guardian, custodian, or other
- 16 persons responsible for the child for the physical, psychological,
- 17 or psychiatric examination;
- 18 under subsection (b) cannot be obtained, the juvenile court, upon good
- 19 cause shown, shall follow the procedures under IC 31-32-12.
- 20 (d) If a custodial parent, a guardian, or a custodian of a child
- 21 refuses to allow the department to interview the child after the
- 22 caseworker has attempted to obtain the consent of the custodial parent,
- 23 guardian, or custodian to interview the child, the department may
- 24 petition a court to order the custodial parent, guardian, or custodian to
- 25 make the child available to be interviewed by the caseworker.
- 26 (e) If the court finds that:
- 27 (1) a custodial parent, a guardian, or a custodian has been
- 28 informed of the hearing on a petition described under subsection
- 29 (d); and
- 30 (2) the department has made reasonable and unsuccessful efforts
- 31 to obtain the consent of the custodial parent, guardian, or
- 32 custodian to interview the child;
- 33 the court shall specify in the order the efforts the department made to
- 34 obtain the consent of the custodial parent, guardian, or custodian and
- 35 may grant the motion to interview the child, either with or without the
- 36 custodial parent, guardian, or custodian being present.
- 37 (f) If the department requests to interview a child at the child's
- 38 school, the school, except a nonaccredited nonpublic school that has
- 39 less than one (1) employee, shall grant access to the department to
- 40 interview the child alone, if the department employee presents:
- 41 (1) their credentials as a department case worker, or other proof
- 42 of employment with the department, for inspection upon arrival

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at the school; and

(2) a written statement that the department "has parental consent or a court order, or exigent circumstances exist as defined by ~~IC 31-9-2-44.1~~ in IC 31-9-2.1-92 to interview [insert child's name]". The written statement under this subdivision shall not disclose any of the facts of the allegations or evidence and may be transmitted to the school electronically.

(g) If the department provides a written statement under subsection (f)(2), the school shall:

(1) not maintain the written statement in the child's file; and

(2) protect the child and the child's family's confidentiality regarding the written statement and the interview.

(h) If a parent, guardian, or custodian of a child who is the subject of a substantiated investigation of abuse or neglect is an active duty member of the military, the department shall notify the United States Department of Defense Family Advocacy Program of the assessment concerning the child of the active duty member of the military upon request.

SECTION 198. IC 31-33-18-6, AS AMENDED BY P.L.46-2024, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. For the purposes of IC 31-26-4.5, the department may certify or acknowledge that an individual qualifies as a foster youth under ~~IC 31-9-2-47.3~~; IC 31-9-2.1-110.

SECTION 199. IC 31-33-18-7, AS AMENDED BY P.L.170-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), the department may notify a child care worker's employer that a substantiated report for child abuse or neglect has been entered against the child care worker if the department:

(1) enters a new substantiated report against an individual that the department knows to be a child care worker (as defined in ~~IC 31-9-2-16.6~~; IC 31-9-2.1-40); and

(2) knows the identity of the child care worker's employer.

(b) If the department concludes that the health or safety of a child will be potentially endangered if the child care worker has continuing unsupervised contact with a child, the department shall notify the child care worker's employer that a substantiated report has been entered against the child care worker not more than two (2) business days after entering the child care worker's name into the child protection index.

SECTION 200. IC 31-33-26-1, AS ADDED BY P.L.138-2007, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "child care

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1 provider" means a person who:

2 (1) provides child care (as defined in ~~IC 12-7-2-28.2~~)  
 3 IC 12-7-2.1-54) regardless of whether the person is required to  
 4 be licensed or registered under IC 12-17.2; or

5 (2) is a child caring institution, a foster family home, a group  
 6 home, or a child placing agency that is licensed or required to be  
 7 licensed under IC 31-27.

8 (b) As used in this chapter, "index" refers to the child protection  
 9 index established under section 2 of this chapter.

10 SECTION 201. IC 31-33-26-16, AS AMENDED BY P.L.13-2021,  
 11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2026]: Sec. 16. (a) A person or an organization may have  
 13 access to information contained in the index as follows:

14 (1) A law enforcement agency may have access to a  
 15 substantiated report for purposes of investigating or criminally  
 16 prosecuting a person identified as a perpetrator of child abuse or  
 17 neglect.

18 (2) A child care provider, upon submitting a written consent for  
 19 release of information signed by an individual who:

20 (A) is employed by or who has applied for employment with  
 21 the child care provider;

22 (B) has volunteered to provide services to the child care  
 23 provider in a capacity that would place the individual in  
 24 direct contact, on a regular and continuous basis, with  
 25 children who are or will be under the direct supervision of  
 26 the child care provider; or

27 (C) is at least eighteen (18) years of age and resides in the  
 28 home of the child care provider;

29 may have access to any information relating to a substantiated  
 30 report of child abuse or neglect that names the employee,  
 31 applicant, volunteer, or household resident as the perpetrator of  
 32 child abuse or neglect.

33 (3) A person may have access to any information that is  
 34 contained in the index pertaining to the person, with protection  
 35 for the identity of:

36 (A) a person who reports the child abuse or neglect; and

37 (B) any other appropriate person.

38 (4) A person or an agency to whom child abuse and neglect  
 39 reports are available under IC 31-33-18 may have access to  
 40 information contained in the index.

41 (5) Representatives of the division of family resources  
 42 designated by the director of the division may have access to and

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1 use any information relating to a substantiated report of child  
 2 abuse or neglect that would constitute a basis for denial or  
 3 revocation of a license for a child care center under IC 12-17.2-4  
 4 or a child care home under IC 12-17.2-5.

5 (6) Representatives of the department designated by the director  
 6 may have access to and use any information relating to a  
 7 substantiated report of child abuse or neglect that would  
 8 constitute a basis for denial or revocation of a license for a child  
 9 caring institution, foster family home, group home, or child  
 10 placing agency under IC 31-27.

11 (7) Any representative of the department, a court having juvenile  
 12 jurisdiction, and any party in a case under IC 31-34 or IC 31-37  
 13 may have access to and use any information relating to a  
 14 substantiated report of child abuse or neglect in connection with  
 15 a determination of an appropriate out of home placement for a  
 16 child under any applicable provision of IC 31-34 or IC 31-37 that  
 17 requires a criminal history check (as described in  
 18 ~~IC 31-9-2-22.5~~) IC 31-9-2.1-58) concerning any person.

19 (8) The department shall provide any information contained in  
 20 a substantiated report of child abuse or neglect that is included  
 21 in the index to an authorized agency of another state that  
 22 requests information concerning a prospective foster or adoptive  
 23 parent, or any other adult living in the home of a prospective  
 24 foster or adoptive parent, in accordance with 42 U.S.C.  
 25 671(a)(20)(C).

26 (9) The department shall transmit or provide to a national index  
 27 of substantiated cases of child abuse or neglect established in  
 28 accordance with 42 U.S.C. 16990:

29 (A) a copy of any substantiated report and related  
 30 information entered into the index; and

31 (B) information concerning expungement or amendment of  
 32 any substantiated report as provided in section 14 or 15 of  
 33 this chapter.

34 (10) To determine the eligibility of a child care provider to  
 35 receive a voucher payment (as defined in IC 12-17.2-3.5-3), the  
 36 division of family resources may use information contained in  
 37 the index concerning whether a child has been found by a court  
 38 to be a child in need of services based on a report of child abuse  
 39 or neglect naming an individual described in  
 40 IC 12-17.2-3.5-4.1(a) as a perpetrator.

41 (11) The office of administrative law proceedings may have  
 42 access to any information relating to a substantiated report of

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1 child abuse or neglect that is the subject of an administrative  
 2 proceeding before the office of administrative law proceedings.

3 (b) Except as provided in this section or in rules adopted under  
 4 subsection (c), the department may not disclose information used in  
 5 connection with the department's activities under this section.

6 (c) The department shall adopt rules under IC 4-22-2 relating to  
 7 the procedure for disclosure of information described in this section.

8 SECTION 202. IC 31-34-1-3.5, AS AMENDED BY  
 9 P.L.142-2020, SECTION 42, IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. (a) A child is a  
 11 child in need of services if, before the child becomes eighteen (18)  
 12 years of age:

13 (1) the child is the victim of human or sexual trafficking (as  
 14 defined in ~~IC 31-9-2-133.1~~; IC 31-9-2.1-254); and

15 (2) the child needs care, treatment, or rehabilitation that:

16 (A) the child is not receiving; and

17 (B) is unlikely to be provided or accepted without the  
 18 coercive intervention of the court.

19 (b) A child is considered a victim of human or sexual trafficking  
 20 regardless of whether the child consented to the conduct described in  
 21 subsection (a)(1).

22 SECTION 203. IC 31-34-3-4.5, AS AMENDED BY  
 23 P.L.104-2015, SECTION 32, IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) If a child is  
 25 removed from the child's parents under this chapter, within thirty (30)  
 26 days after the removal of the child from the parents the department  
 27 shall exercise due diligence to identify and provide notice of the  
 28 removal to:

29 (1) all adult relatives (as defined in ~~IC 31-9-2-107~~)  
 30 IC 31-9-2.1-207) of the child, including relatives suggested by  
 31 either parent as required under 42 U.S.C. 671(a)(29); and

32 (2) all the child's siblings who are at least eighteen (18) years of  
 33 age.

34 (b) The department may not provide notice to a person under  
 35 subsection (a) if the department knows or suspects that the person has  
 36 caused family or domestic violence.

37 (c) A notice under subsection (a) must:

38 (1) state that the child has been removed from the parents by the  
 39 department;

40 (2) set forth the options the relative may have under federal,  
 41 state, or local laws, including the care and placement of the child  
 42 and other options that may be lost if the relative fails to respond

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1 to the notice;

2 (3) describe the requirements for the relative to become a foster  
3 parent;

4 (4) describe additional services available to the child placed in  
5 foster care; and

6 (5) describe how a relative guardian of a child may subsequently  
7 enter into an agreement with the department to receive financial  
8 assistance through the adoption assistance program or  
9 guardianship assistance program.

10 SECTION 204. IC 31-34-4-2, AS AMENDED BY P.L.186-2025,  
11 SECTION 159, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If a child alleged to be a child  
13 in need of services is taken into custody under an order of the court  
14 under this chapter and the court orders out-of-home placement, the  
15 department is responsible for that placement and care and must  
16 consider placing the child with a:

17 (1) suitable and willing relative; or

18 (2) de facto custodian;

19 before considering any other out-of-home placement.

20 (b) The department shall consider placing a child described in  
21 subsection (a) with a relative related by blood, marriage, or adoption  
22 before considering any other placement of the child.

23 (c) Before the department places a child in need of services with  
24 a relative or a de facto custodian, the department shall complete an  
25 evaluation based on a home visit of the relative's home.

26 (d) Except as provided in subsection (f), before placing a child in  
27 need of services in an out-of-home placement, the department shall  
28 conduct a criminal history check of each person who is currently  
29 residing in the location designated as the out-of-home placement.

30 (e) Except as provided in subsection (g), the department may not  
31 make an out-of-home placement if a person described in subsection (d)  
32 has:

33 (1) committed an act resulting in a substantiated report of child  
34 abuse or neglect; or

35 (2) been convicted of a nonwaivable offense, as defined in  
36 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 or had a juvenile adjudication  
37 for an act that would be a nonwaivable offense, as defined in  
38 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult.

39 (f) The department is not required to conduct a criminal history  
40 check under subsection (d) if the department makes an out-of-home  
41 placement to an entity or a facility that is not a residence (as defined in  
42 IC 3-5-2.1-90) or that is licensed by the state.

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(g) A court may order or the department may approve an out-of-home placement if:

(1) a person described in subsection (d) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; or

(ix) a felony under IC 9-30-5;

if the conviction did not occur within the past five (5) years;

or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and the placement is in the best interest of the child.

However, a court or the department shall not make an out-of-home placement if the person has been convicted of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that is not specifically excluded under subdivision (1)(B).

(h) In considering the placement under subsection (g), the court or the department shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 205. IC 31-34-18-6.1, AS AMENDED BY P.L.186-2025, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) The predispositional report prepared by the department or caseworker must

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include the following information:

(1) A description of all dispositional options considered in preparing the report.

(2) An evaluation of each of the options considered in relation to the plan of care, treatment, rehabilitation, or placement recommended under the guidelines described in section 4 of this chapter.

(3) A description of the due diligence efforts that the department has made to identify all adult relatives of the child.

(4) The name, occupation and position, and any relationship to the child of each person with whom the preparer of the report conferred as provided in section 1.1 of this chapter.

(5) The report and recommendations of the dual status assessment team if the child is a dual status child under IC 31-41.

(b) If the department or caseworker is considering an out-of-home placement, including placement with a blood or an adoptive relative caretaker, the department or caseworker shall conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) for each person who is currently residing in the location designated as the out-of-home placement. The results of the criminal history check must be included in the predispositional report.

(c) The department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

SECTION 206. IC 31-34-19-5, AS AMENDED BY P.L.128-2012, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. If the court authorizes a child who is under the custody or supervision of a local office or the department to be placed in a state institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318) for voluntary treatment in accordance with IC 12-26-3, the court may not release the department from obligations of the local office or the department to the child until a parent, guardian, or other responsible person approved by the court assumes the obligations.

SECTION 207. IC 31-34-20-1.5, AS AMENDED BY P.L.186-2025, SECTION 161, IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving or ordering placement of a child in another home under section 1(a)(3) of this chapter or awarding wardship to the department that will place the child in another home under section 1(a)(4) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(b) The department or caseworker who prepared the predispositional report shall conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. [ ] However, the department or caseworker is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(c) The department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) A juvenile court may enter a dispositional decree that approves placement of a child in another home or award wardship to the department that will place the child in a home with a person described in subsection (a) if:

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- (1) the person described in subsection (a) has:
- (A) committed an act resulting in a substantiated report of child abuse or neglect;
  - (B) been convicted of:
    - (i) battery (IC ~~31-9-2-84.8~~ 35-42-2-1);
    - (ii) criminal recklessness (IC ~~31-9-2-84.8~~ 35-42-2-2) as a felony;
    - (iii) criminal confinement (IC ~~31-9-2-84.8~~ 35-42-3-3) as a felony;
    - (iv) arson (IC ~~31-9-2-84.8~~ 35-43-1-1) as a felony;
    - (v) nonsupport of a dependent child (IC ~~31-9-2-84.8~~ 35-46-1-5);
    - (vi) operating a motorboat while intoxicated (IC ~~31-9-2-84.8~~ 35-46-9-6) as a felony;
    - (vii) a felony involving a weapon under IC 35-47;
    - (viii) a felony relating to controlled substances under IC 35-48-4; or
    - (ix) a felony under IC 9-30-5;
  - if the conviction did not occur within the past five (5) years;
  - or
  - (C) had a juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony; and
- (2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing a child in another home or awarding wardship to the department is in the best interest of the child.
- However, a court may not enter a dispositional decree that approves placement of a child in another home or awards wardship to the department if the person has been convicted of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that is not specifically excluded under subdivision (1)(B).
- (e) In considering the placement under subsection (d), the court shall consider the following:
- (1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.
  - (2) The severity of the offense, delinquent act, or abuse or neglect.
  - (3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.
- SECTION 208. IC 31-34-21-5.5, AS AMENDED BY P.L.179-2025, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. (a) In determining

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the extent to which reasonable efforts to reunify or preserve a family are appropriate under this chapter, the child's health, welfare, and safety are of paramount concern.

(b) Except as provided in section 5.6 of this chapter, the department shall make reasonable efforts to preserve and reunify families as follows:

(1) If a child has not been removed from the child's home, to prevent or eliminate the need for removing the child from the child's home.

(2) If a child has been removed from the child's home, to make it possible for the child to return safely to the child's home as soon as possible.

(c) The department may, before reunification of the child with a parent, guardian, or custodian, conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) of:

(1) the child's:

(A) parent;

(B) guardian; or

(C) custodian; and

(2) any household member of the:

(A) parent;

(B) guardian; or

(C) custodian.

(d) The department shall:

(1) use the results of a criminal history check conducted under subsection (c) to decide whether it is safe for the child to return home; and

(2) provide the results of the criminal history check to the court.

SECTION 209. IC 31-34-21-7.5, AS AMENDED BY P.L.156-2020, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) Except as provided in subsection (d), the juvenile court may not approve a permanency plan under subsection (c)(1)(C), (c)(1)(D), or (c)(1)(E) if a person who is currently residing with a person described in subsection (c)(1)(C) or (c)(1)(D) or in a residence in which the child would be placed under subsection (c)(1)(E) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(b) Before requesting juvenile court approval of a permanency

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plan, the department shall conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. However, the department is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

(c) A permanency plan, or plans, if concurrent planning, under this chapter includes the following:

(1) The intended permanent or long term arrangements for care and custody of the child that may include any one (1), or two (2), if concurrent planning, of the following arrangements that the department or the court considers most appropriate and consistent with the best interests of the child:

(A) Return to or continuation of existing custodial care within the home of the child's parent, guardian, or custodian or placement of the child with the child's noncustodial parent.

(B) Placement of the child for adoption.

(C) Placement of the child with a responsible person, including:

(i) an adult sibling;

(ii) a grandparent;

(iii) an aunt;

(iv) an uncle;

(v) a custodial parent of a sibling of the child; or

(vi) another relative;

who is able and willing to act as the child's permanent custodian and carry out the responsibilities required by the permanency plan.

(D) Appointment of a legal guardian. The legal guardian appointed under this section is a caretaker in a judicially created relationship between the child and caretaker that is

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intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child:

(i) Care, custody, and control of the child.

(ii) Decision making concerning the child's upbringing.

(E) A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan.

(2) A time schedule for implementing the applicable provisions of the permanency plan.

(3) Provisions for temporary or interim arrangements for care and custody of the child, pending completion of implementation of the permanency plan.

(4) Other items required to be included in a case plan under IC 31-34-15 or federal law, consistent with the permanent or long term arrangements described by the permanency plan.

(d) A juvenile court may approve a permanency plan if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; or

(ix) a felony under IC 9-30-5;

if the conviction did not occur within the past five (5) years;

or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant

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1 to the person's present ability to care for a child, and that  
 2 approval of the permanency plan is in the best interest of the  
 3 child.

4 However, a court may not approve a permanency plan if the person has  
 5 been convicted of a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~  
 6 IC 31-9-2.1-168 that is not specifically excluded under subdivision  
 7 (1)(B), or has a juvenile adjudication for an act that would be a  
 8 nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if  
 9 committed by an adult that is not specifically excluded under  
 10 subdivision (1)(B).

11 (e) In making its written finding under subsection (d), the court  
 12 shall consider the following:

13 (1) The length of time since the person committed the offense,  
 14 delinquent act, or act that resulted in the substantiated report of  
 15 abuse or neglect.

16 (2) The severity of the offense, delinquent act, or abuse or  
 17 neglect.

18 (3) Evidence of the person's rehabilitation, including the person's  
 19 cooperation with a treatment plan, if applicable.

20 SECTION 210. IC 31-34-25-1, AS AMENDED BY P.L.65-2016,  
 21 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2026]: Sec. 1. Any of the following may sign and file a  
 23 petition for the juvenile court to require a person to refrain from direct  
 24 or indirect contact with a child or a member of a foster family home (as  
 25 defined in ~~IC 31-9-2-46.9~~ IC 31-9-2.1-108):

26 (1) The attorney for the department.

27 (2) The guardian ad litem or court appointed special advocate.

28 SECTION 211. IC 31-35-2-4.5, AS AMENDED BY P.L.69-2024,  
 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2026]: Sec. 4.5. (a) This section applies if:

31 (1) a court has made a finding under IC 31-34-21-5.6 that  
 32 reasonable efforts for family preservation or reunification with  
 33 respect to a child in need of services are not required; or

34 (2) a child in need of services or a delinquent child:

35 (A) has been placed in:

36 (i) a foster family home, child caring institution, or  
 37 group home licensed under IC 31-27; or

38 (ii) the home of a relative (as defined in  
 39 ~~IC 31-9-2-107(c)~~ IC 31-9-2.1-207(c));

40 as directed by a court in a child in need of services  
 41 proceeding under IC 31-34 or a delinquency action under  
 42 IC 31-37; and

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(B) has been removed from a parent and has been under the supervision of the department or county probation department for not less than fifteen (15) months of the most recent twenty-two (22) months, beginning with the date the child is removed from the home as a result of the child being alleged to be a child in need of services or a delinquent child.

(b) A person described in section 4(a) of this chapter shall:

(1) file a petition to terminate the parent-child relationship under section 4 of this chapter; and

(2) request that the petition be set for hearing.

(c) If a petition under subsection (b) is filed by the child's court appointed special advocate or guardian ad litem, the department shall be joined as a party to the petition.

(d) A person described in section 4(a) of this chapter may file a motion to dismiss the petition to terminate the parent-child relationship if any of the following circumstances apply:

(1) That the current case plan prepared by or under the supervision of the department or the probation department under IC 31-34-15, IC 31-37-19-1.5, or IC 31-37-22-4.5 has documented a compelling reason, based on facts and circumstances stated in the petition or motion, for concluding that filing, or proceeding to a final determination of, a petition to terminate the parent-child relationship is not in the best interests of the child. A compelling reason may include the fact that the child is being cared for by a custodian who is a relative (as defined in ~~IC 31-9-2-107(c)~~ IC 31-9-2.1-207(c)).

(2) That:

(A) IC 31-34-21-5.6 is not applicable to the child;

(B) the department or the probation department has not provided family services to the child, parent, or family of the child in accordance with a currently effective case plan prepared under IC 31-34-15 or IC 31-37-19-1.5 or a permanency plan or dispositional decree approved under IC 31-34 or IC 31-37, for the purpose of permitting and facilitating safe return of the child to the child's home; and

(C) the period for completion of the program of family services, as specified in the current case plan, permanency plan, or decree, has not expired.

(3) That:

(A) IC 31-34-21-5.6 is not applicable to the child;

(B) the department has not provided family services to the

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child, parent, or family of the child, in accordance with applicable provisions of a currently effective case plan prepared under IC 31-34-15 or IC 31-37-19-1.5, or a permanency plan or dispositional decree approved under IC 31-34 or IC 31-37; and

(C) the services that the department has not provided are substantial and material in relation to implementation of a plan to permit safe return of the child to the child's home.

(4) Subject to subsection (f), that:

(A) the parent is incarcerated or the parent's prior incarceration is a significant factor in the child having been under the supervision of the department or a county probation department for at least fifteen (15) of the most recent twenty-two (22) months;

(B) the parent maintains a meaningful role in the child's life; and

(C) the department has not documented a reason to conclude that it would otherwise be in the child's best interests to terminate the parent-child relationship.

The motion to dismiss shall specify which of the allegations described in subdivisions (1) through (4) apply to the motion. If the court finds that any of the allegations described in subdivisions (1) through (4) are true, as established by a preponderance of the evidence, the court shall dismiss the petition to terminate the parent-child relationship. In determining whether to dismiss a petition to terminate a parent-child relationship pursuant to a motion to dismiss that specifies allegations described in subdivision (4), the court may consider the length of time remaining in the incarcerated parent's sentence and any other factor the court considers relevant.

(e) If:

(1) a child in need of services or a delinquent child has been removed from a parent and has been under the supervision of the department or county probation department for not less than fifteen (15) months of the most recent twenty-two (22) months, beginning with the date the child is removed from the home as a result of the child being alleged to be a child in need of services or a delinquent child; and

(2) a petition to terminate the parent-child relationship has not been filed by the department or another person described in section 4(a) of this chapter;

a foster parent, relative of the child, or de facto custodian with whom the child has been placed for at least six (6) months may file a notice

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with the court that the petition to terminate the parent-child relationship has not been filed as required under subsection (b). Upon the filing of the notice, if the petition to terminate the parent-child relationship has not been filed, the court shall schedule a hearing within thirty (30) days.

(f) Subsection (d)(4) does not apply if the person was incarcerated for any of the following:

(1) A crime described in IC 31-35-3-4.

(2) A crime of child abuse (as defined in IC 5-2-22-1).

(3) Neglect of a dependent (IC 35-46-1-4) if:

(A) the incarceration was for neglect of a dependent as a Level 5 or above felony; and

(B) the dependent would be the subject of the petition to terminate the parent-child relationship.

(g) The department may not:

(1) take adverse action against a foster parent's license under IC 31-27-4; or

(2) remove a child from the home of a foster parent, relative of the child, or de facto custodian;

on the basis of the foster parent, relative, or de facto custodian filing a notice with the court under subsection (e).

SECTION 212. IC 31-37-8-4.5, AS ADDED BY P.L.120-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) This section applies only to a court ordered or voluntary mental health:

(1) screening;

(2) assessment;

(3) evaluation; or

(4) treatment;

provided by or under the direction of an evaluator, as defined in ~~IC 31-9-2-43.8~~; IC 31-9-2.1-90, in conjunction with proceedings under this chapter.

(b) Notwithstanding section 4(5) of this chapter and except as provided in subsection (d) and except for purposes of:

(1) a probation revocation proceeding; or

(2) a modification of a dispositional decree under IC 31-37-22; a statement communicated to an evaluator in the evaluator's official capacity may not be admitted as evidence against the child on the issue of whether the child committed a delinquent act or a crime.

(c) This section does not affect the admissibility of evidence when a juvenile interposes the defense of insanity.

(d) This section does not affect a disclosure or reporting

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requirement in effect on July 1, 2007, under statute or in case law regarding a statement that:

(1) relates directly to the facts or immediate circumstances of a homicide; or

(2) reveals that the child may intend to commit a crime.

SECTION 213. IC 31-37-17-6.1, AS AMENDED BY P.L.186-2025, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) The predispositional report prepared by a probation officer must include the following information:

(1) A validated risk and needs assessment as described in section 1 of this chapter.

(2) A description of all dispositional options considered in preparing the report.

(3) An evaluation of each of the options considered in relation to the plan of care, treatment, rehabilitation, or placement recommended under the guidelines described in section 4 of this chapter.

(4) The name, occupation and position, and any relationship to the child of each person with whom the preparer of the report conferred as provided in section 1.1 of this chapter.

(5) The items required under section 1 of this chapter.

(6) The results of a dual status screening tool to determine whether the child is a dual status child as described in IC 31-41-1-2.

(b) If a probation officer is considering an out-of-home placement, including placement with a relative, the probation officer must conduct a criminal history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) for each person who is currently residing in the location designated as the out-of-home placement. The results of the criminal history check must be included in the predispositional report.

(c) A probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

SECTION 214. IC 31-37-18-5, AS AMENDED BY P.L.146-2008, SECTION 645, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. If the court authorizes a child

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1 who is under the custody or supervision of the department to be placed  
 2 in a state institution (as defined in ~~IC 12-7-2-184~~) IC 12-7-2.1-318) for  
 3 voluntary treatment in accordance with IC 12-26-3, the court may not  
 4 release the department from obligations of the department to the child  
 5 until the earlier of:

- 6 (1) the date the child is discharged; or
- 7 (2) the date that a parent, guardian, or other responsible person  
 8 approved by the court assumes the obligations.

9 SECTION 215. IC 31-37-19-6.5, AS AMENDED BY  
 10 P.L.186-2025, SECTION 163, IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) Except as  
 12 provided in subsection (d), the juvenile court may not enter a  
 13 dispositional decree approving placement of a child in another home  
 14 under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding  
 15 wardship to a person or facility that results in a placement with a  
 16 person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person  
 17 who is currently residing in the home in which the child would be  
 18 placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this  
 19 chapter has committed an act resulting in a substantiated report of child  
 20 abuse or neglect, has a juvenile adjudication for an act that would be  
 21 a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168  
 22 if committed by an adult, or has a conviction for a nonwaivable offense,  
 23 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

24 (b) The juvenile probation officer who prepared the  
 25 predispositional report shall conduct a criminal history check (as  
 26 defined in ~~IC 31-9-2-22.5~~) IC 31-9-2.1-58) to determine if a person  
 27 described in subsection (a) has committed an act resulting in a  
 28 substantiated report of child abuse or neglect, has a juvenile  
 29 adjudication for an act that would be a nonwaivable offense, as defined  
 30 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a  
 31 conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~  
 32 IC 31-9-2.1-168. [ ] However, the probation officer is not required to  
 33 conduct a criminal history check under this section if criminal history  
 34 information obtained under IC 31-37-17-6.1 establishes whether a  
 35 person described in subsection (a) has committed an act resulting in a  
 36 substantiated report of child abuse or neglect, has a juvenile  
 37 adjudication for an act that would be a nonwaivable offense, as defined  
 38 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a  
 39 conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~  
 40 IC 31-9-2.1-168.

41 (c) The juvenile probation officer is not required to conduct a  
 42 criminal history check under this section if:

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- 1 (1) the probation officer is considering only an out-of-home  
 2 placement to an entity or a facility that:  
 3 (A) is not a residence (as defined in IC 3-5-2.1-90); or  
 4 (B) is licensed by the state; or  
 5 (2) placement under this section is undetermined at the time the  
 6 predispositional report is prepared.  
 7 (d) The juvenile court may enter a dispositional decree approving  
 8 placement of a child in another home under section 1(a)(3) or  
 9 6(b)(2)(D) of this chapter or awarding wardship to a person or facility  
 10 that results in a placement with a person under section 1(a)(4) or  
 11 6(b)(2)(E) of this chapter if:  
 12 (1) a person described in subsection (a) has:  
 13 (A) committed an act resulting in a substantiated report of  
 14 child abuse or neglect;  
 15 (B) been convicted of:  
 16 (i) a felony under IC 9-30-5;  
 17 (ii) battery (IC [§ 35-42-2-1](#));  
 18 (iii) criminal recklessness (IC [§ 35-42-2-2](#)) as a felony;  
 19 (iv) criminal confinement (IC [§ 35-42-3-3](#)) as a felony;  
 20 (v) arson (IC [§ 35-43-1-1](#)) as a felony;  
 21 (vi) nonsupport of a dependent child (IC [§ 35-46-1-5](#));  
 22 (vii) operating a motorboat while intoxicated  
 23 (IC [§ 35-46-9-6](#)) as a felony;  
 24 (viii) a felony involving a weapon under IC 35-47; or  
 25 (ix) a felony relating to controlled substances under  
 26 IC 35-48-4;  
 27 if the conviction did not occur within the past five (5) years;  
 28 or  
 29 (C) had a juvenile adjudication for a nonwaivable offense,  
 30 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if  
 31 committed by an adult, would be a felony; and  
 32 (2) the person's commission of the offense, delinquent act, or act  
 33 of abuse or neglect described in subdivision (1) is not relevant  
 34 to the person's present ability to care for a child, and placing the  
 35 child in another home is in the best interest of the child.  
 36 However, a court may not enter a dispositional decree placing a child  
 37 in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or  
 38 awarding wardship to a person or facility under this subsection if a  
 39 person with whom the child is or will be placed has been convicted of  
 40 a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168  
 41 [§ 31-9-2-84.8](#) that is not specifically excluded under subdivision (1)(B).  
 42 (e) In considering the placement under subsection (d), the court



1 shall consider the following:

2 (1) The length of time since the person committed the offense,  
3 delinquent act, or act that resulted in the substantiated report of  
4 abuse or neglect.

5 (2) The severity of the offense, delinquent act, or abuse or  
6 neglect.

7 (3) Evidence of the person's rehabilitation, including the person's  
8 cooperation with a treatment plan, if applicable.

9 SECTION 216. IC 31-37-26-2, AS ADDED BY P.L.157-2021,  
10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2026]: Sec. 2. The following definitions apply throughout this  
12 chapter:

13 (1) "Competent" and "competency" mean the present ability of  
14 a child to:

15 (A) understand the nature and objectives of a proceeding  
16 against the child; and

17 (B) assist in the child's defense.

18 (2) "State institution" has the meaning set forth in ~~IC 12-7-2-184.~~  
19 IC 12-7-2.1-318.

20 SECTION 217. IC 31-39-2-13.5, AS AMENDED BY  
21 P.L.145-2006, SECTION 360, IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. The records of the  
23 juvenile court are available without a court order to an employee of the  
24 department of child services, a caseworker, or a juvenile probation  
25 officer conducting a criminal history check (as defined in  
26 ~~IC 31-9-2-22.5~~) IC 31-9-2.1-58) under IC 31-26-5-3, IC 31-34, or  
27 IC 31-37 to determine the appropriateness of an out-of-home placement  
28 for a:

29 (1) child at imminent risk of placement;

30 (2) child in need of services; or

31 (3) delinquent child.

32 SECTION 218. IC 31-42-1-6, AS ADDED BY P.L.101-2025,  
33 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2026]: Sec. 6. This chapter does not do any of the following:

35 (1) Authorize a parent to:

36 (A) commit child abuse or neglect as defined in  
37 ~~IC 31-9-2-14(c)~~; IC 31-9-2.1-33(c); or

38 (B) sue a judicial officer unless the judicial officer acts in  
39 clear absence of jurisdiction.

40 (2) Prohibit a court from issuing an order that is otherwise  
41 permitted by law.

42 (3) Prevent a person from asserting a defense or claim of

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immunity available by statute or at common law, including judicial immunity.

(4) Apply to an act or omission by a parent to end the life of a child.

(5) Waive attorney-client privilege as governed by the Rules of Professional Conduct of the Indiana supreme court.

(6) Waive immunities described in IC 31-32-3-10 and IC 31-32-3-10.5.

SECTION 219. IC 32-17.5-8-2.5, AS ADDED BY P.L.80-2010, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) This section applies to a disclaimer of an interest in property by a disclaimant who is delinquent (as defined in ~~IC 31-9-2-36(b)~~ IC 31-9-2.1-73(b)) before the disclaimer becomes effective.

(b) A disclaimer of an interest in property is barred up to the amount of the disclaimant's child support arrearage.

SECTION 220. IC 33-23-1-8.5, AS ADDED BY P.L.203-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Medication assisted treatment" has the meaning set forth in ~~IC 12-7-2-128.7~~ IC 12-7-2.1-223.

SECTION 221. IC 33-39-6-2, AS AMENDED BY P.L.201-2023, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A prosecuting attorney may appoint one (1) chief deputy prosecuting attorney. The maximum annual salary paid by the state of a chief deputy prosecuting attorney appointed under this subsection is as follows:

(1) If the prosecuting attorney is a full-time prosecuting attorney appointing a full-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a full-time prosecuting attorney.

(2) If the prosecuting attorney is a full-time prosecuting attorney appointing a part-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a part-time prosecuting attorney serving the judicial district served by the chief deputy prosecuting attorney.

(3) If the prosecuting attorney is a part-time prosecuting attorney appointing a full-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a full-time prosecuting attorney.

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(4) If the prosecuting attorney is a part-time prosecuting attorney appointing a part-time chief deputy prosecuting attorney, the annual salary of the chief deputy prosecuting attorney is equal to seventy-five percent (75%) of the salary paid by the state to a part-time prosecuting attorney.

(b) The prosecuting attorney in a county in which is located at least one (1) institution operated by the department of correction that houses at least one thousand five hundred (1,500) offenders may appoint two (2) additional deputy prosecuting attorneys. In a county having two (2) institutions, each of which houses at least one thousand five hundred (1,500) offenders, the prosecuting attorney may appoint a third deputy prosecuting attorney.

(c) The prosecuting attorney in a county in which is located an institution operated by the department of correction that houses at least one hundred (100) but less than one thousand five hundred (1,500) adult offenders may appoint one (1) additional deputy prosecuting attorney.

(d) The prosecuting attorney in a county in which is located a state institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318) that has a daily population of at least three hundred fifty (350) patients may appoint one (1) additional deputy prosecuting attorney.

(e) The prosecuting attorney of Cass County may appoint one (1) additional deputy prosecuting attorney.

(f) The annual salary of a deputy prosecuting attorney appointed under subsections (b) through (e) may not be less than seventy percent (70%) of the annual salary of a full-time prosecuting attorney.

(g) The salaries provided in this section shall be paid by the state once every two (2) weeks from the state general fund. There is appropriated annually out of the general fund of the state sufficient funds to pay any amount necessary. However, the salaries fixed in this chapter are determined to be maximum salaries to be paid by the state. This chapter does not limit the power of counties comprising the respective judicial circuits to pay additional salaries upon proper action by the appropriate county officials.

(h) The various county councils shall appropriate annually for other deputy prosecuting attorneys, investigators, clerical assistance, witness fees, out-of-state travel, postage, telephone tolls and telegraph, repairs to equipment, office supplies, other operating expenses, and equipment an amount necessary for the proper discharge of the duties imposed by law upon the office of the prosecuting attorney of each judicial circuit.

SECTION 222. IC 33-39-6-5 IS AMENDED TO READ AS

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1       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The annual  
2       minimum salary paid by the state to a full-time prosecuting attorney  
3       described in section 6 of this chapter is equal to the minimum salary of  
4       the circuit court judge of the same judicial circuit as the prosecuting  
5       attorney.

6       (b) A prosecuting attorney of a judicial circuit, other than a  
7       full-time prosecuting attorney described in section 6 of this chapter is  
8       entitled to a minimum annual salary in an amount equal to sixty percent  
9       (60%) of the salary provided in subsection (a), except as provided by  
10      subsection (c).

11      (c) A prosecuting attorney, other than a full-time prosecuting  
12      attorney described in section 6 of this chapter, of a judicial circuit:

13          (1) that has a population of less than eighty-five thousand  
14          (85,000) and that adjoins any county having a population of  
15          more than one hundred sixty thousand (160,000); or

16          (2) in which is located:

17              (A) the Indiana state prison, the Pendleton Correctional  
18              Facility, the Plainfield Correctional Facility, the Branchville  
19              Correctional Facility, the Wabash Valley Correctional  
20              Facility, or the Putnamville Correctional Facility; or

21              (B) a state institution (as defined in ~~IC 12-7-2-184~~)  
22              IC 12-7-2.1-318) that has a daily population of at least three  
23              hundred fifty (350) patients;

24      is entitled to a minimum annual salary in an amount equal to sixty-six  
25      percent (66%) of the salary provided in subsection (a).

26      (d) The state shall pay, from the state general fund, the minimum  
27      annual salary of a prosecuting attorney. The state shall pay the  
28      minimum annual salary in equal installments with payments being  
29      made once every two (2) weeks.

30      SECTION 223. IC 34-6-2.1-123, AS ADDED BY P.L.186-2025,  
31      SECTION 176, IS AMENDED TO READ AS FOLLOWS  
32      [EFFECTIVE JULY 1, 2026]: Sec. 123. "Mental health service  
33      provider", for purposes of IC 34-30-16, means any of the following:

34          (1) A physician licensed under IC 25-22.5.

35          (2) A hospital licensed under IC 16-21.

36          (3) A private institution licensed under IC 12-25.

37          (4) A psychologist licensed under IC 25-33.

38          (5) A school psychologist licensed by the Indiana state board of  
39          education.

40          (6) A postsecondary educational institution counseling center  
41          under the direction of a licensed psychologist, physician, or  
42          mental health professional.

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- 1 (7) A registered nurse or licensed practical nurse licensed under
- 2 IC 25-23.
- 3 (8) A clinical social worker licensed under IC 25-23.6-5-2.
- 4 (9) A partnership, a limited liability company, a corporation, or
- 5 a professional corporation (as defined in IC 23-1.5-1-10) whose
- 6 partners, members, or shareholders are mental health service
- 7 providers described in subdivisions (1) through (6).
- 8 (10) A community mental health center (as defined in
- 9 ~~IC 12-7-2-38~~; IC 12-7-2.1-78).
- 10 (11) A program for the treatment, care, or rehabilitation of
- 11 alcohol abusers or drug abusers that is:
- 12 (A) certified under IC 12-23-1-6; or
- 13 (B) created and funded under IC 12-23-14 or IC 33-23-16.
- 14 (12) A state institution (as defined in ~~IC 12-7-2-184~~;
- 15 IC 12-7-2.1-318).
- 16 (13) A provider (as defined in ~~IC 12-7-2-149.1(5)~~;
- 17 IC 12-7-2.1-267(5)).
- 18 SECTION 224. IC 34-6-2.1-165, AS ADDED BY P.L.186-2025,
- 19 SECTION 176, IS AMENDED TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2026]: Sec. 165. "Professional health care
- 21 provider", for purposes of IC 34-30-15, means:
- 22 (1) a physician licensed under IC 25-22.5;
- 23 (2) a dentist licensed under IC 25-14;
- 24 (3) a hospital licensed under IC 16-21;
- 25 (4) a podiatrist licensed under IC 25-29;
- 26 (5) a chiropractor licensed under IC 25-10;
- 27 (6) an optometrist licensed under IC 25-24;
- 28 (7) a psychologist licensed under IC 25-33;
- 29 (8) a pharmacist licensed under IC 25-26;
- 30 (9) a health facility licensed under IC 16-28-2;
- 31 (10) a registered or licensed practical nurse licensed under
- 32 IC 25-23;
- 33 (11) a physical therapist licensed under IC 25-27;
- 34 (12) a home health agency licensed under IC 16-27-1;
- 35 (13) a community mental health center (as defined in
- 36 ~~IC 12-7-2-38~~; IC 12-7-2.1-78);
- 37 (14) a health care organization whose members, shareholders,
- 38 subsidiaries, affiliates, or partners are:
- 39 (A) professional health care providers described in
- 40 subdivisions (1) through (13);
- 41 (B) professional corporations comprised of health care
- 42 professionals (as defined in IC 23-1.5-1-8); or

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- 1 (C) professional health care providers described in  
 2 subdivisions (1) through (13) and professional corporations  
 3 comprised of persons described in subdivisions (1) through  
 4 (13);  
 5 (15) a private psychiatric hospital licensed under IC 12-25;  
 6 (16) a preferred provider organization (including a preferred  
 7 provider arrangement or reimbursement agreement under  
 8 IC 27-8-11);  
 9 (17) a health maintenance organization (as defined in  
 10 IC 27-13-1-19) or a limited service health maintenance  
 11 organization (as defined in IC 27-13-34-4);  
 12 (18) a respiratory care practitioner licensed under IC 25-34.5;  
 13 (19) an occupational therapist licensed under IC 25-23.5;  
 14 (20) a state institution (as defined in ~~IC 12-7-2-184~~;  
 15 IC 12-7-2.1-318);  
 16 (21) a clinical social worker who is licensed under  
 17 IC 25-23.6-5-2;  
 18 (22) a provider (as defined in ~~IC 12-7-2-149.1(5)~~;  
 19 IC 12-7-2.1-267(5));  
 20 (23) a nonprofit health care organization affiliated with a  
 21 hospital that is owned or operated by a religious order, whose  
 22 members are members of that religious order;  
 23 (24) a nonprofit health care organization with one (1) or more  
 24 hospital affiliates;  
 25 (25) a health care organization that owns or controls, in whole or  
 26 in part, one (1) or more entities described in subdivisions (1)  
 27 through (24);  
 28 (26) a provider organization (as defined in IC 16-18-2-296);  
 29 (27) a paramedic licensed under IC 16-31;  
 30 (28) an emergency medical technician certified under IC 16-31;  
 31 (29) an emergency medical responder certified under IC 16-31;  
 32 or  
 33 (30) an advanced emergency medical technician certified under  
 34 IC 16-31.  
 35 SECTION 225. IC 34-6-2.1-166, AS ADDED BY P.L.186-2025,  
 36 SECTION 176, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2026]: Sec. 166. "Professional staff", for  
 38 purposes of IC 34-30-15, means:  
 39 (1) all individual professional health care providers authorized  
 40 to provide health care in a hospital or other health care facility;  
 41 or  
 42 (2) the multidisciplinary staff of a community mental health

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center (as defined in ~~IC 12-7-2-38~~; IC 12-7-2.1-78).

SECTION 226. IC 34-57-5-8, AS ADDED BY P.L.112-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) In a dissolution of marriage case, the family law arbitrator shall:

(1) divide the property of the parties, regardless of whether the property was:

(A) owned by either party before the marriage;

(B) acquired by either party in his or her own right:

(i) after the marriage; and

(ii) before final separation of the parties; or

(C) acquired by their joint efforts; and

(2) divide the property in a just and reasonable manner by:

(A) division of the property in kind;

(B) setting the property or parts of the property over to one

(1) of the parties and requiring either party to pay an amount, either in gross or in installments, that is just and proper;

(C) ordering the sale of the property under the conditions the family law arbitrator prescribes and dividing the proceeds of the sale; or

(D) ordering the distribution of benefits described in ~~IC 31-9-2-98(b)(2)~~ IC 31-9-2.1-190(b)(2) or ~~IC 31-9-2-98(b)(3)~~ IC 31-9-2.1-190(b)(3) that are payable after the dissolution of marriage, by setting aside to either of the parties a percentage of those payments either by assignment or in kind at the time of receipt.

(b) The division of marital property under this section must comply with IC 31-15-7-5.

SECTION 227. IC 35-31.5-2-139.3, AS ADDED BY P.L.65-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 139.3. "Foster family home", for purposes of IC 35-42-2-1, has the meaning set forth in ~~IC 31-9-2-46.9~~ IC 31-9-2.1-108.

SECTION 228. IC 35-31.5-2-196.5, AS ADDED BY P.L.203-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 196.5. "Medication assisted treatment" has the meaning set forth in ~~IC 12-7-2-128.7~~ IC 12-7-2.1-223.

SECTION 229. IC 35-36-2-4, AS AMENDED BY P.L.161-2018, SECTION 118, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Whenever a defendant is

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found not responsible by reason of insanity at the time of the crime, the prosecuting attorney shall file a written petition with the court under IC 12-26-6-2(a)(3) or under IC 12-26-7. If a petition is filed under IC 12-26-6-2(a)(3), the court shall hold a commitment hearing under IC 12-26-6. If a petition is filed under IC 12-26-7, the court shall hold a commitment hearing under IC 12-26-7.

(b) The hearing shall be conducted at the earliest opportunity after the finding of not responsible by reason of insanity at the time of the crime, and the defendant shall be detained in custody until the completion of the hearing. The court may take judicial notice of evidence introduced during the trial of the defendant and may call the physicians appointed by the court to testify concerning whether the defendant is currently mentally ill and dangerous or currently mentally ill and gravely disabled, as those terms are defined by ~~IC 12-7-2-96~~ in **IC 12-7-2.1-170** and ~~IC 12-7-2-130(1)~~. IC 12-7-2.1-226(1). The court may subpoena any other persons with knowledge concerning the issues presented at the hearing.

(c) The defendant has all the rights provided by the provisions of IC 12-26 under which the petition against the defendant was filed. The prosecuting attorney may cross-examine the witnesses and present relevant evidence concerning the issues presented at the hearing.

(d) If a court orders an individual to be committed under IC 12-26-6 or IC 12-26-7 following a verdict of not responsible by reason of insanity at the time of the crime, the warden of the facility to which the individual is committed and the attending physician are subject to the requirements of IC 12-26-15-1.

(e) If a defendant is found not responsible by reason of insanity, the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 230. IC 35-36-2-5, AS AMENDED BY P.L.161-2018, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except as provided by subsection (e), whenever a defendant is found guilty but mentally ill at the time of the crime or enters a plea to that effect that is accepted by the court, the court shall sentence the defendant in the same manner as a defendant found guilty of the offense.

(b) Before sentencing the defendant under subsection (a), the court shall require the defendant to be evaluated by a physician licensed under IC 25-22.5 who practices psychiatric medicine, a licensed psychologist, or a community mental health center (as defined in

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~~IC 12-7-2-38~~; IC 12-7-2.1-78). However, the court may waive this requirement if the defendant was evaluated by a physician licensed under IC 25-22.5 who practices psychiatric medicine, a licensed psychologist, or a community mental health center and the evaluation is contained in the record of the defendant's trial or plea agreement hearing.

(c) If a defendant who is found guilty but mentally ill at the time of the crime is committed to the department of correction, the defendant shall be further evaluated and then treated in such a manner as is psychiatrically indicated for the defendant's mental illness. Treatment may be provided by:

(1) the department of correction; or

(2) the division of mental health and addiction after transfer under IC 11-10-4.

(d) If a defendant who is found guilty but mentally ill at the time of the crime is placed on probation, the court may, in accordance with IC 35-38-2-2.3, require that the defendant undergo treatment.

(e) As used in this subsection, "individual with an intellectual disability" means an individual who, before becoming twenty-two (22) years of age, manifests:

(1) significantly subaverage intellectual functioning; and

(2) substantial impairment of adaptive behavior;

that is documented in a court ordered evaluative report. If a court determines under IC 35-36-9 that a defendant who is charged with a murder for which the state seeks a death sentence is an individual with an intellectual disability, the court shall sentence the defendant under IC 35-50-2-3(a).

(f) If a defendant is found guilty but mentally ill, the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 231. IC 35-36-3-1, AS AMENDED BY P.L.85-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) If at any time before the final submission of any criminal case to the court or the jury trying the case, the court has reasonable grounds for believing that the defendant lacks the ability to understand the proceedings and assist in the preparation of a defense, the court shall immediately fix a time for a hearing to determine whether the defendant has that ability.

(b) This subsection applies to a defendant charged with murder or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony. When a court

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sets a hearing under subsection (a), the court shall appoint two (2) or three (3) individuals to determine the defendant's competency. Each of the appointed individuals must be a psychiatrist, or a psychologist endorsed by the Indiana state board of examiners in psychology as a health service provider in psychology. An individual appointed under this subsection must be competent and disinterested.

(c) This subsection applies to a defendant charged with a misdemeanor or a Level 6 felony. When a court sets a hearing under subsection (a), the court shall appoint one (1) individual who:

(1) is a:

(A) psychiatrist; or

(B) psychologist endorsed by the Indiana state board of examiners in psychology as a health service provider in psychology;

(2) is competent and disinterested; and

(3) has expertise in determining competency.

(d) In addition to the psychiatrist or psychologist appointed under subsection (c), the court may appoint not more than two (2) additional individuals to assist the court in determining competency. Upon request of either party, the court shall appoint at least one (1), but not more than two (2), additional individuals to assist the court in determining competency. An individual appointed under this subsection may be an individual:

(1) described in subsection (c); or

(2) who is competent and disinterested, has expertise in determining competency, and is:

(A) licensed:

(i) under IC 25-23 as an advanced practice registered nurse (APRN) with a certification as a psychiatric mental health nurse practitioner;

(ii) under IC 25-27.5 as a physician assistant who specializes in psychiatry or mental health; or

(iii) under IC 25-22.5 as a physician who specializes in psychiatry or mental health; and

(B) certified by the division of mental health and addiction as a competency evaluator.

(e) An individual appointed under this section may not be an employee or a contractor of a state institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318). The individuals who are appointed shall examine the defendant and testify at the hearing as to whether the defendant can understand the proceedings and assist in the preparation of the defendant's defense.

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(f) At the hearing, other evidence relevant to whether the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense may be introduced. If the court finds that the defendant has the ability to understand the proceedings and assist in the preparation of the defendant's defense, the trial shall proceed. If the court finds that the defendant lacks this ability, it shall delay or continue the trial and order the defendant committed to the division of mental health and addiction. The division of mental health and addiction shall provide competency restoration services or enter into a contract for the provision of competency restoration services by a third party in the:

(1) location where the defendant currently resides; or

(2) least restrictive setting appropriate to the needs of the defendant and the safety of the defendant and others.

However, if the defendant is serving an unrelated executed sentence in the department of correction at the time the defendant is committed to the division of mental health and addiction under this section, the division of mental health and addiction shall provide competency restoration services or enter into a contract for the provision of competency restoration services by a third party at a department of correction facility agreed upon by the division of mental health and addiction or the third party contractor and the department of correction. A contract entered into with a third party under this subsection may confer to the third party all authority the division would have in providing competency restoration services to the defendant at a state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318).

(g) If the court makes a finding under subsection (f), the court shall transmit any information required by the office of judicial administration to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 232. IC 35-36-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Whenever the defendant attains the ability to understand the proceedings and assist in the preparation of the defendant's defense:

(1) the superintendent of the state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318); or

(2) if the division of mental health and addiction entered into a contract for the provision of competency restoration services, the director or medical director of the third party contractor;

shall certify that fact to the proper court, which shall enter an order directing the sheriff to return the defendant. The court shall enter such

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an order immediately after being sufficiently advised of the defendant's attainment of the ability to understand the proceedings and assist in the preparation of the defendant's defense. Upon the return to court of any defendant committed under section 1 of this chapter, the court shall hold the trial as if no delay or postponement had occurred.

SECTION 233. IC 35-36-3-3, AS AMENDED BY P.L.85-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Within ninety (90) days after:

(1) a defendant's admission to a state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318); or

(2) the initiation of competency restoration services to a defendant by a third party contractor;

the superintendent of the state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318) or the director or medical director of the third party contractor, if the division of mental health and addiction has entered into a contract for the provision of competency restoration services by a third party, shall certify to the proper court whether the defendant has a substantial probability of attaining the ability to understand the proceedings and assist in the preparation of the defendant's defense within the foreseeable future.

(b) If a party files a motion to dismiss, the court may dismiss the charges against the defendant without prejudice if the:

(1) defendant has been diagnosed with:

(A) dementia;

(B) Alzheimer's disease; or

(C) a traumatic brain injury;

(2) defendant's diagnosis substantially impacts the defendant's ability to understand the proceedings and assist in the preparation of the defendant's defense within the foreseeable future; and

(3) defendant is charged with a misdemeanor or a Level 6 felony.

(c) If a defendant's charges are not dismissed under subsection (b) and a substantial probability does not exist, the state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318) or the third party contractor shall initiate regular commitment proceedings under IC 12-26. If a substantial probability does exist, the state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318) or third party contractor shall retain the defendant:

(1) until the defendant attains the ability to understand the proceedings and assist in the preparation of the defendant's defense and is returned to the proper court for trial; or

(2) for six (6) months from the date of the:

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- 1 (A) defendant's admission to a state institution (as defined  
 2 in ~~IC 12-7-2-184~~; IC 12-7-2.1-318); or  
 3 (B) initiation of competency restoration services by a third  
 4 party contractor;

5 whichever first occurs.

6 SECTION 234. IC 35-36-3-4, AS AMENDED BY P.L.85-2024,  
 7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2026]: Sec. 4. If a defendant who was found under section 3  
 9 of this chapter to have had a substantial probability of attaining the  
 10 ability to understand the proceedings and assist in the preparation of  
 11 the defendant's defense:

12 (1) has not attained that ability within six (6) months after the  
 13 date of the:

14 (A) defendant's admission to a state institution (as defined  
 15 in ~~IC 12-7-2-184~~; IC 12-7-2.1-318); or

16 (B) initiation of competency restoration services by a third  
 17 party contractor; or

18 (2) has not had the criminal charges dismissed under section 3(b)  
 19 of this chapter;

20 the state institution (as defined in ~~IC 12-7-2-184~~; IC 12-7-2.1-318) or  
 21 the third party contractor, if the division of mental health and addiction  
 22 has entered into a contract for the provision of competency restoration  
 23 services by a third party, shall institute regular commitment  
 24 proceedings under IC 12-26.

25 SECTION 235. IC 35-42-2-1, AS AMENDED BY P.L.148-2024,  
 26 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2026]: Sec. 1. (a) As used in this section, "public safety  
 28 official" means:

29 (1) a law enforcement officer, including an alcoholic beverage  
 30 enforcement officer;

31 (2) an employee of a penal facility or a juvenile detention facility  
 32 (as defined in ~~IC 31-9-2-71~~; IC 31-9-2.1-144);

33 (3) an employee of the department of correction;

34 (4) a probation officer;

35 (5) a parole officer;

36 (6) a community corrections worker;

37 (7) a home detention officer;

38 (8) a department of child services employee;

39 (9) a firefighter;

40 (10) an emergency medical services provider;

41 (11) a judicial officer;

42 (12) a bailiff of any court; or

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- 1 (13) a special deputy (as described in IC 36-8-10-10.6).  
 2 (b) As used in this section, "relative" means an individual related  
 3 by blood, half-blood, adoption, marriage, or remarriage, including:  
 4 (1) a spouse;  
 5 (2) a parent or stepparent;  
 6 (3) a child or stepchild;  
 7 (4) a grandchild or stepgrandchild;  
 8 (5) a grandparent or stepgrandparent;  
 9 (6) a brother, sister, stepbrother, or stepsister;  
 10 (7) a niece or nephew;  
 11 (8) an aunt or uncle;  
 12 (9) a daughter-in-law or son-in-law;  
 13 (10) a mother-in-law or father-in-law; or  
 14 (11) a first cousin.  
 15 (c) Except as provided in subsections (d) through (k), a person  
 16 who knowingly or intentionally:  
 17 (1) touches another person in a rude, insolent, or angry manner;  
 18 or  
 19 (2) in a rude, insolent, or angry manner places any bodily fluid  
 20 or waste on another person;  
 21 commits battery, a Class B misdemeanor.  
 22 (d) The offense described in subsection (c)(1) or (c)(2) is a Class  
 23 A misdemeanor if it:  
 24 (1) results in bodily injury to any other person; or  
 25 (2) is committed against a member of a foster family home (as  
 26 defined in IC 35-31.5-2-139.3) by a person who is not a resident  
 27 of the foster family home if the person who committed the  
 28 offense is a relative of a person who lived in the foster family  
 29 home at the time of the offense.  
 30 (e) The offense described in subsection (c)(1) or (c)(2) is a Level  
 31 6 felony if one (1) or more of the following apply:  
 32 (1) The offense results in moderate bodily injury to any other  
 33 person.  
 34 (2) The offense is committed against a public safety official  
 35 while the official is engaged in the official's official duty, unless  
 36 the offense is committed by a person detained or committed  
 37 under IC 12-26.  
 38 (3) The offense is committed against a person less than fourteen  
 39 (14) years of age and is committed by a person at least eighteen  
 40 (18) years of age.  
 41 (4) The offense is committed against a person of any age who  
 42 has a mental or physical disability and is committed by a person

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1 having the care of the person with the mental or physical  
 2 disability, whether the care is assumed voluntarily or because of  
 3 a legal obligation.

4 (5) The offense is committed against an endangered adult (as  
 5 defined in IC 12-10-3-2).

6 (6) The offense:

7 (A) is committed against a member of a foster family home  
 8 (as defined in IC 35-31.5-2-139.3) by a person who is not a  
 9 resident of the foster family home if the person who  
 10 committed the offense is a relative of a person who lived in  
 11 the foster family home at the time of the offense; and

12 (B) results in bodily injury to the member of the foster  
 13 family.

14 (f) The offense described in subsection (c)(2) is a Level 6 felony  
 15 if the person knew or recklessly failed to know that the bodily fluid or  
 16 waste placed on another person was infected with hepatitis,  
 17 tuberculosis, or human immunodeficiency virus.

18 (g) The offense described in subsection (c)(1) or (c)(2) is a Level  
 19 5 felony if one (1) or more of the following apply:

20 (1) The offense results in serious bodily injury to another person.

21 (2) The offense is committed with a deadly weapon.

22 (3) The offense results in bodily injury to a pregnant woman if  
 23 the person knew of the pregnancy.

24 (4) The person has a previous conviction for a battery or  
 25 strangulation offense included in this chapter against the same  
 26 victim.

27 (5) The offense results in bodily injury to one (1) or more of the  
 28 following:

29 (A) A public safety official while the official is engaged in  
 30 the official's official duties, unless the offense is committed  
 31 by a person detained or committed under IC 12-26.

32 (B) A person less than fourteen (14) years of age if the  
 33 offense is committed by a person at least eighteen (18) years  
 34 of age.

35 (C) A person who has a mental or physical disability if the  
 36 offense is committed by an individual having care of the  
 37 person with the disability, regardless of whether the care is  
 38 assumed voluntarily or because of a legal obligation.

39 (D) An endangered adult (as defined in IC 12-10-3-2).

40 (h) The offense described in subsection (c)(2) is a Level 5 felony  
 41 if:

42 (1) the person knew or recklessly failed to know that the bodily



fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and (2) the person placed the bodily fluid or waste on a public safety official, unless the offense is committed by a person detained or committed under IC 12-26.

(i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2).

SECTION 236. IC 35-42-4-7, AS AMENDED BY P.L.238-2025, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section, "adoptive parent" has the meaning set forth in ~~IC 31-9-2-6~~ IC 31-9-2.1-13.

(b) As used in this section, "adoptive grandparent" means the parent of an adoptive parent.

(c) As used in this section, "charter school" has the meaning set forth in IC 20-18-2-2.5.

(d) As used in this section, "child care worker" means a person who:

(1) provides care, supervision, or instruction to a child within the scope of the person's employment in a shelter care facility;

(2) is employed by a:

(A) school corporation;

(B) charter school;

(C) nonpublic school; or

(D) special education cooperative;

attended by a child who is the victim of a crime under this chapter; or

(3) is:

(A) affiliated with a:

(i) school corporation;

(ii) charter school;

(iii) nonpublic school; or

(iv) special education cooperative;

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- 1 attended by a child who is the victim of a crime under this
- 2 chapter, regardless of how or whether the person is
- 3 compensated;
- 4 (B) in a position of trust in relation to a child who attends
- 5 the school or cooperative;
- 6 (C) engaged in the provision of care or supervision to a
- 7 child who attends the school or cooperative; and
- 8 (D) at least four (4) years older than the child who is the
- 9 victim of a crime under this chapter.

10 The term does not include a student who attends the school or  
11 cooperative.

- 12 (e) As used in this section, "coach" means a person who:
- 13 (1) provides care, supervision, or instruction to a child within the
- 14 scope of the person's employment in a youth sports organization;
- 15 (2) is employed by a youth sports organization attended by a
- 16 child who is the victim of a crime under this chapter; or
- 17 (3) is:
- 18 (A) affiliated with a youth sports organization attended by
- 19 a child who is the victim of a crime under this chapter,
- 20 regardless of how or whether the person is compensated;
- 21 (B) in a position of trust in relation to a child who
- 22 participates in the youth sports organization;
- 23 (C) engaged in the provision of care or supervision to a
- 24 child who participates in the youth sports organization; and
- 25 (D) at least four (4) years older than the child who is the
- 26 victim of a crime under this chapter.

27 This term includes a coach who is nonteaching or a volunteer.

28 (f) As used in this section, "custodian" means any person who  
29 resides with a child and is responsible for the child's welfare.

30 (g) As used in this section, "mental health professional" means:

- 31 (1) a mental health counselor licensed under IC 25-23.6-8.5;
- 32 (2) a psychologist; or
- 33 (3) a psychiatrist.

34 (h) As used in this section, "military recruiter" means a member  
35 of:

- 36 (1) the United States Air Force;
- 37 (2) the United States Army;
- 38 (3) the United States Coast Guard;
- 39 (4) the United States Marine Corps;
- 40 (5) the United States Navy;
- 41 (6) the United States Space Force;
- 42 (7) any reserve components of the military forces listed in

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subdivisions (1) through (5); or  
 (8) the Indiana National Guard;  
 whose primary job function, classification, or specialty is recruiting  
 individuals to enlist with an entity listed in subdivisions (1) through  
 (8).

(i) As used in this section, "nonpublic school" has the meaning set  
 forth in IC 20-18-2-12.

(j) For purposes of this section, a person has a "professional  
 relationship" with a child if:

(1) the person:

(A) has a license issued by the state or a political  
 subdivision on the basis of the person's training and  
 experience that authorizes the person to carry out a  
 particular occupation; or

(B) is employed in a position in which counseling,  
 supervising, instructing, or recruiting children forms a  
 significant part of the employment; and

(2) the person has a relationship with a child that is based on the  
 person's employment or licensed status as described in  
 subdivision (1).

The term includes a relationship between a child and a mental health  
 professional or military recruiter. The term does not include a coworker  
 relationship between a child and a person described in subdivision  
 (1)(B).

(k) As used in this section, "school corporation" has the meaning  
 set forth in IC 20-18-2-16.

(l) As used in this section, "special education cooperative" has the  
 meaning set forth in IC 20-35-5-1.

(m) As used in this section, "stepparent" means an individual who  
 is married to a child's custodial or noncustodial parent and is not the  
 child's adoptive parent.

(n) As used in this section, "workplace supervisor" means an  
 individual who has authority over a child while the child is employed  
 at the child's place of employment. The term includes a person who is  
 responsible for determining the child's wages (including whether the  
 child will receive a raise) or who otherwise has the authority to take an  
 adverse employment action against the child.

(o) As used in this section, "youth sports organization" means an  
 athletic or recreational program that is organized for:

(1) competition against another team, club, or entity; or

(2) athletic instruction;

predominantly for children less than eighteen (18) years of age.

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(p) If a person who:

(1) is at least eighteen (18) years of age; and

(2) is the:

(A) guardian, adoptive parent, adoptive grandparent, custodian, or stepparent of;

(B) child care worker for; or

(C) coach of;

a child less than eighteen (18) years of age;

engages with the child in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of either the child or the adult, the person commits child seduction.

(q) A person who:

(1) has or had a professional relationship with a child less than eighteen (18) years of age whom the person knows to be less than eighteen (18) years of age;

(2) may exert undue influence on the child because of the person's current or previous professional relationship with the child; and

(3) uses or exerts the person's professional relationship to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the person;

commits child seduction.

(r) A law enforcement officer who:

(1) is at least four (4) years older than a child who is less than eighteen (18) years of age;

(2) has contact with the child while acting within the scope of the law enforcement officer's official duties with respect to the child; and

(3) uses or exerts the law enforcement officer's professional relationship with the child to engage with the child in:

(A) sexual intercourse;

(B) other sexual conduct (as defined in IC 35-31.5-2-221.5);

or

(C) any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the law enforcement officer;

commits child seduction.

(s) In determining whether a person used or exerted the person's professional relationship with the child to engage in sexual intercourse,

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other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of the child or the person under this section, the trier of fact may consider one (1) or more of the following:

- (1) The age difference between the person and the child.
- (2) Whether the person was in a position of trust with respect to the child.
- (3) Whether the person's conduct with the child violated any ethical obligations of the person's profession or occupation.
- (4) The authority that the person had over the child.
- (5) Whether the person exploited any particular vulnerability of the child.
- (6) Any other evidence relevant to the person's ability to exert undue influence over the child.

(t) This subsection does not apply to a workplace supervisor who had a dating relationship with the child before the child was employed at the place of employment. A workplace supervisor who:

- (1) is at least four (4) years older than a child who is less than eighteen (18) years of age;
- (2) supervises the child at the child's place of employment; and
- (3) uses or exerts the workplace supervisor's supervisory relationship with the child to engage with the child in:

- (A) sexual intercourse;
- (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
- or
- (C) any fondling or touching with the child with the intent to arouse or satisfy the sexual desires of the child or the workplace supervisor;

commits child seduction.

(u) In determining whether a workplace supervisor used or exerted the workplace supervisor's relationship with the child to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or any fondling or touching with the intent to arouse or satisfy the sexual desires of the child or the workplace supervisor, the trier of fact may consider one (1) or more of the following:

- (1) The age difference between the workplace supervisor and the child.
- (2) Whether the workplace supervisor was in a position of trust with respect to the child.
- (3) Whether the workplace supervisor suggested to the child that engaging or not engaging in sexual activity with the workplace

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supervisor would or could affect the child at the child's place of employment.

(4) The authority that the workplace supervisor had over the child.

(5) Whether the workplace supervisor exploited any particular vulnerability of the child.

(6) Any other evidence relevant to the workplace supervisor's ability to exert undue influence over the child.

(v) Child seduction under this section is:

(1) a Level 6 felony if the child is at least sixteen (16) years of age but less than eighteen (18) years of age and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of:

(A) the child; or

(B) the person or law enforcement officer;

(2) a Level 5 felony if the child is at least sixteen (16) years of age but less than eighteen (18) years of age and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child;

(3) a Level 5 felony if the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of:

(A) the child; or

(B) the person or law enforcement officer;

(4) a Level 4 felony if the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child;

(5) a Level 3 felony if the child is thirteen (13) years of age or under and the person or law enforcement officer engaged in any fondling or touching with the intent to arouse or satisfy the sexual desires of:

(A) the child; or

(B) the person or law enforcement officer; and

(6) a Level 2 felony if the child is thirteen (13) years of age or under and the person or law enforcement officer engaged in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with the child.

SECTION 237. IC 35-44.1-1-4, AS AMENDED BY P.L.158-2013, SECTION 499, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The following

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- 1 definitions apply throughout this section:
- 2 (1) "Dependent" means any of the following:
- 3 (A) The spouse of a public servant.
- 4 (B) A child, stepchild, or adoptee (as defined in
- 5 ~~IC 31-9-2-2~~ IC 31-9-2.1-8) of a public servant who is:
- 6 (i) unemancipated; and
- 7 (ii) less than eighteen (18) years of age.
- 8 (C) An individual more than one-half (1/2) of whose
- 9 support is provided during a year by the public servant.
- 10 (2) "Governmental entity served by the public servant" means
- 11 the immediate governmental entity being served by a public
- 12 servant.
- 13 (3) "Pecuniary interest" means an interest in a contract or
- 14 purchase if the contract or purchase will result or is intended to
- 15 result in an ascertainable increase in the income or net worth of:
- 16 (A) the public servant; or
- 17 (B) a dependent of the public servant who:
- 18 (i) is under the direct or indirect administrative control
- 19 of the public servant; or
- 20 (ii) receives a contract or purchase order that is
- 21 reviewed, approved, or directly or indirectly
- 22 administered by the public servant.
- 23 (b) A public servant who knowingly or intentionally:
- 24 (1) has a pecuniary interest in; or
- 25 (2) derives a profit from;
- 26 a contract or purchase connected with an action by the governmental
- 27 entity served by the public servant commits conflict of interest, a Level
- 28 6 felony.
- 29 (c) It is not an offense under this section if any of the following
- 30 apply:
- 31 (1) The public servant or the public servant's dependent receives
- 32 compensation through salary or an employment contract for:
- 33 (A) services provided as a public servant; or
- 34 (B) expenses incurred by the public servant as provided by
- 35 law.
- 36 (2) The public servant's interest in the contract or purchase and
- 37 all other contracts and purchases made by the governmental
- 38 entity during the twelve (12) months before the date of the
- 39 contract or purchase was two hundred fifty dollars (\$250) or less.
- 40 (3) The contract or purchase involves utility services from a
- 41 utility whose rate structure is regulated by the state or federal
- 42 government.

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- (4) The public servant:
- (A) acts in only an advisory capacity for a state supported college or university; and
  - (B) does not have authority to act on behalf of the college or university in a matter involving a contract or purchase.
- (5) A public servant under the jurisdiction of the state ethics commission (as provided in IC 4-2-6-2.5) obtains from the state ethics commission, following full and truthful disclosure, written approval that the public servant will not or does not have a conflict of interest in connection with the contract or purchase under IC 4-2-6 and this section. The approval required under this subdivision must be:
- (A) granted to the public servant before action is taken in connection with the contract or purchase by the governmental entity served; or
  - (B) sought by the public servant as soon as possible after the contract is executed or the purchase is made and the public servant becomes aware of the facts that give rise to a question of conflict of interest.
- (6) A public servant makes a disclosure that meets the requirements of subsection (d) or (e) and is:
- (A) not a member or on the staff of the governing body empowered to contract or purchase on behalf of the governmental entity, and functions and performs duties for the governmental entity unrelated to the contract or purchase;
  - (B) appointed by an elected public servant;
  - (C) employed by the governing body of a school corporation and the contract or purchase involves the employment of a dependent or the payment of fees to a dependent;
  - (D) elected; or
  - (E) a member of, or a person appointed by, the board of trustees of a state supported college or university.
- (7) The public servant is a member of the governing board of, or is a physician employed or contracted by, a hospital organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1.
- (d) A disclosure must:
- (1) be in writing;
  - (2) describe the contract or purchase to be made by the governmental entity;
  - (3) describe the pecuniary interest that the public servant has in the contract or purchase;

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(4) be affirmed under penalty of perjury;  
 (5) be submitted to the governmental entity and be accepted by the governmental entity in a public meeting of the governmental entity before final action on the contract or purchase;

(6) be filed within fifteen (15) days after final action on the contract or purchase with:

(A) the state board of accounts; and

(B) if the governmental entity is a governmental entity other than the state or a state supported college or university, the clerk of the circuit court in the county where the governmental entity takes final action on the contract or purchase; and

(7) contain, if the public servant is appointed, the written approval of the elected public servant (if any) or the board of trustees of a state supported college or university (if any) that appointed the public servant.

(e) This subsection applies only to a person who is a member of, or a person appointed by, the board of trustees of a state supported college or university. A person to whom this subsection applies complies with the disclosure requirements of this chapter with respect to the person's pecuniary interest in a particular type of contract or purchase which is made on a regular basis from a particular vendor if the individual files with the state board of accounts and the board of trustees a statement of pecuniary interest in that particular type of contract or purchase made with that particular vendor. The statement required by this subsection must be made on an annual basis.

SECTION 238. IC 35-44.1-2-3, AS AMENDED BY P.L.129-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;

knowing the report to be false, commits false reporting, a Level 6 felony.

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- 1 (d) A person who:  
 2 (1) gives:  
 3 (A) a false report of the commission of a crime; or  
 4 (B) false information to a law enforcement officer that  
 5 relates to the commission of a crime;  
 6 knowing the report or information to be false;  
 7 (2) gives a false alarm of fire to the fire department of a  
 8 governmental entity, knowing the alarm to be false;  
 9 (3) makes a false request for ambulance service to an ambulance  
 10 service provider, knowing the request to be false;  
 11 (4) gives a false report concerning a missing child (as defined in  
 12 IC 10-13-5-4), missing veteran at risk (as defined in  
 13 ~~IC 12-7-2-197.3~~, **IC 12-7-2.1-346**), or missing endangered adult  
 14 (as defined in ~~IC 12-7-2-131.3~~) **IC 12-7-2.1-227**) or gives false  
 15 information to a law enforcement officer or a governmental  
 16 entity that relates to a missing child, missing veteran at risk, or  
 17 missing endangered adult knowing the report or information to  
 18 be false;  
 19 (5) makes a complaint against a law enforcement officer to the  
 20 state or municipality (as defined in IC 8-1-13-3(b)) that employs  
 21 the officer:  
 22 (A) alleging the officer engaged in misconduct while  
 23 performing the officer's duties; and  
 24 (B) knowing the complaint to be false;  
 25 (6) makes a false report of a missing person, knowing the report  
 26 or information is false;  
 27 (7) gives a false report of actions, behavior, or conditions  
 28 concerning:  
 29 (A) a septic tank soil absorption system under IC 8-1-2-125  
 30 or IC 13-26-5-2.5; or  
 31 (B) a septic tank soil absorption system or constructed  
 32 wetland septic system under IC 36-9-23-30.1;  
 33 knowing the report or information to be false; or  
 34 (8) makes a false report that a person is dangerous (as defined in  
 35 IC 35-47-14-1) knowing the report or information to be false;  
 36 commits false informing, a Class B misdemeanor except as provided  
 37 in subsection (e).  
 38 (e) The offense described in subsection (d) is:  
 39 (1) a Class A misdemeanor if it:  
 40 (A) substantially hinders any law enforcement process,  
 41 including by causing the dispatch of one (1) or more law  
 42 enforcement officers;

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- 1 (B) results in harm to another person; or  
 2 (C) is committed under subsection (d)(8);  
 3 (2) a Level 6 felony if it:  
 4 (A) is committed under subsection (d)(8); and  
 5 (B) either:  
 6 (i) substantially hinders any law enforcement process,  
 7 including by causing the dispatch of one (1) or more  
 8 law enforcement officers;  
 9 (ii) results in harm to another person; or  
 10 (iii) would cause a reasonable person to feel terrorized,  
 11 frightened, intimidated, or threatened; and  
 12 (3) a Level 5 felony if it is committed under subsection (d)(8)  
 13 and results in serious bodily injury or death to another person.  
 14 SECTION 239. IC 35-44.1-3-5, AS AMENDED BY  
 15 P.L.104-2024, SECTION 41, IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The following  
 17 definitions apply throughout this section:  
 18 (1) "Chemical intoxicant" means a substance that, when  
 19 introduced into a person's body, causes intoxication or a similar  
 20 physical effect. The term does not include an alcoholic beverage  
 21 or a cigarette or tobacco product (as defined in IC 6-7-2-5).  
 22 (2) "Juvenile facility" means the following:  
 23 (A) A secure facility (as defined in ~~IC 31-9-2-114~~)  
 24 IC 31-9-2.1-222) in which a child is detained under IC 31  
 25 or used for a child awaiting adjudication or adjudicated  
 26 under IC 31 as a child in need of services or a delinquent  
 27 child.  
 28 (B) A shelter care facility (as defined in ~~IC 31-9-2-117~~)  
 29 IC 31-9-2.1-227) in which a child is detained under IC 31  
 30 or used for a child awaiting adjudication or adjudicated  
 31 under IC 31 as a child in need of services or a delinquent  
 32 child.  
 33 (b) A person who, without the prior authorization of the person in  
 34 charge of a penal facility or juvenile facility, knowingly or  
 35 intentionally:  
 36 (1) delivers, or carries into the penal facility or juvenile facility  
 37 with intent to deliver, an article to an inmate or child of the  
 38 facility;  
 39 (2) carries, or receives with intent to carry out of the penal  
 40 facility or juvenile facility, an article from an inmate or child of  
 41 the facility; or  
 42 (3) delivers, or carries to a worksite with the intent to deliver,

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1           alcoholic beverages to an inmate or child of a jail work crew or  
 2           community work crew;  
 3           (including delivering, carrying, or receiving through the use of an  
 4           unmanned aerial vehicle) commits trafficking with an inmate, a Class  
 5           A misdemeanor. However, the offense is a Level 5 felony under  
 6           subdivision (1) or (2) if the article is a controlled substance, a chemical  
 7           intoxicant, a deadly weapon, or a cellular telephone or other wireless  
 8           or cellular communications device.

9           (c) If:

10           (1) the person who committed the offense under subsection (b)  
 11           is an employee of:

12                (A) the department of correction; or

13                (B) a penal facility;

14           and the article is a cigarette or tobacco product (as defined in  
 15           IC 6-7-2-5), the court shall order the person to pay a fine of at  
 16           least five hundred dollars (\$500) and not more than five  
 17           thousand dollars (\$5,000) under IC 35-50-3-2, in addition to any  
 18           term of imprisonment imposed under IC 35-50-3-2; or

19           (2) a person is convicted of committing a Level 5 felony under  
 20           subsection (b)(1) or (b)(2) because the article was a cellular  
 21           telephone or other wireless or cellular communication device,  
 22           the court shall order the person to pay a fine of at least five  
 23           hundred dollars (\$500) and not more than ten thousand dollars  
 24           (\$10,000) under IC 35-50-2-6(a) in addition to any term of  
 25           imprisonment imposed on the person under IC 35-50-2-6(a).

26           (d) A person who:

27                (1) is not an inmate of a penal facility or a child of a juvenile  
 28                facility; and

29                (2) knowingly or intentionally possesses in, or carries or causes  
 30                to be brought into, the penal facility or juvenile facility a deadly  
 31                weapon without the prior authorization of the person in charge  
 32                of the penal facility or juvenile facility;

33           commits carrying a deadly weapon into a correctional facility, a Level  
 34           5 felony.

35           SECTION 240. IC 35-46-1-4.1, AS ADDED BY P.L.158-2013,  
 36           SECTION 551, IS AMENDED TO READ AS FOLLOWS  
 37           [EFFECTIVE JULY 1, 2026]: Sec. 4.1. (a) As used in this section,  
 38           "child care provider" means a person who provides child care in or on  
 39           behalf of:

40                (1) a child care center (as defined in ~~IC 12-7-2-28.4~~;  
 41                IC 12-7-2.1-55); or

42                (2) a child care home (as defined in ~~IC 12-7-2-28.6~~);

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1 IC 12-7-2.1-57);  
 2 regardless of whether the child care center or child care home is  
 3 licensed.

4 (b) A child care provider who recklessly supervises a child  
 5 commits reckless supervision, a Class B misdemeanor. However, the  
 6 offense is a Class A misdemeanor if the offense results in serious  
 7 bodily injury to a child, and a Level 6 felony if the offense results in the  
 8 death of a child.

9 SECTION 241. IC 35-46-7-1 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this  
 11 chapter, "health care provider" means:

- 12 (1) a hospital licensed under IC 16-21;
- 13 (2) a health facility licensed under IC 16-28;
- 14 (3) a housing services establishment that is required to file a  
 15 disclosure statement under IC 12-15;
- 16 (4) a continuing care retirement community that is required to  
 17 file a disclosure statement under IC 23-2-4;
- 18 (5) a home health agency licensed under IC 16-27;
- 19 (6) a hospice licensed under IC 16-25;
- 20 (7) an entity that provides licensed or certified health care  
 21 professionals to:
- 22 (A) a health care provider; or
- 23 (B) a person who is in need of, or receives, professional  
 24 health care services;
- 25 (8) a community mental health center (as defined in  
 26 ~~IC 12-7-2-38~~; IC 12-7-2.1-78);
- 27 (9) a private psychiatric hospital licensed under IC 12-25;
- 28 (10) a state institution (as defined in ~~IC 12-7-2-184~~;  
 29 IC 12-7-2.1-318); or
- 30 (11) a community residential facility for the developmentally  
 31 disabled that is licensed under IC 12-28-5.

32 SECTION 242. IC 35-47-14-1, AS AMENDED BY P.L.289-2019,  
 33 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2026]: Sec. 1. (a) For the purposes of this chapter, an  
 35 individual is "dangerous" if:

- 36 (1) the individual presents an imminent risk of personal injury to  
 37 the individual or to another individual; or
- 38 (2) it is probable that the individual will present a risk of  
 39 personal injury to the individual or to another individual in the  
 40 future and the individual:
- 41 (A) has a mental illness (as defined in ~~IC 12-7-2-130~~  
 42 IC 12-7-2.1-226) that may be controlled by medication, and

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has not demonstrated a pattern of voluntarily and consistently taking the individual's medication while not under supervision; or

(B) is the subject of documented evidence that would give rise to a reasonable belief that the individual has a propensity for violent or suicidal conduct.

(b) The fact that an individual has been released from a mental health facility or has a mental illness that is currently controlled by medication does not establish that the individual is dangerous for the purposes of this chapter.

SECTION 243. IC 35-48-1.1-18, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. "Enhancing circumstance" means one (1) or more of the following:

(1) The person has a prior conviction for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum.

(2) The person committed the offense while in possession of a firearm.

(3) The person committed the offense:

(A) on a school bus; or

(B) in, on, or within five hundred (500) feet of:

(i) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(ii) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(4) The person delivered or financed the delivery of the drug to a person under eighteen (18) years of age at least three (3) years junior to the person.

(5) The person manufactured or financed the manufacture of the drug.

(6) The person committed the offense in the physical presence of a child less than eighteen (18) years of age, knowing that the child was present and might be able to see or hear the offense.

(7) The person committed the offense on the property of a:

(A) penal facility; or

(B) juvenile facility (as defined in IC 35-44.1-3-5).

(8) The person knowingly committed the offense in, on, or within one hundred (100) feet of a facility. For purposes of this subdivision, "facility" means a place that is:

(A) created and funded under IC 12-23-14 or IC 33-23-16;

(B) certified under IC 12-23-1-6; or

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1 (C) used for the purpose of conducting a recovery or  
 2 support group meeting;  
 3 and at which a drug abuser (as defined in ~~IC 12-7-2-73~~)  
 4 IC 12-7-2.1-129) may be provided with treatment, care, or  
 5 rehabilitation.

6 SECTION 244. IC 35-50-1-6, AS AMENDED BY P.L.74-2015,  
 7 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2026]: Sec. 6. (a) Before a person who has been convicted of  
 9 an offense and committed to the department of correction is assigned  
 10 to a department of correction program or facility under IC 11-10-1, the  
 11 sentencing court may recommend that the department of correction  
 12 place the person in a secure private facility (as defined in  
 13 ~~IC 31-9-2-115~~) IC 31-9-2.1-223) if:

14 (1) the person was less than sixteen (16) years of age on the date  
 15 of sentencing; and

16 (2) the court determines that the person would benefit from the  
 17 treatment offered by the facility.

18 (b) A secure private facility may terminate a placement and  
 19 request the department of correction to reassign a convicted person to  
 20 another department of correction facility or program.

21 (c) When a convicted person becomes twenty-one (21) years of  
 22 age or if a secure private facility terminates a placement under  
 23 subsection (b) a convicted person shall:

24 (1) be assigned to a department of correction facility or program  
 25 under IC 11-10-1-3(b); and

26 (2) serve the remainder of the sentence in the department of  
 27 correction facility or program.

28 (d) A person who is placed in a secure private facility under this  
 29 section:

30 (1) is entitled to earn educational credit and good time credit  
 31 under IC 35-50-6; and

32 (2) may be deprived of earned educational credit and good time  
 33 credit as provided under rules adopted by the department of  
 34 correction under IC 4-22-2.

35 SECTION 245. IC 36-1-24-10, AS ADDED BY P.L.73-2018,  
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2026]: Sec. 10. A unit may enact or enforce a law or plan that  
 38 regulates, prohibits, or limits short term rentals only for the following  
 39 primary purposes:

40 (1) Protection of the public's health and safety related to:

41 (A) fire and building safety;

42 (B) sanitation;

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- 1 (C) transportation;  
 2 (D) traffic control; and  
 3 (E) pollution control;  
 4 if enforcement is performed in the same manner as enforcement  
 5 that applies to similar properties that are not short term rentals.  
 6 (2) Residential use and zoning related to:  
 7 (A) noise;  
 8 (B) protection of welfare;  
 9 (C) property maintenance; and  
 10 (D) nuisance issues;  
 11 if enforcement is performed in the same manner as enforcement  
 12 that applies to similar properties that are not short term rentals.  
 13 (3) To limit or prohibit use of short term rentals for the following  
 14 purposes:  
 15 (A) To house sex offenders.  
 16 (B) To operate a structured sober living home.  
 17 (C) To manufacture, exhibit, distribute, or sell illegal drugs,  
 18 liquor, pornography, or obscenity.  
 19 (D) To operate an adult entertainment establishment (as  
 20 defined in ~~IC 12-7-2-1.8~~ IC 12-7-2.1-7).  
 21 (4) To limit or prohibit short term rentals located within the  
 22 boundaries of a conservancy district established under IC 14-33.  
 23 (5) To provide the unit with an emergency contact for a short  
 24 term rental.  
 25 SECTION 246. IC 36-4-3-5.2, AS AMENDED BY P.L.211-2025,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2026]: Sec. 5.2. (a) As used in this section, "homeowners  
 28 association" means a corporation that satisfies all of the following:  
 29 (1) The corporation is exempt from federal income taxation  
 30 under 26 U.S.C. 528.  
 31 (2) The control and management of the corporation is vested in  
 32 a board of directors.  
 33 (3) The corporation is organized and operated exclusively for the  
 34 benefit of two (2) or more persons who each own:  
 35 (A) a dwelling in fee simple; or  
 36 (B) a commercial building in fee simple;  
 37 within the residential development.  
 38 (4) The purpose of the corporation is to:  
 39 (A) own, maintain, and operate common areas and  
 40 facilities;  
 41 (B) administer and enforce covenants and restrictions on  
 42 property; and

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(C) collect and distribute assessments on property;  
located within the residential development.

(5) The corporation acts in accordance with the articles, bylaws,  
or other documents governing the corporation to:

(A) adopt and enforce rules and regulations necessary for  
the enjoyment of common areas, recreation facilities, and  
other amenities located within the residential development;  
and

(B) exercise the corporation's power to:

(i) levy assessments on property within the residential  
development; and

(ii) collect assessments on property located within the  
residential development by enforcing the corporation's  
lien and foreclosure rights.

(b) As used in this section, "municipality" means:

(1) a third class city; or

(2) a town having a population of more than thirty thousand  
(30,000) located in a county having a population of more than  
one hundred seventy-four thousand (174,000) and less than one  
hundred eighty thousand (180,000).

(c) As used in this section, "residential development" means a  
parcel of land that is subdivided or will be subdivided upon collection  
of the annexation into:

(1) lots, parcels, tracts, units, or interests that:

(A) include an existing Class 2 structure (as defined in  
IC 22-12-1-5); or

(B) are designated for the construction of a Class 2  
structure;

each of which is encumbered by substantively identical  
restrictive covenants concerning one (1) or more servient estates  
located within the boundaries of the original undivided parcel,  
or other governing document of record;

(2) lots, parcels, tracts, units, or interests that:

(A) include an existing Class 1 structure (as defined in  
IC 22-12-1-4); or

(B) are designated for the construction of a Class 1  
structure; and

(3) a common area.

(d) In addition to annexing territory under section 3, 4, 5, or 5.1 of  
this chapter, a third class city may annex a residential development and  
a public highway right-of-way that connects the residential  
development to the corporate limits of the third class city. A town

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described in subsection (b)(2) may annex a residential development. An annexation by a third class city or a town under this section must satisfy the following:

(1) This subdivision applies only to an annexation by a municipality. The residential development is governed by a homeowners association.

(2) The residential development has at least any combination of:  
 (A) three hundred (300) proposed or existing, or both, single family lots within the proposed or existing residential developments, in the case of an annexation by a third class city; or

(B) five hundred (500) proposed or existing, or both, single family lots within the proposed or existing residential developments, in the case of an annexation by a town described in subsection (b)(2).

(3) This subdivision applies only to an annexation by a municipality. The residential development is located in its entirety not more than four and five-tenths (4.5) miles outside the municipality's corporate boundaries.

(4) This subdivision applies only to an annexation by a third class city. The residential development dwellings are or will be upon construction connected to the third class city's sewer or water service.

(5) This subdivision applies only to an annexation by a municipality. The residential development includes a commercial area containing or proposed to contain buildings intended to be used and operated for commercial purposes.

(6) This subdivision applies only to an annexation by a third class city. The residential development is adjacent to the public highway right-of-way.

(7) This subdivision applies only to an annexation by a third class city. The public highway that connects the residential development to the corporate limits of the city is part of the state highway system (as defined in ~~IC 8-23-1-40~~; IC 8-23-1.1-39).

(8) This subdivision applies only to an annexation by a third class city. The city's annexation territory includes only the public highway right-of-way and the residential development.

(9) The aggregate external boundary of the annexation territory that coincides with the boundary of the third class city is greater than zero (0).

(10) This subdivision applies only to an annexation by a town described in subsection (b)(2). An existing sewer line extends

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from the residential development to the corporate limits of the town. The residential development is or will be upon construction connected to the town's sewer and water service.

(11) This subdivision applies only to an annexation by a town described in subsection (b)(2). The cost of construction of the residential development is at least five hundred million dollars (\$500,000,000).

(12) The aggregate external boundary of the annexation territory that coincides with the boundary of the town described in subsection (b)(2) is zero (0).

(e) Unless the articles, bylaws, or other governing documents of the homeowners association expressly provide otherwise, the board of directors of the homeowners association may file a petition with the legislative body of the municipality requesting the municipality to annex all property within the residential development. The annexation may proceed only if the municipality adopts a resolution approving the initiation of the annexation process not more than sixty (60) days after the petition is filed. If the municipality does not adopt a resolution within the sixty (60) day period, the petition is void.

(f) If the legislative body of the municipality adopts a resolution approving initiation of the annexation, the municipality shall prepare a written preliminary fiscal plan that must be made available to the public at each of the outreach program meetings under section 1.7 of this chapter.

(g) Upon completion of the outreach program meetings and before mailing the notification to landowners under section 2.2 of this chapter, the legislative body of the municipality shall adopt a written fiscal plan by resolution that incorporates any revisions to the preliminary fiscal plan.

(h) The municipality shall hold a public hearing not earlier than thirty (30) days after the date the annexation ordinance is introduced. All interested parties must have the opportunity to testify as to the proposed annexation. Notice of the hearing shall be:

(1) published in accordance with IC 5-3-1 except that the notice shall be published at least thirty (30) days before the hearing; and

(2) mailed as set forth in section 2.2 of this chapter.

A municipality may adopt an ordinance not earlier than thirty (30) days or not later than sixty (60) days after the legislative body of the municipality has held the public hearing under this subsection.

(i) A landowner may file a remonstrance against the annexation as provided in section 11 of this chapter.

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(j) Territory annexed under this section may not be considered a part of the third class city for purposes of annexing additional territory under section 3 or 4 of this chapter. However, territory annexed under this chapter shall be considered a part of the third class city for purposes of annexing additional territory under section 5 or 5.1 of this chapter.

(k) For purposes of an annexation by a third class city under this section:

(1) section 1.5 of this chapter does not apply; and

(2) the landowner of the public highway right-of-way that is part of the state highway system (as defined in ~~IC 8-23-1-40~~ IC 8-23-1.1-39) is considered to be the state of Indiana.

(l) The redevelopment commission of a town described in subsection (b)(2) may only enact a housing tax increment financing district in Liberty Township in Hendricks County if the housing tax increment financing district is approved by a resolution passed by the Mill Creek School Corporation.

(m) The following apply only to an annexation by a town described in subsection (b)(2):

(1) Any territory that is annexed under this section may not be considered a part of the town for purposes of annexing additional territory under section 3 or 4 of this chapter. However, any part of the unincorporated area (including any property occupied by the sewer line under subsection (d)(10)) that:

(A) adjoins the boundaries of the annexation territory; and

(B) extends one-half (1/2) mile from the boundaries of the annexation territory;

may only be annexed by the town if the annexation is under section 5.1 of this chapter.

(2) Any part of the unincorporated area (including any property occupied by the sewer line under subsection (d)(10)) that extends:

(A) outside the one-half (1/2) mile area described in subdivision (1); and

(B) to the corporate limits of the town;

is not a part of the annexation territory or the town for purposes of annexing additional territory under this chapter.

SECTION 247. IC 36-7-4-1107 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1107. (a) This section applies to a children's home providing residential care for eleven (11) or more children that is operating in a residential area on January 1, 1992.

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(b) As used in this section, "children's home" has the meaning set forth in ~~IC 12-7-2-29(1)~~. IC 12-7-2.1-60(1).

(c) A zoning ordinance may not prevent improvements to a children's home on the grounds that:

(1) the children's home is a business; or

(2) the persons residing in the children's home are not related.

(d) Except as provided in subsection (c), a children's home must meet the same:

(1) zoning requirements;

(2) developmental standards; and

(3) building codes;

that apply to the improvement of residential structures in the same residential district or classification as the children's home.

(e) As used in this subsection, "tract" has the meaning set forth in IC 6-1.1-1-22.5. A children's home must comply with a restriction, reservation, condition, exception, or covenant in a subdivision plat, deed, or other instrument of, or pertaining to, the transfer, sale, lease, or use of property that:

(1) applies to the tract on which the children's home is located; and

(2) is in existence for that tract before the children's home acquires ownership or use of the tract.

SECTION 248. IC 36-7-4-1108, AS AMENDED BY P.L.134-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1108. (a) This section applies only to a child care home that is used as the primary residence of the person who operates the child care home regardless of whether the child care home meets the definition set forth in ~~IC 12-7-2-28.6~~. IC 12-7-2.1-57.

(b) A zoning ordinance may not do any of the following:

(1) Exclude a child care home from a residential area solely because the child care home is a business.

(2) Impose limits on the number of children that may be served by a child care home at any one (1) time that vary from the limits set forth in ~~IC 12-7-2-33.7~~. IC 12-7-2.1-68 and ~~IC 12-7-2-33.8~~. IC 12-7-2.1-69.

(3) Impose requirements or restrictions upon child care homes that vary from the requirements and restrictions imposed upon child care homes by rules adopted by the division of family resources or the fire prevention and building safety commission.

(c) Notwithstanding subsection (b), a child care home may be required to meet the same:

(1) zoning requirements;

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- 1 (2) developmental standards; and  
 2 (3) building codes;  
 3 that apply to other residential structures in the same residential district  
 4 or classification as the child care home.

5 SECTION 249. IC 36-7-24-3, AS AMENDED BY P.L.1-2009,  
 6 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "facility"  
 8 refers to the following:

9 (1) A secure facility for juveniles (as defined in ~~IC 31-9-2-115~~;  
 10 IC 31-9-2.1-223).

11 (2) A shelter care facility for juveniles (as defined in  
 12 ~~IC 31-9-2-117~~; IC 31-9-2.1-227).

13 SECTION 250. IC 36-7-33-3 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this  
 15 chapter, "state institution" has the meaning set forth in ~~IC 12-7-2-184~~;  
 16 IC 12-7-2.1-318.

17 SECTION 251. IC 36-8-8-19, AS AMENDED BY P.L.6-2012,  
 18 SECTION 253, IS AMENDED TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) The baseline statewide  
 20 physical examination required by section 7(a) of this chapter shall be  
 21 prescribed by the system board and shall be administered by the  
 22 appointing authority, as determined by the local board, after the  
 23 appointing authority extends a conditional offer for employment. The  
 24 baseline statewide physical examination shall be administered by a  
 25 licensed physician and must include all of the following:

- 26 (1) A general medical history.  
 27 (2) The tests identified in rules that shall be adopted by the  
 28 system board.

29 (b) The system board shall adopt minimum standards by rule that  
 30 a police officer or firefighter must meet for the baseline statewide  
 31 physical examination described in subsection (a). The baseline  
 32 statewide physical examination and related standards must:

- 33 (1) reflect the essential functions of the job;  
 34 (2) be consistent with business necessity; and  
 35 (3) be evaluated by the system board one (1) time before January  
 36 1, 2015, and every five (5) years thereafter.

37 (c) The system board shall, in consultation with the commissioner  
 38 of mental health, select the baseline statewide mental examination  
 39 described in section 7(a) of this chapter. The standards for passing the  
 40 baseline statewide mental examination shall be determined by the local  
 41 board. The baseline statewide mental examination and related  
 42 standards must:

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- (1) reflect the essential functions of the job;
- (2) be consistent with business necessity; and
- (3) be evaluated by the system board one (1) time before January 1, 2015, and every five (5) years thereafter.

The purpose of the baseline statewide mental examination is to determine if the police officer or firefighter is mentally suitable to be a member of the department. The local board may designate a community mental health center or a managed care provider (as defined in ~~IC 12-7-2-127(b)~~, IC 12-7-2.1-219), a hospital, a licensed physician, or a licensed psychologist to administer the examination. However, the results of a baseline statewide mental examination shall be interpreted by a licensed physician or a licensed psychologist.

(d) The employer shall pay for no less than one-half (1/2) the cost of the examinations.

(e) Each local board shall name the physicians who will conduct the examinations under this section.

(f) If a local board determines that a candidate passes the local physical and mental standards, if any, established under IC 36-8-3.2-6, the baseline statewide physical examination described in subsection (a), and the baseline statewide mental examination described in subsection (c), the local board shall send the following to the Indiana public retirement system:

- (1) Copies and certification of the results of the baseline statewide physical examination described in subsection (a).
- (2) Certification of the results of the physical agility examination required under IC 36-8-3.2-3 or IC 36-8-3.2-3.5.
- (3) Certification of the results of the baseline statewide mental examination described in subsection (c).

(g) The system board or the system board's designee shall then determine whether the candidate passes the baseline statewide physical standards adopted under subsection (b). If the candidate passes the baseline statewide standards, the system board or the system board's designee shall also determine whether the candidate has a Class 3 excludable condition under section 13.6 of this chapter. The system board or the system board's designee shall retain the results of the examinations and all documents related to the examination until the police officer or firefighter retires or separates from the department.

(h) To the extent required by the federal Americans with Disabilities Act, the system board shall do the following:

- (1) Treat the medical transcripts, reports, records, and other material compiled under this section as confidential medical records.

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1           (2) Keep the transcripts, reports, records, and material described  
2           in subdivision (1) in separate medical files for each member.  
3           (i) A local board may, at the request of an appointing authority or  
4           on the local board's own motion, issue subpoenas, discovery orders,  
5           and protective orders in accordance with the Indiana Rules of Trial  
6           Procedure to facilitate the receipt of accurate and original documents  
7           necessary for the proper administration of this chapter. A subpoena or  
8           order issued under this subsection:  
9           (1) must be served in accordance with the Indiana Rules of Trial  
10          Procedure; and  
11          (2) may be enforced in the circuit or superior court with  
12          jurisdiction for the county in which the subpoena or order is  
13          served.  
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