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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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- 1 either:
- 2 (A) is an in-home provider; or
- 3 (B) provides family preservation services (as defined in
- 4 ~~IC 31-9-2-44.8~~; IC 31-9-2.1-94).
- 5 (6) One (1) member appointed by the speaker who represents a:
- 6 (A) child caring institution (as defined in ~~IC 31-9-2-16.7~~);
- 7 IC 31-9-2.1-42); or
- 8 (B) private secure facility (as defined in ~~IC 31-9-2-96.5~~);
- 9 IC 31-9-2.1-186).
- 10 (7) One (1) member appointed by the president pro tempore who
- 11 is a group home (as defined in ~~IC 31-9-2-48.5~~); IC 31-9-2.1-115]
- 12]provider.
- 13 (8) One (1) member appointed by the speaker who is an older
- 14 foster youth services provider.
- 15 (9) One (1) member appointed by the president pro tempore who
- 16 is a preventative provider that runs a child welfare program (as
- 17 defined in IC 31-26-3.5-1).
- 18 (10) One (1) member appointed by the speaker who is at least
- 19 eighteen (18) years of age and who has lived experience as a
- 20 child within the child welfare system.
- 21 (11) One (1) member appointed by the president pro tempore
- 22 who is a juvenile probation officer.
- 23 (12) The director of the department of child services.
- 24 (13) A deputy director of the department of child services.
- 25 (14) The chief of staff or director of the division of mental health
- 26 and addiction.
- 27 (b) The president pro tempore shall designate one (1) member
- 28 appointed under subsection (a)(1)(A) to serve as a co-chair of the task
- 29 force for the duration of the task force.
- 30 (c) The speaker shall designate one (1) member appointed under
- 31 subsection (a)(2)(A) to serve as a co-chair of the task force for the
- 32 duration of the task force.
- 33 (d) A member of the task force serves at the will of the member's
- 34 appointing authority for the duration of the task force.
- 35 SECTION 2. IC 3-5-2-49.3, AS AMENDED BY P.L.238-2025,
- 36 SECTION 2, IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 49.3:~~
- 37 "Uniformed services" means any of the following:
- 38 (1) The United States Army;
- 39 (2) The United States Navy;
- 40 (3) The United States Air Force;
- 41 (4) The United States Marine Corps;
- 42 (5) The United States Coast Guard;

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- 1 ~~(6) The United States Space Force.~~
- 2 ~~(7) The commissioned corps of the Public Health Service.~~
- 3 ~~(8) The commissioned corps of the National Oceanic and~~
- 4 ~~Atmospheric Administration.~~

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

- 9 (1) The **United States** Army.
- 10 (2) The **United States** Navy.
- 11 (3) The **United States** Air Force.
- 12 (4) The **United States** Marine Corps.
- 13 (5) The **United States** Coast Guard.
- 14 (6) The **United States** Space Force.
- 15 (7) The commissioned corps of the Public Health Service.
- 16 (8) The commissioned corps of the National Oceanic and
- 17 Atmospheric Administration.

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

- 21 (1) an asset of an individual when determining the individual's
 22 eligibility for assistance under IC 12-14; or
- 23 (2) a countable asset (as defined in ~~IC 12-7-2-44.6~~;
 24 IC 12-7-2.1-91).

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

- 29 (1) All psychiatric hospitals (as defined in ~~IC 12-7-2-184~~;
 30 IC 12-7-2.1-318).
- 31 (2) The Indiana School for the Deaf, established by
 32 IC 20-22-2-1.
- 33 (3) The Indiana School for the Blind and Visually Impaired,
 34 established by IC 20-21-2-1.
- 35 (4) The Indiana Veterans' Home.
- 36 (5) The Plainfield Juvenile Correctional Facility.

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

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

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- 1 (2) A correctional facility owned by the state and operated by the
- 2 department of correction.
- 3 (3) The Indiana School for the Deaf established by IC 20-22-2-1.
- 4 (4) The Indiana School for the Blind and Visually Impaired
- 5 established by IC 20-21-2-1.
- 6 (5) The Indiana Veterans' Home as described in IC 10-17-9.
- 7 (6) Any other facility owned and operated by the state whose
- 8 employees participate in the state civil service.

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

- 13 (1) A state institution (as defined in ~~IC 12-7-2-184~~;
- 14 IC 12-7-2.1-318).
- 15 (2) An institution under the administrative control of the Indiana
- 16 department of health.
- 17 (3) A correctional facility under the administrative control of the
- 18 department of correction.

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

- 23 (1) A division (as defined in ~~IC 12-7-2-69(c)~~;
- 24 IC 12-7-2.1-124(c)), for a state institution under the
- 25 administrative control of the division.
- 26 (2) The Indiana department of health, for an institution under the
- 27 administrative control of the Indiana department of health.
- 28 (3) The department of correction, for a correctional facility under
- 29 the administrative control of the department of correction.
- 30 (b) An agency may acquire property by eminent domain.
- 31 (c) Before an agency may acquire property under this section, the
- 32 governor must approve the acquisition in writing.

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

- 37 (1) A division (as defined in ~~IC 12-7-2-69(c)~~;
- 38 IC 12-7-2.1-124(c)), for a state institution under the
- 39 administrative control of the division.
- 40 (2) The Indiana department of health, for an institution under the
- 41 administrative control of the Indiana department of health.
- 42 (3) The department of correction, for a correctional facility under

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

- 6 (1) A division (as defined in ~~IC 12-7-2-69(c)~~;
 7 IC 12-7-2.1-124(c)), for a state institution under the
 8 administrative control of the division.
 9 (2) The Indiana department of health, for an institution under the
 10 administrative control of the Indiana department of health.
 11 (3) The department of correction, for a correctional facility under
 12 the administrative control of the department of correction.

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

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

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

- 35 (1) owned or used by a participating provider;
 36 (2) located:
 37 (A) in Indiana; or
 38 (B) outside Indiana, if the participating provider that
 39 operates the facility or building, or an affiliate of the
 40 participating provider, also operates a substantial health
 41 facility or facilities, as determined by the authority, in
 42 Indiana; and

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- 1 (3) utilized, directly or indirectly:
- 2 (A) in:
- 3 (i) health care;
- 4 (ii) habilitation, rehabilitation, or therapeutic services;
- 5 (iii) medical research;
- 6 (iv) the training or teaching of health care personnel; or
- 7 (v) any related supporting services;
- 8 (B) to provide:
- 9 (i) a residential facility for individuals with a physical,
- 10 mental, or emotional disability;
- 11 (ii) a residential facility for individuals with a physical
- 12 or mental illness; or
- 13 (iii) a residential facility for the elderly; or
- 14 (C) as a licensed child caring institution that provides
- 15 residential care described in ~~IC 12-7-2-29(1)~~
- 16 IC 12-7-2.1-60(1) or corresponding provisions of the laws
- 17 of the state in which the facility or building is located.

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

- 23 (1) is determined by the authority to be necessary or helpful,
- 24 directly or indirectly, to provide:
- 25 (A) health care;
- 26 (B) medical research;
- 27 (C) training or teaching of health care personnel;
- 28 (D) habilitation, rehabilitation, or therapeutic services; or
- 29 (E) any related supporting services;
- 30 regardless of whether the property is in existence at the time of,
- 31 or is to be provided after the making of, the finding;
- 32 (2) is:
- 33 (A) a residential facility for individuals with a physical,
- 34 mental, or emotional disability;
- 35 (B) a residential facility for individuals with a physical or
- 36 mental illness; or
- 37 (C) a residential facility for the elderly; or
- 38 (3) is a licensed child caring institution providing residential
- 39 care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1) or
- 40 corresponding provisions of the laws of the state in which the
- 41 property is located.
- 42 SECTION 15. IC 5-1.2-2-55, AS ADDED BY P.L.189-2018,

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

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

10 (A) in Indiana; or

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

15 (3) is:

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

19 (B) a regional blood center;

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

26 (D) an entity that:

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

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

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

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

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- 1 (G) a licensed child caring institution providing residential
- 2 care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1) or
- 3 corresponding provisions of the laws of the state in which
- 4 the property is located;
- 5 (H) an integrated health care system between or among
- 6 providers, a health care purchasing alliance, a health insurer
- 7 or third party administrator that is a participant in an
- 8 integrated health care system, a health maintenance or
- 9 preferred provider organization, or a foundation that
- 10 supports a health care provider; or
- 11 (I) an individual, business entity, or governmental entity
- 12 that owns an equity or membership interest in any of the
- 13 organizations described in clauses (A) through (H); and
- 14 (4) in the case of a person, corporation, municipal corporation,
- 15 political subdivision, or other entity located outside Indiana, is
- 16 owned or controlled by, under common control with, affiliated
- 17 with, or part of an obligated group that includes an entity that
- 18 provides one (1) or more of the following services or facilities in
- 19 Indiana:
- 20 (A) A facility that provides:
- 21 (i) health care;
- 22 (ii) habilitation, rehabilitation, or therapeutic services;
- 23 (iii) medical research;
- 24 (iv) training or teaching of health care personnel; or
- 25 (v) any related supporting services.
- 26 (B) A residential facility for:
- 27 (i) individuals with a physical, mental, or emotional
- 28 disability;
- 29 (ii) individuals with a physical or mental illness; or
- 30 (iii) the elderly.
- 31 (C) A licensed child caring institution providing residential
- 32 care described in ~~IC 12-7-2-29(1)~~ IC 12-7-2.1-60(1).

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

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

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- 1 and training program must be implemented, without
- 2 modification, by all Indiana law enforcement agencies, offices,
- 3 or departments.
- 4 (2) A consistent and uniform statewide defensive tactics policy
- 5 and training program, that is consistent with state and federal
- 6 law. Upon adoption by the law enforcement training board, the
- 7 policy and training program must be implemented, without
- 8 modification, by all Indiana law enforcement agencies, offices,
- 9 or departments.
- 10 (3) A uniform statewide minimum standard for vehicle pursuits
- 11 consistent with state and federal law.
- 12 (4) Minimum standards of physical, educational, mental, and
- 13 moral fitness which shall govern the acceptance of any person
- 14 for training by any law enforcement training school or academy
- 15 meeting or exceeding the minimum standards established
- 16 pursuant to this chapter.
- 17 (5) Minimum standards for law enforcement training schools
- 18 administered by towns, cities, counties, law enforcement training
- 19 centers, agencies, or departments of the state.
- 20 (6) Minimum standards for courses of study, attendance
- 21 requirements, equipment, and facilities for approved town, city,
- 22 county, and state law enforcement officer, police reserve officer,
- 23 and conservation reserve officer training schools.
- 24 (7) Minimum standards for a course of study on cultural
- 25 diversity awareness, including training on the U nonimmigrant
- 26 visa created through the federal Victims of Trafficking and
- 27 Violence Protection Act of 2000 (P.L. 106-386) that must be
- 28 required for each person accepted for training at a law
- 29 enforcement training school or academy. Cultural diversity
- 30 awareness study must include an understanding of cultural issues
- 31 related to race, religion, gender, age, domestic violence, national
- 32 origin, and physical and mental disabilities.
- 33 (8) Minimum qualifications for instructors at approved law
- 34 enforcement training schools.
- 35 (9) Minimum basic training requirements which law
- 36 enforcement officers appointed to probationary terms shall
- 37 complete before being eligible for continued or permanent
- 38 employment.
- 39 (10) Minimum basic training requirements which law
- 40 enforcement officers appointed on other than a permanent basis
- 41 shall complete in order to be eligible for continued employment
- 42 or permanent appointment.

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- 1 (11) Minimum basic training requirements which law
- 2 enforcement officers appointed on a permanent basis shall
- 3 complete in order to be eligible for continued employment.
- 4 (12) Minimum basic training requirements for each person
- 5 accepted for training at a law enforcement training school or
- 6 academy that include six (6) hours of training in interacting with:
 - 7 (A) persons with autism, mental illness, addictive disorders,
 - 8 intellectual disabilities, and developmental disabilities;
 - 9 (B) missing endangered adults (as defined in
 - 10 ~~IC 12-7-2-131.3~~; IC 12-7-2.1-227); and
 - 11 (C) persons with Alzheimer's disease or related senile
 - 12 dementia;
- 13 to be provided by persons approved by the secretary of family
- 14 and social services and the board. The training must include an
- 15 overview of the crisis intervention teams.
- 16 (13) Minimum standards for a course of study on human and
- 17 sexual trafficking that must be required for each person accepted
- 18 for training at a law enforcement training school or academy and
- 19 for inservice training programs for law enforcement officers. The
- 20 course must cover the following topics:
 - 21 (A) Examination of the human and sexual trafficking laws
 - 22 (IC 35-42-3.5).
 - 23 (B) Identification of human and sexual trafficking.
 - 24 (C) Communicating with traumatized persons.
 - 25 (D) Therapeutically appropriate investigative techniques.
 - 26 (E) Collaboration with federal law enforcement officials.
 - 27 (F) Rights of and protections afforded to victims.
 - 28 (G) Providing documentation that satisfies the Declaration
 - 29 of Law Enforcement Officer for Victim of Trafficking in
 - 30 Persons (Form I-914, Supplement B) requirements
 - 31 established under federal law.
 - 32 (H) The availability of community resources to assist
 - 33 human and sexual trafficking victims.
- 34 (14) Minimum standards for ongoing specialized, intensive, and
- 35 integrative training for persons responsible for investigating
- 36 sexual assault cases involving adult victims. This training must
- 37 include instruction on:
 - 38 (A) the neurobiology of trauma;
 - 39 (B) trauma informed interviewing; and
 - 40 (C) investigative techniques.
- 41 (15) Minimum standards for de-escalation training.
- 42 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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1 agency after June 30, 1993, may not:
 2 (1) make an arrest;
 3 (2) conduct a search or a seizure of a person or property; or
 4 (3) carry a firearm;
 5 unless the law enforcement officer successfully completes, at a board
 6 certified law enforcement academy or at a law enforcement training
 7 center under section 10.5 or 15.2 of this chapter, the basic training
 8 requirements established by the board under this chapter.
 9 (e) This subsection does not apply to:
 10 (1) a gaming agent employed as a law enforcement officer by the
 11 Indiana gaming commission; or
 12 (2) an:
 13 (A) attorney; or
 14 (B) investigator;
 15 designated by the securities commissioner as a police officer of
 16 the state under IC 23-19-6-1(k).
 17 Before a law enforcement officer appointed after June 30, 1993,
 18 completes the basic training requirements, the law enforcement officer
 19 may exercise the police powers described in subsection (d) if the
 20 officer successfully completes the pre-basic course established in
 21 subsection (f). Successful completion of the pre-basic course authorizes
 22 a law enforcement officer to exercise the police powers described in
 23 subsection (d) for one (1) year after the date the law enforcement
 24 officer is appointed.
 25 (f) The board shall adopt rules under IC 4-22-2 to establish a
 26 pre-basic course for the purpose of training:
 27 (1) law enforcement officers;
 28 (2) police reserve officers (as described in IC 36-8-3-20); and
 29 (3) conservation reserve officers (as described in IC 14-9-8-27);
 30 regarding the subjects of arrest, search and seizure, the lawful use of
 31 force, de-escalation training, interacting with individuals with autism,
 32 and the operation of an emergency vehicle. The pre-basic course must
 33 be offered on a periodic basis throughout the year at regional sites
 34 statewide. The pre-basic course must consist of at least forty (40) hours
 35 of course work. The board may prepare the classroom part of the
 36 pre-basic course using available technology in conjunction with live
 37 instruction. The board shall provide the course material, the instructors,
 38 and the facilities at the regional sites throughout the state that are used
 39 for the pre-basic course. In addition, the board may certify pre-basic
 40 courses that may be conducted by other public or private training
 41 entities, including postsecondary educational institutions.
 42 (g) Subject to subsection (h), the board shall adopt rules under

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

10 (1) training:

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

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

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

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

24 (B) recognizing:

- 25 (i) symptoms of posttraumatic stress disorder; and
 26 (ii) signs of suicidal behavior; and

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

29 (3) training concerning:

30 (A) human and sexual trafficking; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (1) Liability.

41 (2) Media relations.

42 (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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1 IC 12-7-2.1-318).
 2 (g) As used in this article, "audit committee" refers to the audit and
 3 financial reporting subcommittee of the legislative council established
 4 by IC 2-5-1.1-6.3.
 5 (h) As used in this article, "audited entity" has the meaning set
 6 forth in IC 2-5-1.1-6.3.
 7 (i) As used in this article, "development authority" has the
 8 meaning set forth in the following:
 9 (1) IC 36-7.5-1-8.
 10 (2) IC 36-7.6-1-8.
 11 (j) As used in this article, "responsible officer of an audited entity"
 12 refers to the chief executive officer or another individual who has
 13 executive decision making authority for the audited entity with respect
 14 to a compliance obligation prescribed by or established under this
 15 article or another law.
 16 SECTION 20. IC 5-16-15-5, AS ADDED BY P.L.149-2021,
 17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2026]: Sec. 5. (a) As used in this chapter, "public works
 19 project" refers to a construction project governed by an applicable
 20 public works statute.
 21 (b) The term does not include any of the following:
 22 (1) A project on the state highway system (as defined in
 23 ~~IC 8-23-1-40~~; IC 8-23-1.1-39).
 24 (2) A railroad project (as defined in IC 8-5-15-1).
 25 SECTION 21. IC 5-22-12-1, AS AMENDED BY P.L.143-2022,
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 1. This chapter applies only to the following
 28 governmental bodies:
 29 (1) A state institution (as defined in ~~IC 12-7-2-184~~;
 30 IC 12-7-2.1-318).
 31 (2) A penal facility operated by the department of correction.
 32 (3) A political subdivision.
 33 SECTION 22. IC 5-22-15-24 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) This section
 35 applies in addition to any requirements placed upon a governmental
 36 entity by the United States Department of Agriculture under the
 37 National School Lunch Program or the School Breakfast Program.
 38 (b) This section applies to:
 39 (1) a governmental entity listed in section 1 of this chapter; or
 40 (2) a business that contracts with a governmental entity listed in
 41 section 1 of this chapter;
 42 that purchases food or beverages to be processed and served in a

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1 building or room owned or operated by the governmental entity.
 2 (c) High calcium foods and beverages are preferred supplies. A
 3 purchasing agent shall give a preference to foods and beverages that:
 4 (1) contain a higher level of calcium than products of the same
 5 type and quality; and
 6 (2) are equal in price to or lower in price than products of the
 7 same type and quality.
 8 (d) Notwithstanding subsection (c), if the director of a state
 9 institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318) determines
 10 that a high calcium food or beverage that is preferred under subsection
 11 (c) would interfere with the proper treatment and care of a patient of
 12 the state institution, the purchasing agent for the state institution is not
 13 required to purchase the high calcium food or beverage for that patient.
 14 SECTION 23. IC 6-1.1-10-51, AS ADDED BY P.L.230-2025,
 15 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 51. (a) As used in this section, "child care" has the
 17 meaning set forth in ~~IC 12-7-2-28.2~~ IC 12-7-2.1-54.
 18 (b) As used in this section, "early learning advisory committee"
 19 refers to the early learning advisory committee established by
 20 IC 12-17.2-3.8-5.
 21 (c) As used in this section, "employer" means any person,
 22 corporation, limited liability company, partnership, or other entity with
 23 employees employed at a physical location in Indiana. The term
 24 includes a pass through entity. However, the term does not include an
 25 employer who is in the business of operating a child care facility.
 26 (d) As used in this section, "office" refers to the office of the
 27 secretary of family and social services established by IC 12-8-1.5-1.
 28 (e) The part of the gross assessed value of tangible property that
 29 is attributable to tangible property owned and used by an employer, or
 30 a parent company, subsidiary, or affiliate company of an employer, to
 31 provide child care for children of the employer's employees and
 32 children of the employees of another business in accordance with an
 33 agreement entered into under subsection (g) is exempt from property
 34 taxation if the following conditions are met:
 35 (1) The child care is provided in a facility located on the
 36 employer's property.
 37 (2) Subject to subsection (g), the child care is provided only for
 38 children of the employer's employees.
 39 (3) The child care facility is licensed by the division of family
 40 resources under IC 12-17.2.
 41 (4) The part of the employer's property used to provide child care
 42 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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- 1 (b) The amount of the credit is equal to one hundred twenty-five
- 2 dollars (\$125).
- 3 (c) For purposes of this section, "blind" has the same meaning as
- 4 the definition contained in ~~IC 12-7-2-21(1)~~. IC 12-7-2.1-38(1).
- 5 (d) For purposes of this section, "individual with a disability"
- 6 means a person unable to engage in any substantial gainful activity by
- 7 reason of a medically determinable physical or mental impairment
- 8 which:
- 9 (1) can be expected to result in death; or
- 10 (2) has lasted or can be expected to last for a continuous period
- 11 of not less than twelve (12) months.
- 12 (e) An individual with a disability filing a claim under this section
- 13 shall submit proof of the disability. Proof that a claimant is eligible to
- 14 receive disability benefits under the federal Social Security Act (42
- 15 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of
- 16 this section.
- 17 (f) An individual with a disability not covered under the federal
- 18 Social Security Act shall be examined by a physician and the
- 19 individual's status as an individual with a disability determined by
- 20 using the same standards as used by the Social Security Administration.
- 21 The costs of this examination shall be borne by the claimant.
- 22 (g) An individual who has sold real property, a mobile home not
- 23 assessed as real property, or a manufactured home not assessed as real
- 24 property to another person under a contract that provides that the
- 25 contract buyer is to pay the property taxes on the real property, mobile
- 26 home, or manufactured home may not claim the credit provided under
- 27 this section against that real property, mobile home, or manufactured
- 28 home.
- 29 (h) An individual wishing to claim a credit under this section must
- 30 file a statement, on forms prescribed by the department of local
- 31 government finance, with the county auditor and provide
- 32 documentation necessary to substantiate the individual's eligibility for
- 33 the credit. The statement must be completed and dated on or before
- 34 January 15 of the calendar year in which the property taxes are first due
- 35 and payable. The statement may be filed in person or by mail. If
- 36 mailed, the mailing must be postmarked on or before the last day for
- 37 filing. An individual who remains eligible for the credit in the
- 38 following year is not required to file a statement to apply for the credit
- 39 in the following year. However, an individual who receives a credit
- 40 under this section in a particular year and who becomes ineligible for
- 41 the credit in the following year shall notify the auditor of the county in
- 42 which the homestead is located of the individual's ineligibility not later

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

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

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

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

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

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

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

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

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

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a local income tax council.

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

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

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

(e) 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 any county, city, or town that is a member of a local income tax council may adopt a resolution to propose an ordinance to increase a tax rate in the county to be voted on by the local income tax council as a whole as required under section 9.5 of this chapter and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat the vote tally on the resolution adopted under this subsection for each individual who is a member of the fiscal body of the county, city, or town as the voting record for that individual either for or against the ordinance being proposed for consideration by the local income tax council as a whole under section 9.5 of this chapter. This subsection expires May 31, 2027.

(f) 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 county auditor shall deliver copies of a proposed ordinance the auditor receives under subsection (e) to the fiscal officers of all members of the local income tax council (other than the member proposing the ordinance under subsection (e)) within ten (10) days after receipt. Subject to subsection (h), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt. This subsection expires May 31,

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1 2027.
 2 (g) This subsection applies only to a county with a single voting
 3 bloc that proposes to increase (but not decrease) a tax rate in the
 4 county. The fiscal body of each county, city, or town voting on a
 5 resolution to propose an ordinance under subsection (e), or voting on
 6 a proposed ordinance being considered by the local income tax council
 7 as a whole under section 9.5 of this chapter, must take a roll call vote
 8 on the resolution or the proposed ordinance. If an individual who sits
 9 on the fiscal body is absent from the meeting in which a vote is taken
 10 or abstains from voting on the resolution or proposed ordinance, the
 11 fiscal officer of the county, city, or town shall nevertheless consider
 12 that individual's vote as a "no" vote against the resolution or the
 13 proposed ordinance being considered, whichever is applicable, for
 14 purposes of the vote tally under this section and shall note on the vote
 15 tally that the individual's "no" vote is due to absence or abstention. The
 16 fiscal body of each county, city, or town shall certify the roll call vote
 17 on a resolution or a proposed ordinance, either for or against, to the
 18 county auditor as set forth under this chapter. This subsection expires
 19 May 31, 2027.

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

30 SECTION 28. IC 6-3.6-6-12, AS AMENDED BY P.L.230-2025,
 31 SECTION 82, IS REPEALED [EFFECTIVE JULY 1, 2027]. See: 12:
 32 (a) Except as provided in this chapter and IC 6-3.6-11, this section
 33 applies to an allocation of certified shares in all counties.

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

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

40 STEP TWO: Determine the sum of the following:

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

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1 obligation issued after June 30, 2005; other than an
 2 obligation described in subsection (c).
 3 (B) Amounts appropriated from property taxes to make
 4 payments on any lease entered into after June 30, 2005,
 5 other than a lease described in subsection (d).
 6 STEP THREE: Subtract the STEP TWO amount from the STEP
 7 ONE amount.
 8 STEP FOUR: In the case of a qualifying municipality as defined
 9 in IC 6-1.1-18.5-31(d) that is located in a county described in
 10 IC 6-1.1-18.5-31(a); and only for the allocation of certified
 11 shares in 2027 and 2028; STEP THREE multiplied by seventy
 12 percent (70%).
 13 STEP FIVE: Determine the sum of:
 14 (A) the:
 15 (i) STEP THREE amount; or
 16 (ii) STEP FOUR amount in the case of a qualifying
 17 municipality as defined in IC 6-1.1-18.5-31(d) that is
 18 located in a county described in IC 6-1.1-18.5-31(a);
 19 (B) the civil taxing unit's certified shares plus the amount
 20 distributed under section 3(a)(2) of this chapter for the
 21 previous calendar year; plus
 22 (C) in the case of a qualifying municipality as defined in
 23 IC 6-1.1-18.5-31(d) that is located in a county described in
 24 IC 6-1.1-18.5-31(a); and only for the allocation of certified
 25 shares in 2026; the amount of the levy for the municipality's
 26 debt service and lease rental funds that was certified in
 27 2025—multiplied by fifty-four and five-tenths percent
 28 (54.5%). This clause expires January 1, 2027.
 29 The allocation amount is subject to adjustment as provided in
 30 IC 36-8-19-7.5.
 31 (c) Except as provided in this subsection, an appropriation for the
 32 calendar year preceding the distribution year from property taxes to
 33 repay interest and principal of a debt obligation is not deducted from
 34 the allocation amount for a civil taxing unit if:
 35 (1) the debt obligation was issued; and
 36 (2) the proceeds were appropriated from property taxes;
 37 to refund or otherwise refinance a debt obligation or a lease issued
 38 before July 1, 2005. However, an appropriation from property taxes
 39 related to a debt obligation issued after June 30, 2005; is deducted if
 40 the debt extends payments on a debt or lease beyond the time in which
 41 the debt or lease would have been payable if the debt or lease had not
 42 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]. Sec.
 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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1 exceeds fifteen percent (15%) (or the percentage set forth in subsection
2 (g); if applicable) of the certified distributions to be made to the county
3 in the determination year.

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

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

9 (2) Before May 2; the budget agency shall provide the amount of
10 the supplemental distribution for the county to the department of
11 local government finance and to the county auditor:

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

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

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

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

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

31 For determinations before 2019; the tax rates in effect under and the
32 allocation methods specified in the former income tax laws shall be
33 used for the determinations under subdivision (3):

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

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

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



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

7 (1) For the determination year beginning after December 31,
8 2025, and ending before January 1, 2027, twelve and five-tenths
9 percent (12.5%).

10 (2) For the determination year beginning after December 31,
11 2026, and ending before January 1, 2028, ten percent (10%).

12 (3) For a determination year beginning after December 31, 2027,
13 and ending before January 1, 2029, seven and five-tenths percent
14 (7.5%).

15 (4) For the determination year beginning after December 31,
16 2028, and ending before January 1, 2030, five percent (5%).

17 (5) For the determination year beginning after December 31,
18 2029, and ending before January 1, 2031, two and one-half
19 percent (2.5%).

20 (6) For the determination year beginning after December 31,
21 2030, one percent (1%).

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

26 (1) are:

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

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

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

38 (3) either:

39 (A) for a public utility:

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

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

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- 1 (B) for a municipally owned or not-for-profit utility:
- 2 (i) are or will be extensions or replacements of projects
- 3 described in subdivision (1), as described in section
- 4 5.5(2)(B) or 5.5(3)(B) of this chapter, as applicable;
- 5 (ii) were not included on the utility's balance sheet as
- 6 plant in service in the utility's most recent general rate
- 7 case; and
- 8 (iii) are not infrastructure improvements that are being
- 9 recovered or have been recovered through rates or
- 10 another rate adjustment mechanism.

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

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

- 25 (b) Subsection (a) does not apply to:
- 26 (1) infrastructure improvement costs associated with eligible
- 27 infrastructure improvements that are placed in service due to the
- 28 construction, reconstruction, or improvement of a highway,
- 29 street, or road (as defined in ~~IC 8-23-1-23~~, IC 8-23-1.1-22),
- 30 including projects under IC 8-25; or
- 31 (2) property taxes associated with eligible infrastructure
- 32 improvements.

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

- 36 (1) includes a corridor along any part of its length;
- 37 (2) is intended to be used for:
- 38 (A) bicycling;
- 39 (B) exercising;
- 40 (C) hiking;
- 41 (D) running;
- 42 (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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- 1 highway and street traffic.
- 2 Sec. 28. "Maintain" means allow to exist.
- 3 Sec. 29. "Main-traveled way" means the traveled way of a
4 highway on which through traffic is carried. For a divided
5 highway, the term includes the traveled way of each of the
6 separated roadways for traffic in opposite directions. The term
7 does not include frontage roads, turning roadways, or parking
8 areas.
- 9 Sec. 30. "Municipal arterial street system" means a system of
10 arterial streets and highways designated by the municipal street
11 authority as having the greatest importance to the municipality
12 and for which responsibility is assigned to the municipal street
13 authority.
- 14 Sec. 31. "Municipal local street system" means roads and
15 streets used primarily for access to residence, business, or other
16 abutting property and for which responsibility is assigned to the
17 municipal street authority.
- 18 Sec. 32. "Primary system" means the part of connected main
19 highways as officially designated by the department and approved
20 by the United States Secretary of Commerce under 23 U.S.C.
- 21 Sec. 33. "Road paving material" means bituminous or
22 portland concrete surfaces.
- 23 Sec. 34. "Safety rest area" means an area or site established
24 and maintained within adjacent areas by or under public
25 supervision or control for the convenience of the traveling public.
- 26 Sec. 35. "Scrap metal processing facility" means an
27 establishment having facilities for processing iron, steel, or
28 nonferrous metal and whose principal product is scrap iron, steel,
29 or scrap for sale for remelting purposes only.
- 30 Sec. 36. "Secretary" refers to the United States Secretary of
31 Transportation.
- 32 Sec. 37. "Sign" means an outdoor sign, display, device, notice,
33 bulletin, figure, painting, drawing, message, placard, poster,
34 billboard, or other thing that is designated, intended, or used to
35 advertise or inform.
- 36 Sec. 38. "State aid director" refers to the chief administrative
37 officer of the office of the department that administers programs
38 of state and federal aid to local units of government, or the officer's
39 designee.
- 40 Sec. 39. "State highway system" means the system of highways
41 and streets that are of general economic importance to Indiana as
42 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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1 (3) Within seven hundred fifty (750) feet of a strip of land in
2 which an interest has been acquired by the state for the
3 restoration, preservation, or enhancement of scenic beauty
4 that is publicly controlled and maintained under 23 U.S.C.
5 319.

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

- 8 (1) must be:
 - 9 (A) measured from the outer edges of the regularly used
 - 10 building, parking lot, storage areas, or processing areas
 - 11 of the commercial or industrial activity; and
 - 12 (B) parallel to the edge of the pavement of the highway;
 - 13 and

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

17 Sec. 45. "Urban area" means:

- 18 (1) an urbanized area designated by the Bureau of the
- 19 Census;
- 20 (2) if an urbanized area lies within more than one (1) state,
- 21 the part of the area that lies within the boundaries of
- 22 Indiana; or
- 23 (3) an urban place designated by the Bureau of the Census
- 24 having a population of at least five thousand (5,000) that is
- 25 not within an urbanized area and is within boundaries
- 26 cooperatively established by the department and local
- 27 officials.

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

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

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

- 35 (1) A description of the sequence of steps.
- 36 (2) The time limit within which each step is to be completed.
- 37 (3) The product of each step.
- 38 (4) The staff and resources required.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 14 (1) may modify the definition before a hearing; and
- 15 (2) shall request a hearing under 23 U.S.C. 131.

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

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

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

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

- 30 (1) who is certified by a health care provider listed in subsection
- 31 (b) as having:
 - 32 (A) a permanent physical disability that requires the use of
 - 33 a wheelchair, a walker, braces, or crutches;
 - 34 (B) permanently lost the use of one (1) or both legs; or
 - 35 (C) a permanent and severe restriction in mobility due to a
 - 36 pulmonary or cardiovascular disability, an arthritic
 - 37 condition, or an orthopedic or neurological impairment;
- 38 (2) who is certified to be permanently:
 - 39 (A) blind (as defined in ~~IC 12-7-2-21(2)~~);
 - 40 IC 12-7-2.1-38(2)); or
 - 41 (B) visually impaired (as defined in ~~IC 12-7-2-198~~);
 - 42 IC 12-7-2.1-349);

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- 1 by an optometrist or ophthalmologist who has a valid
 2 unrestricted license to practice optometry or ophthalmology in
 3 Indiana; or
 4 (3) who:
 5 (A) has been issued; or
 6 (B) is otherwise eligible to receive;
 7 a disabled Hoosier veteran license plate under IC 9-18.5-5 and
 8 requests a permanent parking placard.
 9 The certification must be provided in a manner and form prescribed by
 10 the bureau.
 11 (b) A certification required under subsection (a)(1) may be
 12 provided by the following:
 13 (1) A physician having a valid and unrestricted license to
 14 practice medicine.
 15 (2) A physician who is a commissioned medical officer of:
 16 (A) the armed forces of the United States; or
 17 (B) the United States Public Health Service.
 18 (3) A physician who is a medical officer of the United States
 19 Department of Veterans Affairs.
 20 (4) A chiropractor with a valid and unrestricted license under
 21 IC 25-10-1.
 22 (5) A podiatrist with a valid and unrestricted license under
 23 IC 25-29-1.
 24 (6) An advanced practice registered nurse with a valid and
 25 unrestricted license under IC 25-23.
 26 (7) A physician assistant with a valid and unrestricted license
 27 under IC 25-27.5.
 28 (c) A permanent placard issued under this section remains in effect
 29 until:
 30 (1) a health care provider listed in subsection (b); or
 31 (2) an optometrist or ophthalmologist that has a valid
 32 unrestricted license to practice optometry or ophthalmology in
 33 Indiana;
 34 certifies that the recipient's disability is no longer considered to be
 35 permanent.
 36 SECTION 44. IC 9-18.5-8-5, AS AMENDED BY P.L.256-2017,
 37 SECTION 136, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The bureau shall issue a
 39 temporary placard to an individual who is certified by:
 40 (1) a health care provider listed in section 4(b) of this chapter as
 41 having:
 42 (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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1 state highway system and state maintained routes through cities and
2 towns, may by ordinance do the following:

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

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

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

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

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

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

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

41 (b) The bureau shall require an individual signing an application
42 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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1 (h) The bureau shall validate an identification card issued in the
2 form of a physical credential for motor driven cycle operation upon a
3 highway by endorsement to an individual who:

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

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

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

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

40 SECTION 49. IC 10-13-3-2.5, AS ADDED BY P.L.146-2006,
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 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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1 national criminal history background check. The department shall
2 respond to the request in conformity with:

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

6 (e) Subsection (f):

7 (1) applies to a qualified entity that:

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

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

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

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

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

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

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

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

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

25 (4) any other felony; or

26 (5) any misdemeanor;

27 and convey the determination to the requesting qualified entity.

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

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

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

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

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

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

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

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

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

20 (j) The department:

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

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

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

39 the member shall be allowed to make up the lost parenting time at the
 40 member's earliest convenience but not later than one (1) month after
 41 the member misses the parenting time under this section, if exercising
 42 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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1 JULY 1, 2026]: Sec. 5. (a) Except as provided in section 22 of this
 2 chapter, as used in this chapter, "sex or violent offender" means a
 3 person convicted of any of the following offenses:

- 4 (1) Rape (IC [] 35-42-4-1).
 5 (2) Criminal deviate conduct (IC [] 35-42-4-2) (before its repeal).
 6 (3) Child molesting (IC [] 35-42-4-3).
 7 (4) Child exploitation (IC [] 35-42-4-4(b) or IC 35-42-4-4(c)).
 8 (5) Vicarious sexual gratification (including performing sexual
 9 conduct in the presence of a minor) (IC [] 35-42-4-5).
 10 (6) Child solicitation (IC [] 35-42-4-6).
 11 (7) Child seduction (IC [] 35-42-4-7).
 12 (8) Sexual misconduct with a minor (IC [] 35-42-4-9) as a Class
 13 A, Class B, or Class C felony (for a crime committed before July
 14 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a
 15 crime committed after June 30, 2014), unless:
 16 (A) the person is convicted of sexual misconduct with a
 17 minor as a Class C felony (for a crime committed before
 18 July 1, 2014) or a Level 5 felony (for a crime committed
 19 after June 30, 2014);
 20 (B) the person is not more than:
 21 (i) four (4) years older than the victim if the offense
 22 was committed after June 30, 2007; or
 23 (ii) five (5) years older than the victim if the offense
 24 was committed before July 1, 2007; and
 25 (C) the sentencing court finds that the person should not be
 26 required to register as a sex offender.
 27 (9) Incest (IC [] 35-46-1-3).
 28 (10) Sexual battery (IC [] 35-42-4-8).
 29 (11) Kidnapping (IC [] 35-42-3-2), if the victim is less than
 30 eighteen (18) years of age, and the person who kidnapped the
 31 victim is not the victim's parent or guardian.
 32 (12) Criminal confinement (IC [] 35-42-3-3), if the victim is less
 33 than eighteen (18) years of age, and the person who confined or
 34 removed the victim is not the victim's parent or guardian.
 35 (13) Possession of child sex abuse material (IC [] 35-42-4-4(d) or
 36 IC 35-42-4-4(e)).
 37 (14) Promoting prostitution (IC [] 35-45-4-4) as a Class B felony
 38 (for a crime committed before July 1, 2014) or a Level 4 felony
 39 (for a crime committed after June 30, 2014).
 40 (15) Promotion of human sexual trafficking under
 41 IC 35-42-3.5-1.1.
 42 (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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1 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to section
 2 19 of this chapter, the following persons must register under this
 3 chapter:

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

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

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

12 (2) A sex or violent offender who works or carries on a vocation
 13 or intends to work or carry on a vocation full time or part time [:]
 14 [for] [a] [] period: []

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (3) is released from a juvenile detention facility;

40 (4) is transferred to a community transition program;

41 (5) is placed on parole;

42 (6) is placed on probation;

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

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

- 13 (1) is released from a penal facility (as defined in
- 14 IC 35-31.5-2-232);
- 15 (2) is released from a secure private facility (as defined in
- 16 ~~IC 31-9-2-115~~; IC 31-9-2.1-223);
- 17 (3) is released from a juvenile detention facility;
- 18 (4) is transferred to a community transition program;
- 19 (5) is placed on parole;
- 20 (6) is placed on probation;
- 21 (7) is placed on home detention; or
- 22 (8) arrives at the place where the sexually violent predator is
- 23 required to register under subsection (b), (c), or (d);

24 whichever occurs first. A sex or violent offender who is a sexually
 25 violent predator required to register in more than one (1) county under
 26 subsection (b), (c), (d), or (e) shall register in each appropriate county
 27 not more than seventy-two (72) hours after the offender's arrival in that
 28 county or acquisition of real estate in that county.

29 (i) The local law enforcement authority with whom a sex or violent
 30 offender registers under this section shall make and publish a
 31 photograph of the sex or violent offender on the Indiana sex and violent
 32 offender registry website established under IC 36-2-13-5.5. The local
 33 law enforcement authority shall make a photograph of the sex or
 34 violent offender that complies with the requirements of IC 36-2-13-5.5
 35 at least once per year. The sheriff of a county containing a consolidated
 36 city shall provide the police chief of the consolidated city with all
 37 photographic and computer equipment necessary to enable the police
 38 chief of the consolidated city to transmit sex or violent offender
 39 photographs (and other identifying information required by
 40 IC 36-2-13-5.5) to the Indiana sex and violent offender registry website
 41 established under IC 36-2-13-5.5. In addition, the sheriff of a county
 42 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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1 where the sex or violent offender expects to reside the sex or
2 violent offender's name, date of release or transfer, new address,
3 and the offense or delinquent act committed by the sex or violent
4 offender.

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

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

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

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

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

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

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

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

29 (1) the sex or violent offender's:

30 (A) sentencing order; and

31 (B) presentence investigation; and

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

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

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

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

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1 predator in a manner approved or prescribed by the department
 2 at least once every ninety (90) days.
 3 (3) Personally visit each sex or violent offender in the county at
 4 the sex or violent offender's listed address at least one (1) time
 5 per year, beginning seven (7) days after the local law
 6 enforcement authority receives a notice under section 7 of this
 7 chapter or the date the sex or violent offender is:
 8 (A) released from a penal facility (as defined in
 9 IC 35-31.5-2-232), a secure private facility (as defined in
 10 ~~IC 31-9-2-115~~; IC 31-9-2.1-223), or a juvenile detention
 11 facility;
 12 (B) placed in a community transition program;
 13 (C) placed in a community corrections program;
 14 (D) placed on parole; or
 15 (E) placed on probation;
 16 whichever occurs first.
 17 (4) Personally visit each sex or violent offender who is
 18 designated a sexually violent predator under IC 35-38-1-7.5 at
 19 least once every ninety (90) days, beginning seven (7) days after
 20 the local law enforcement authority receives a notice under
 21 section 7 of this chapter or the date the sex or violent offender is:
 22 (A) released from a penal facility (as defined in
 23 IC 35-31.5-2-232), a secure private facility (as defined in
 24 ~~IC 31-9-2-115~~; IC 31-9-2.1-223), or a juvenile detention
 25 facility;
 26 (B) placed in a community transition program;
 27 (C) placed in a community corrections program;
 28 (D) placed on parole; or
 29 (E) placed on probation;
 30 whichever occurs first.
 31 (b) If a sex or violent offender appears not to reside at the sex or
 32 violent offender's listed address, the local law enforcement authority
 33 shall immediately notify the department and the prosecuting attorney.
 34 SECTION 58. IC 11-10-4-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this
 36 chapter, the terms used in IC 12-26 have the meanings set forth in
 37 ~~IC 12-7-2~~; IC 12-7-2.1.
 38 (b) As used in this chapter, "qualified medical personnel" has the
 39 meaning set out in IC 11-10-3-1.
 40 SECTION 59. IC 11-10-12-5.7, AS AMENDED BY P.L.6-2021,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 5.7. (a) The department shall assist a committed

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

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

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

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

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

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

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

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

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

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

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

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

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

28 SECTION 62. IC 12-7-2 IS REPEALED [EFFECTIVE JULY 1,
 29 2026]. (Definitions for Human Services Law).

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

33 **Chapter 2.1. Definitions**

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

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

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

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

42 **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 unclotted 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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- 1 (7) Essential utility services.
- 2 (8) Other services or items the township trustee determines
- 3 are necessities.

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

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

9 Sec. 38. "Blind" means the following:

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

- 18 (A) IC 12-10-6.
- 19 (B) IC 12-13.
- 20 (C) IC 12-14.
- 21 (D) IC 12-15.
- 22 (E) IC 12-19.

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

- 28 (A) IC 12-12-1.
- 29 (B) IC 12-12-3.
- 30 (C) IC 12-12-5.
- 31 (D) IC 12-12-6.

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

- 33 (1) For purposes of IC 12-8-6.5-14, the meaning set forth in
- 34 IC 12-8-6.5-14(a).
- 35 (2) For purposes of IC 12-8-6.5-14.1, the meaning set forth in
- 36 IC 12-8-6.5-14.1(a).
- 37 (3) For purposes of IC 12-8-6.5-14.3, the meaning set forth in
- 38 IC 12-8-6.5-14.3(a).
- 39 (4) For purposes of IC 12-8-6.5-15, the meaning set forth in
- 40 IC 12-8-6.5-15(a).
- 41 (5) For purposes of IC 12-10-10 and IC 12-10-11, the
- 42 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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1 three (3) months. The term includes:

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

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

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

14 (b) A child:

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

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

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

26 (b) A child:

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

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

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

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

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

42 (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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- 1 (F) A building authority organized for the purpose of
 2 constructing facilities to be leased to units of
 3 government.
 4 (G) A corporation incorporated under IC 23-7-1.1
 5 (before its repeal August 1, 1991) or IC 23-17.
 6 (H) A nonprofit corporation incorporated in another
 7 state.
 8 (I) A university or college.
 9 (4) Is accredited for the services provided by one (1) of the
 10 following organizations:
 11 (A) The Commission on Accreditation of Rehabilitation
 12 Facilities (CARF), or its successor.
 13 (B) The Council on Quality and Leadership in Supports
 14 for People with Disabilities, or its successor.
 15 (C) The Joint Commission on Accreditation of
 16 Healthcare Organizations (JCAHO), or its successor.
 17 (D) The National Commission on Quality Assurance, or
 18 its successor.
 19 (E) An independent national accreditation organization
 20 approved by the secretary.
 21 **Sec. 78. "Community mental health center" means a program**
 22 **of services that meets the following conditions:**
 23 (1) Is approved by the division of mental health and
 24 addiction.
 25 (2) Is organized for the purpose of providing multiple
 26 services for persons with mental illness or a chronic
 27 addictive disorder.
 28 (3) Is operated by one (1) of the following or any
 29 combination of the following:
 30 (A) A city, a town, a county, or another political
 31 subdivision of Indiana.
 32 (B) An agency of the state.
 33 (C) An agency of the United States.
 34 (D) A political subdivision of another state.
 35 (E) A hospital owned or operated by a unit of
 36 government described in clauses (A) through (D).
 37 (F) A building authority organized for the purpose of
 38 constructing facilities to be leased to units of
 39 government.
 40 (G) A corporation incorporated under IC 23-7-1.1
 41 (before its repeal August 1, 1991) or IC 23-17.
 42 (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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- 1 thirty (30) days after the date of application for township
- 2 assistance. The term includes the following:
- 3 (1) Gross wages before mandatory deductions.
- 4 (2) Social Security benefits, including Supplemental Security
- 5 Income.
- 6 (3) Aid to Families with Dependent Children.
- 7 (4) Unemployment compensation.
- 8 (5) Worker's compensation (except compensation that is
- 9 restricted for the payment of medical expenses).
- 10 (6) Vacation pay.
- 11 (7) Sick benefits.
- 12 (8) Strike benefits.
- 13 (9) Private or public pensions.
- 14 (10) Taxable income from self-employment.
- 15 (11) Bartered goods and services provided by another
- 16 individual for the payment of nonessential needs on behalf of
- 17 an applicant or an applicant's household if monetary
- 18 compensation or the provision of basic necessities would
- 19 have been reasonably available from that individual.
- 20 (12) Child support.
- 21 (13) Gifts of cash, goods, or services.
- 22 (14) Other sources of revenue or services that the township
- 23 trustee may reasonably determine to be countable income.

24 Sec. 93. "Countable resources", for purposes of IC 12-15-41,
 25 has the meaning set forth in IC 12-15-41-2.

26 Sec. 94. "County director" refers to a director of a county
 27 office of the division of family resources.

28 Sec. 95. "County home", for purposes of IC 12-20, means a
 29 residential facility owned, staffed, maintained, and operated by a
 30 county government for eligible county residents who are able to
 31 perform activities of daily living with little or no assistance,
 32 including the following activities:

- 33 (1) Bathing.
- 34 (2) Dressing.
- 35 (3) Grooming.
- 36 (4) Walking.
- 37 (5) Using the toilet.
- 38 (6) Eating.

39 Sec. 96. "County office" refers to a county office of the division
 40 of family resources.

41 Sec. 97. "Court", for purposes of IC 12-17.2, means a circuit
 42 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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- 1 (8) Rape (IC 35-42-4-1).
 2 (9) Criminal deviate conduct (IC 35-42-4-2) (before its
 3 repeal).
 4 (10) Child molesting (IC 35-42-4-3).
 5 (11) Sexual misconduct with a minor as a Class A felony (for
 6 a crime committed before July 1, 2014) or a Level 1 felony
 7 (for a crime committed after June 30, 2014) under
 8 IC 35-42-4-9(a)(2) or a Class B felony (for a crime committed
 9 before July 1, 2014) or a Level 2 felony (for a crime
 10 committed after June 30, 2014) under IC 35-42-4-9(b)(2).
 11 (12) Robbery as a Class A or Class B felony (for a crime
 12 committed before July 1, 2014) or a Level 2 or Level 3 felony
 13 (for a crime committed after June 30, 2014) (IC 35-42-5-1).
 14 (13) Burglary as a Class A or Class B felony (for a crime
 15 committed before July 1, 2014) or a Level 2 or Level 3 felony
 16 (for a crime committed after June 30, 2014) (IC 35-43-2-1).
 17 (14) Battery as a felony (IC 35-42-2-1).
 18 (15) Domestic battery (IC 35-42-2-1.3).
 19 (16) Strangulation (IC 35-42-2-9).
 20 (17) Criminal confinement (IC 35-42-3-3).
 21 (18) Sexual battery (IC 35-42-4-8).
 22 Sec. 111. "Decertify", for purposes of IC 12-17.2-3.5, means to
 23 remove, for any period of less than two (2) years, a provider's
 24 eligibility to receive a voucher payment.
 25 Sec. 112. "Delinquent child", for purposes of the following
 26 statutes, has the meaning set forth in IC 31-37-1 and IC 31-37-2:
 27 (1) IC 12-13.
 28 (2) IC 12-14.
 29 (3) IC 12-15.
 30 (4) IC 12-19.
 31 Sec. 113. "Department", for purposes of IC 12-13-14, has the
 32 meaning set forth in IC 12-13-14-1.
 33 Sec. 114. (a) "Dependent child", for purposes of the statutes
 34 listed in subsection (b), means a needy individual who satisfies
 35 either of the following conditions:
 36 (1) The individual is less than sixteen (16) years of age.
 37 (2) The individual is less than eighteen (18) years of age and
 38 the county office that has jurisdiction of the individual finds
 39 all of the following:
 40 (A) The individual regularly attends school.
 41 (B) The individual has been deprived of parental
 42 support or care because of a parent's:

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- 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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- 1 (4) who has been deprived of parental support or care
 2 because of a parent's:
 3 (A) death;
 4 (B) continued absence from the home; or
 5 (C) physical or mental incapacity;
 6 (5) whose relatives liable for the individual's support are not
 7 able to provide adequate care or support for the individual
 8 without public assistance; and
 9 (6) who is in need of foster care, under circumstances that do
 10 not require the individual to be made a public ward.

11 (b) This section applies to the following statutes:

- 12 (1) IC 12-13.
 13 (2) IC 12-14.
 14 (3) IC 12-15.
 15 (4) IC 12-19.

16 Sec. 118. (a) Except as provided in subsection (b),
 17 "developmental disability" means a severe, chronic disability of an
 18 individual that meets all of the following conditions:

19 (1) Is attributable to:

- 20 (A) intellectual disability, cerebral palsy, epilepsy, or
 21 autism; or
 22 (B) any other condition (other than a sole diagnosis of
 23 mental illness) found to be closely related to intellectual
 24 disability, because this condition results in similar
 25 impairment of general intellectual functioning or
 26 adaptive behavior or requires treatment or services
 27 similar to those required for a person with an
 28 intellectual disability.

29 (2) Is manifested before the individual is twenty-two (22)
 30 years of age.

31 (3) Is likely to continue indefinitely.

32 (4) Results in substantial functional limitations in at least
 33 three (3) of the following areas of major life activities:

- 34 (A) Self-care.
 35 (B) Understanding and use of language.
 36 (C) Learning.
 37 (D) Mobility.
 38 (E) Self-direction.
 39 (F) Capacity for independent living.
 40 (G) Economic self-sufficiency.

41 (b) The definition in subsection (a) does not apply and may not
 42 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

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- 1 disability and rehabilitative services established by
 2 IC 12-9-1-1:
 3 (A) IC 12-9.
 4 (B) IC 12-11.
 5 (C) IC 12-12.
 6 (D) IC 12-12.7.
 7 (E) IC 12-28-5.
 8 (2) For purposes of the following statutes, the division of
 9 aging established by IC 12-9.1-1-1:
 10 (A) IC 12-9.1.
 11 (B) IC 12-10.
 12 (C) IC 12-10.5.
 13 (3) For purposes of the following statutes, the division of
 14 family resources established by IC 12-13-1-1:
 15 (A) IC 12-8-12.
 16 (B) IC 12-13.
 17 (C) IC 12-14.
 18 (D) IC 12-15.
 19 (E) IC 12-16.
 20 I I(F) IC 12-17. ~~2~~
 21 (G) IC 12-1 ~~8~~ [7.2].
 22 (H) IC 12-1 ~~9~~ [8].
 23 (I) IC 12- ~~20~~ [19].
 24 I J IC 12-20.
 25 I (4) For purposes of the following statutes, the division of
 26 mental health and addiction established by IC 12-21-1-1:
 27 (A) IC 12-21.
 28 (B) IC 12-22.
 29 (C) IC 12-23.
 30 (D) IC 12-25.
 31 (c) With respect to a particular state institution, the term
 32 refers to the division whose director has administrative control of
 33 and responsibility for the state institution.
 34 (d) For purposes of IC 12-24, IC 12-26, and IC 12-27, the term
 35 refers to the division whose director has administrative control of
 36 and responsibility for the appropriate state institution.
 37 Sec. 125. "Domestic violence", for purposes of IC 12-18-8, has
 38 the meaning set forth in IC 34-6-2.1-50.
 39 Sec. 126. "Doula" means an individual who is trained and
 40 certified by a nationally recognized institution in providing
 41 emotional and physical support, but not medical or midwife care,
 42 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:**

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- 1 (1) place the health or safety of a household or a member of
 2 a household in jeopardy; and
 3 (2) cannot be remedied in a timely manner by means other
 4 than township assistance.
- 5 (b) "Emergency", for purposes of IC 12-17.6, has the meaning
 6 set forth in IC 12-17.6-1-2.6.
- 7 Sec. 138. "Emergency medical condition", for purposes of
 8 IC 12-15-12, has the meaning set forth in IC 12-15-12-0.3.
- 9 Sec. 139. "Emergency medical services", for purposes of
 10 IC 12-15-5-18.5, has the meaning set forth in IC 16-18-2-110.
- 11 Sec. 140. "Emergency services", for purposes of IC 12-15-12,
 12 has the meaning set forth in IC 12-15-12-0.5.
- 13 Sec. 141. (a) "Employed", "employee", "employment", or
 14 "employs", for purposes of IC 12-17.2-3.5, has the meaning set
 15 forth in IC 12-17.2-3.5-1.3.
- 16 (b) "Employee", for purposes of IC 12-23-23, has the meaning
 17 set forth in IC 12-23-23-1.
- 18 Sec. 142. "Endangered adult", for purposes of IC 12-8-1.5-18
 19 and IC 12-10-3, has the meaning set forth in IC 12-10-3-2.
- 20 Sec. 143. "Endangered adult medical alert" means an alert
 21 indicating that law enforcement officials are searching for a
 22 missing endangered adult.
- 23 Sec. 144. "Enforcement action", for purposes of IC 12-17.2,
 24 refers to the following:
- 25 (1) Revocation or decertification of eligibility for a voucher
 26 payment under IC 12-17.2-3.5.
- 27 (2) Denial, suspension, or revocation of a:
- 28 (A) license under IC 12-17.2-4 or IC 12-17.2-5; or
 29 (B) registration under IC 12-17.2-6.
- 30 Sec. 145. "Essential person", for purposes of IC 12-14, has the
 31 meaning set forth in IC 12-14-2-0.5.
- 32 Sec. 146. "Estate", for purposes of IC 12-15-9, has the meaning
 33 set forth in IC 12-15-9-0.5.
- 34 Sec. 147. "Executive authority", for purposes of IC 12-28-3,
 35 has the meaning set forth in IC 12-28-3-3.
- 36 Sec. 148. (a) "Expenses and obligations", for purposes of the
 37 statutes listed in subsection (b), refer to expenses, obligations,
 38 assistance, and claims:
- 39 (1) of a county office;
- 40 (2) incurred in the administration of the welfare services of
 41 the county;
- 42 (3) incurred as provided by law; and

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- 1 **(4) for:**
 2 **(A) assistance for aged persons in need;**
 3 **(B) assistance to dependent children; and**
 4 **(C) other assistance or services that a county office is**
 5 **authorized by law to allow.**
 6 **(b) This section applies to the following statutes:**
 7 **(1) IC 12-13.**
 8 **(2) IC 12-14.**
 9 **(3) IC 12-15.**
 10 **(4) IC 12-19.**
 11 **Sec. 149. "Facility" means the following:**
 12 **(1) For purposes of IC 12-17-12, the meaning set forth in**
 13 **IC 12-17-12-3.**
 14 **(2) For purposes of IC 12-17-13, the meaning set forth in**
 15 **IC 12-17-13-2.**
 16 **(3) For purposes of IC 12-26, a hospital, a health and hospital**
 17 **corporation established under IC 16-22-8, a psychiatric**
 18 **hospital, a community mental health center, another**
 19 **institution, a program, a managed care provider, or a child**
 20 **caring institution:**
 21 **(A) where an individual with a mental illness can receive**
 22 **rehabilitative treatment, or habilitation and care, in the**
 23 **least restrictive environment suitable for the necessary**
 24 **care, treatment, and protection of the individual and**
 25 **others; and**
 26 **(B) that has adequate space and treatment staff**
 27 **appropriate to the needs of the individual as determined**
 28 **by the superintendent of the facility.**
 29 **The term includes all services, programs, and centers of the**
 30 **facility, wherever located.**
 31 **(4) For purposes of IC 12-15-32, the meaning set forth in**
 32 **IC 12-15-32-1.**
 33 **Sec. 150. "Family or household member", for purposes of**
 34 **IC 12-18-8, has the meaning set forth in IC 12-18-8-3.**
 35 **Sec. 151. "Federal act", for purposes of IC 12-12-8, has the**
 36 **meaning set forth in IC 12-12-8-3.2.**
 37 **Sec. 152. "Federal department", for purposes of IC 12-26-9,**
 38 **has the meaning set forth in IC 12-26-9-1.**
 39 **Sec. 153. "Federal facility", for purposes of IC 12-26-9, has the**
 40 **meaning set forth in IC 12-26-9-2.**
 41 **Sec. 154. "Federal income poverty level", for purposes of**
 42 **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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1 (9) For purposes of IC 12-24-6, the meaning set forth in
2 IC 12-24-6-1.

3 (10) For purposes of IC 12-24-14, the meaning set forth in
4 IC 12-24-14-1.

5 (11) For purposes of IC 12-30-7, the meaning set forth in
6 IC 12-30-7-3.

7 Sec. 165. "Gatekeeper", for purposes of IC 12-24, IC 12-25,
8 and IC 12-26, means an entity identified in IC 12-24-12-10 that is
9 actively involved in the evaluation and planning of and treatment
10 for a committed individual beginning after the commitment
11 through the planning of the individual's transition back into the
12 community, including case management services for the individual
13 in the community.

14 Sec. 166. "Governmental entity", for purposes of IC 12-10-3,
15 has the meaning set forth in IC 12-10-3-3.

16 Sec. 167. "Governor", for purposes of IC 12-28-3, has the
17 meaning set forth in IC 12-28-3-3.

18 Sec. 168. "Grantee agency", for purposes of IC 12-8-10, has
19 the meaning set forth in IC 12-8-10-2.

20 Sec. 169. (a) "Grant-in-aid", for purposes of the statutes listed
21 in subsection (b), means any money paid by the federal government
22 to the state or any money paid by the state to a county for the
23 purpose of defraying any of the expenses, claims, allowances,
24 assistance, or obligations authorized by this title.

25 (b) This section applies to the following statutes:

26 (1) IC 12-13.

27 (2) IC 12-14.

28 (3) IC 12-15.

29 (4) IC 12-19.

30 Sec. 170. "Gravely disabled", for purposes of IC 12-26, means
31 a condition in which an individual, as a result of mental illness, is
32 in danger of coming to harm because the individual:

33 (1) is unable to provide for that individual's food, clothing,
34 shelter, or other essential human needs; or

35 (2) has a substantial impairment or an obvious deterioration
36 of that individual's judgment, reasoning, or behavior that
37 results in the individual's inability to function independently.

38 Sec. 171. "Group", for purposes of IC 12-8-10, has the
39 meaning set forth in IC 12-8-10-3.

40 Sec. 172. "Group size", for purposes of IC 12-17.2-3.5, means
41 the number of children who routinely work, learn, eat, sleep, and
42 play together inside and outside a facility where a provider

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- 1 operates a child care program.
- 2 Sec. 173. "Guidelines", for purposes of IC 12-23-23, has the
- 3 meaning set forth in IC 12-23-23-2.
- 4 Sec. 174. "Harmful substance", for purposes of IC 12-23,
- 5 means any substance used by an individual to produce the effect of
- 6 a controlled substance, although the substance is not classified as
- 7 a controlled substance under IC 35-48.
- 8 Sec. 175. "Health facility", for purposes of IC 12-10-5.5, has
- 9 the meaning set forth in IC 12-10-5.5-2.
- 10 Sec. 176. "Health maintenance organization", for purposes of
- 11 IC 12-15-39.6, has the meaning set forth in IC 27-13-1-19.
- 12 Sec. 177. "Health related services":
- 13 (1) for purposes of IC 12-10-15, has the meaning set forth in
- 14 IC 12-10-15-2; and
- 15 (2) for purposes of IC 12-10-17.1, has the meaning set forth
- 16 in IC 12-10-17.1-5.
- 17 Sec. 178. "Holocaust victim's settlement payment" has the
- 18 meaning set forth in IC 12-14-18-1.7 for purposes of the following:
- 19 (1) IC 12-10-6.
- 20 (2) IC 12-14-2.
- 21 (3) IC 12-14-18.
- 22 (4) IC 12-14-19.
- 23 (5) IC 12-15-2.
- 24 (6) IC 12-15-3.
- 25 (7) IC 12-16-3.5.
- 26 (8) IC 12-20-5.5.
- 27 Sec. 179. "Home and community based services waiver", for
- 28 purposes of IC 12-8-1.6, has the meaning set forth in IC 12-8-1.6-2.
- 29 Sec. 180. "Home health agency", for purposes of IC 12-15-34,
- 30 has the meaning set forth in IC 12-15-34-1.
- 31 Sec. 181. "Home health services", for purposes of IC 12-15-34,
- 32 has the meaning set forth in IC 12-15-34-2.
- 33 Sec. 182. "Hospice", for purposes of IC 12-15-40, has the
- 34 meaning set forth in IC 12-15-40-2.
- 35 Sec. 183. "Hospice program", for purposes of IC 12-15-40, has
- 36 the meaning set forth in IC 12-15-40-3.
- 37 Sec. 184. "Hospice program patient", for purposes of
- 38 IC 12-15-40, has the meaning set forth in IC 12-15-40-4.
- 39 Sec. 185. "Hospice services", for purposes of IC 12-15-5 and
- 40 IC 12-15-40, has the meaning set forth in IC 12-15-40-5.
- 41 Sec. 186. "Hospital" means the following:
- 42 (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.

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- 1 (B) Alcohol dependence.
 2 Sec. 224. "Member", for purposes of IC 12-8-2.5, has the
 3 meaning set forth in IC 12-8-2.5-2.
 4 Sec. 225. "Member of the applicant's household", for purposes
 5 of IC 12-20-6-0.5, has the meaning set forth in IC 12-20-6-0.5.
 6 Sec. 226. "Mental illness" or "mentally ill" means the
 7 following:
 8 (1) For purposes of IC 12-23-5, IC 12-24, and IC 12-26, a
 9 psychiatric disorder that:
 10 (A) substantially disturbs an individual's thinking,
 11 feeling, or behavior; and
 12 (B) impairs the individual's ability to function.
 13 The term includes intellectual disability, alcoholism, and
 14 addiction to narcotics or dangerous drugs, and, for purposes
 15 of IC 12-26-5, the term includes temporary impairment as a
 16 result of alcohol or drug use.
 17 (2) For purposes of IC 12-28-4 and IC 12-28-5, a psychiatric
 18 disorder that:
 19 (A) substantially disturbs an individual's thinking,
 20 feeling, or behavior; and
 21 (B) impairs the individual's ability to function.
 22 The term does not include developmental disability.
 23 Sec. 227. "Missing endangered adult", for purposes of
 24 IC 12-10-18, means an individual at least eighteen (18) years of age
 25 who is reported missing to a law enforcement agency and is, or is
 26 believed to be:
 27 (1) a temporary or permanent resident of Indiana;
 28 (2) at a location that cannot be determined by an individual
 29 familiar with the missing individual; and
 30 (3) incapable of returning to the missing individual's
 31 residence without assistance by reason of:
 32 (A) mental illness;
 33 (B) intellectual disability;
 34 (C) dementia; or
 35 (D) another physical or mental incapacity of managing
 36 or directing the management of the individual's
 37 property or providing or directing the provision of
 38 self-care.
 39 Sec. 228. "Mobile crisis team", for purposes of IC 12-21-8 and
 40 IC 12-29-5, has the meaning set forth in IC 12-21-8-3.
 41 Sec. 229. "Mobile integrated healthcare", for purposes of
 42 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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- 1 (2) For purposes of IC 12-10-7, the adult guardianship
- 2 services program established by IC 12-10-7-5.
- 3 (3) For purposes of IC 12-10-10, the meaning set forth in
- 4 IC 12-10-10-5.
- 5 (4) For purposes of IC 12-15-12.7, the meaning set forth in
- 6 IC 12-15-12.7-1.
- 7 (5) For purposes of IC 12-17.2-2-14.2, the meaning set forth
- 8 in IC 12-17.2-2-14.2(a).
- 9 (6) For purposes of IC 12-17.6, the meaning set forth in
- 10 IC 12-17.6-1-5.

11 Sec. 264. "Property", for purposes of IC 12-12-1, has the
 12 meaning set forth in IC 35-31.5-2-253.

13 Sec. 265. "Prospective DUR", for purposes of IC 12-15-35, has
 14 the meaning set forth in IC 12-15-35-13.

15 Sec. 266. "Protective services", for purposes of IC 12-10-3, has
 16 the meaning set forth in IC 12-10-3-5.

17 Sec. 267. "Provider" means the following:

18 (1) For purposes of IC 12-10-7, the meaning set forth in
 19 IC 12-10-7-3.

20 (2) For purposes of the following statutes, an individual, a
 21 partnership, a corporation, or a governmental entity that is
 22 enrolled in the Medicaid program under rules adopted under
 23 IC 4-22-2 by the office of Medicaid policy and planning:

- 24 (A) IC 12-14-1 through IC 12-14-8.
- 25 (B) IC 12-15, except IC 12-15-32, IC 12-15-33, and
- 26 IC 12-15-34.
- 27 (C) IC 12-17.6.

28 (3) Except as provided in subdivisions (4) and (6), for
 29 purposes of IC 12-17.2, a person who operates a child care
 30 center or child care home under IC 12-17.2.

31 (4) For purposes of IC 12-17.2-3.5, a person that:
 32 (A) provides child care; and
 33 (B) is directly paid for the provision of the child care
 34 under the federal Child Care and Development Fund
 35 voucher program administered under 45 CFR 98 and 45
 36 CFR 99.

37 The term does not include an individual who provides
 38 services to a person described in clauses (A) and (B),
 39 regardless of whether the individual receives compensation.

40 (5) For purposes of IC 12-21-1 through IC 12-29-2, an
 41 organization:

42 (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:

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1 (1) For purposes of the following statutes, a person who has
 2 received or is receiving assistance for the person or another
 3 person under any of the following statutes:

- 4 (A) IC 12-10-6.
- 5 (B) IC 12-13.
- 6 (C) IC 12-14.
- 7 (D) IC 12-15.
- 8 (E) IC 12-19.

9 (2) For purposes of IC 12-20-10 and IC 12-20-11:
 10 (A) a single individual receiving township assistance; or
 11 (B) if township assistance is received by a household
 12 with at least two (2) individuals, the member of the
 13 household most suited to perform available work.

14 Sec. 282. "Recovery residence" means an abstinence based
 15 living environment for individuals that promotes recovery from:

- 16 (1) alcohol; and
- 17 (2) other drug;

18 abuse and related issues. An abstinence based living environment,
 19 for purposes of opioid addiction, may include individuals who are
 20 in a treatment that includes medication assisted treatment with a
 21 goal of opioid abstinence or the minimum clinically necessary
 22 medication dose.

23 Sec. 283. "Reentry court program", for purposes of
 24 IC 12-14-29, has the meaning set forth in IC 12-14-29-1.

25 Sec. 284. "Region", for purposes of IC 12-10-7, has the
 26 meaning set forth in IC 12-10-7-4.

27 Sec. 285. (a) "Rehabilitation", for purposes of the statutes
 28 listed in subsection (b), means a process of providing services to
 29 meet the current and future needs of persons with disabilities so
 30 that the individuals may prepare for and engage in gainful
 31 employment to the extent of their capabilities, as provided in 29
 32 U.S.C. 720.

33 (b) This section applies to the following statutes:

- 34 (1) IC 12-8-1.5-10.
- 35 (2) IC 12-12-1.
- 36 (3) IC 12-12-3.
- 37 (4) IC 12-12-6.

38 Sec. 286. "Rehabilitation center", for purposes of IC 12-12-3,
 39 refers to the rehabilitation center established under IC 12-12-3-1.

40 Sec. 287. "Rehabilitation technology", for purposes of
 41 IC 12-12-6, has the meaning set forth in IC 12-12-6-1.

42 Sec. 288. "Related", for purposes of IC 12-17.2, means any of

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1 the following relationships to an individual who is less than
2 eighteen (18) years of age by marriage, blood, or adoption:

- 3 (1) Parent.
4 (2) Grandparent.
5 (3) Brother.
6 (4) Sister.
7 (5) Stepparent.
8 (6) Stepgrandparent.
9 (7) Stepbrother.
10 (8) Stepsister.
11 (9) First cousin.
12 (10) Uncle.
13 (11) Aunt.

14 Sec. 289. "Request for proposals", for purposes of IC 12-8-12,
15 has the meaning set forth in IC 12-8-12-3.

16 Sec. 290. "Research institution", for purposes of IC 12-21-9,
17 has the meaning set forth in IC 12-21-9-3.

18 Sec. 291. "Resident" has the following meaning:

- 19 (1) For purposes of IC 12-10-15, the meaning set forth in
20 IC 12-10-15-5.
21 (2) For purposes of IC 12-16, except IC 12-16-1, an
22 individual who has actually resided in Indiana for at least
23 ninety (90) days.
24 (3) For purposes of IC 12-20-8, the meaning set forth in
25 IC 12-20-8-1.
26 (4) For purposes of IC 12-24-5, the meaning set forth in
27 IC 12-24-5-1.

28 Sec. 292. "Residential facility", for purposes of IC 12-28-4 and
29 IC 12-28-5, refers to a residential facility for individuals with a
30 developmental disability.

31 Sec. 293. "Residential facility for individuals with a
32 developmental disability", for purposes of IC 12-28-4 and
33 IC 12-28-5, means a facility that provides residential services for
34 individuals with a developmental disability in a program described
35 in IC 12-11-1.1-1(e)(1) or IC 12-11-1.1-1(e)(2).

36 Sec. 294. (a) "Responsible party", for purposes of IC 12-24-6,
37 IC 12-24-13, IC 12-24-14, and IC 12-24-15, means any of the
38 following:

- 39 (1) The patient.
40 (2) The parents of the patient if the patient is not more than
41 eighteen (18) years of age.
42 (3) The spouse of the patient.

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- 1 (4) The estate of the patient.
- 2 (5) A legal guardian of the patient in the guardian's
- 3 representative capacity.
- 4 (6) A trustee of the patient if the trust authorizes payment
- 5 for the care, treatment, maintenance, or support of the
- 6 patient.
- 7 (b) The term does not include the children of the patient.
- 8 Sec. 295. "Retailer", for purposes of IC 12-13-14, has the
- 9 meaning set forth in IC 12-13-14-1.
- 10 Sec. 296. "Retrospective DUR", for purposes of IC 12-15-35,
- 11 has the meaning set forth in IC 12-15-35-14.
- 12 Sec. 297. "Safe sleeping practices", for purposes of IC 12-17.2,
- 13 means standards for infants concerning safe sleeping and sudden
- 14 unexpected infant death risk reduction that have been approved by
- 15 the division of family resources.
- 16 Sec. 298. "School", for purposes of IC 12-14-2-23, has the
- 17 meaning set forth in IC 12-14-2-23(b).
- 18 Sec. 299. "School age child care program", for purposes of
- 19 IC 12-17-12, has the meaning set forth in IC 12-17-12-5.
- 20 Sec. 300. "School based nurse", for purposes of section 277 of
- 21 this chapter, means a registered nurse or licensed practical nurse
- 22 licensed under IC 25-23-1 who is employed by or contracts with a
- 23 school corporation that participates in Medicaid to provide school
- 24 based Medicaid covered services for a Medicaid recipient.
- 25 Sec. 301. "School corporation", for purposes of IC 12-17-12,
- 26 has the meaning set forth in IC 12-17-12-6.
- 27 Sec. 302. "School property", for purposes of IC 12-17.2, means
- 28 a building owned or leased by a:
 - 29 (1) school corporation;
 - 30 (2) public school; or
 - 31 (3) private school;
- 32 within the school district in which the school is located.
- 33 Sec. 303. (a) Except as provided in subsection (b), "secretary"
- 34 refers to the secretary of family and social services appointed
- 35 under IC 12-8-1.5-2.
- 36 (b) "Secretary", for purposes of IC 12-13-14, has the meaning
- 37 set forth in IC 12-13-14-1.
- 38 Sec. 304. "Self-directed in-home health care", for purposes of
- 39 IC 12-10-17.1, has the meaning set forth in IC 12-10-17.1-9.
- 40 Sec. 305. "Service provider", for purposes of IC 12-27, means
- 41 any of the following:
 - 42 (1) A state institution.

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- 1 (2) A private psychiatric hospital licensed under IC 12-25.
- 2 (3) A community mental health center.
- 3 (4) A community intellectual disability and other
- 4 developmental disabilities center.
- 5 (5) A service provider certified by the division of mental
- 6 health and addiction to provide substance abuse treatment
- 7 programs.
- 8 (6) A service provider or program receiving money from or
- 9 through a division.
- 10 (7) Any other service provider, hospital, clinic, program,
- 11 agency, or private practitioner if the individual receiving
- 12 mental health services or developmental training was
- 13 admitted without the individual's consent.
- 14 (8) A managed care provider (as defined in section 219 of this
- 15 chapter).

16 **Sec. 306. "Services" means the following:**

- 17 (1) For purposes of IC 12-10-1 and IC 12-10-2, those services
- 18 designed to provide assistance to the aged and the aging,
- 19 including the following:
- 20 (A) Nutritional programs.
- 21 (B) Facilities improvement.
- 22 (C) Transportation services.
- 23 (D) Senior volunteer programs.
- 24 (E) Supplementary health services.
- 25 (F) Programs for leisure time activities.
- 26 (G) Housing and employment counseling.
- 27 (H) Informational, referral, and counseling programs to
- 28 aid the aging and aged in availing themselves of existing
- 29 services intended to aid the aged in attaining and
- 30 maintaining self-sufficiency, personal well-being, and
- 31 maximum participation in community life.
- 32 (I) Other services required under regulations
- 33 established under the Older Americans Act (42 U.S.C.
- 34 3001 et seq.).

- 35 (2) For purposes of IC 12-28-1, the meaning set forth in
- 36 IC 12-28-1-4.

37 **Sec. 307. (a) "Shelter", for purposes of IC 12-20, means a**
38 **house, a mobile home, an apartment, a group of rooms, or a single**
39 **room that is occupied or is intended for occupancy as separate**
40 **living quarters where the occupant or intended occupant:**

- 41 (1) does not live and eat with any other individual in the
- 42 building; and

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- 1 (2) has direct access to the occupant's living quarters from
2 the outside of the building or through a common hall.
- 3 (b) Notwithstanding subsection (a), "shelter", for purposes of
4 IC 12-20-17-2, has the meaning set forth in IC 12-20-17-2.
- 5 Sec. 308. "Single source drug" means an outpatient drug that
6 is produced or distributed under an original new drug application
7 approved by the federal Food and Drug Administration, including
8 a drug product marketed by any cross-licensed producers or
9 distributors operating under the new drug application.
- 10 Sec. 309. "SNAP" refers to the federal Supplemental Nutrition
11 Assistance Program under 7 U.S.C. 2011 et seq.
- 12 Sec. 310. "Social Services Block Grant" refers to the block
13 grant under 42 U.S.C. 1397 et seq.
- 14 Sec. 311. "Solicitation", for purposes of IC 12-15-25-1, has the
15 meaning set forth in IC 12-15-25-1.
- 16 Sec. 312. "Special needs", for purposes of IC 12-10.5, has the
17 meaning set forth in IC 12-10.5-1-2.
- 18 Sec. 313. "Special skilled services", for purposes of
19 IC 12-15-36, has the meaning set forth in IC 12-15-36-3.
- 20 Sec. 314. "Specialist", for purposes of IC 12-10-5.7, has the
21 meaning set forth in IC 12-10-5.7-3.
- 22 Sec. 315. "Specified low-income Medicare beneficiary", for
23 purposes of IC 12-15-2-26, has the meaning set forth in
24 IC 12-15-2-26(d).
- 25 Sec. 316. "Standards", for purposes of IC 12-15-35, has the
26 meaning set forth in IC 12-15-35-15.
- 27 Sec. 317. "State domestic violence fatality review
28 coordinator", for purposes of IC 12-18-9, has the meaning set forth
29 in IC 12-18-9-2.
- 30 Sec. 318. (a) "State institution" means an institution:
31 (1) owned or operated by the state;
32 (2) for the observation, care, treatment, or detention of an
33 individual; and
34 (3) under the administrative control of a division.
- 35 (b) The term includes the following:
36 (1) Evansville State Hospital.
37 (2) Evansville State Psychiatric Treatment Center for
38 Children.
39 (3) Logansport State Hospital.
40 (4) Madison State Hospital.
41 (5) Richmond State Hospital.
42 (6) The Neurodiagnostic Institute and Advanced Treatment

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- 1 Center.
- 2 Sec. 319. "State of Indiana general educational development
3 (GED) diploma", for purposes of IC 12-14-5, has the meaning set
4 forth in IC 12-14-5-2.
- 5 Sec. 320. "State ombudsman", for purposes of IC 12-10-13,
6 has the meaning set forth in IC 12-10-13-6.
- 7 Sec. 321. "State or local public benefit", for purposes of
8 IC 12-32-1, has the meaning set forth in IC 12-32-1-3.
- 9 Sec. 322. "State plan", for purposes of:
- 10 (1) IC 12-8-6.5, refers to the state Medicaid plan for the
11 Medicaid program; and
- 12 (2) IC 12-12-8, has the meaning set forth in IC 12-12-8-3.8.
- 13 Sec. 323. "Superintendent" has the following meaning:
- 14 (1) For purposes of IC 12-24, the term refers to the
15 administrative head of a state institution appointed under
16 IC 12-24-2-2.
- 17 (2) For purposes of IC 12-24-6, IC 12-24-15, and IC 12-24-17,
18 the term includes:
- 19 (A) an employee; or
- 20 (B) an individual who holds a license to practice
21 medicine under IC 25-22.5;
- 22 designated as a deputy or an agent of the individual
23 described in subdivision (1).
- 24 (3) For purposes of IC 12-26, the term means the chief
25 administrative officer of a facility and includes the chief
26 administrative officer's designee.
- 27 Sec. 324. "Supervised group living facility", for purposes of
28 IC 12-28-4 and IC 12-28-5, refers to a supervised group living
29 facility for individuals with a developmental disability.
- 30 Sec. 325. "Supervised group living facility for individuals with
31 a developmental disability", for purposes of IC 12-28-4 and
32 IC 12-28-5, refers to a supervised group living facility for
33 individuals with a developmental disability in a program described
34 in IC 12-11-1.1-1(e)(1).
- 35 Sec. 326. "Support", for purposes of IC 12-20-25-41, has the
36 meaning set forth in IC 12-20-25-41.
- 37 Sec. 327. "Supportive services", for purposes of IC 12-10-15,
38 has the meaning set forth in IC 12-10-15-6.
- 39 Sec. 328. "SURS", for purposes of IC 12-15-35, has the
40 meaning set forth in IC 12-15-35-16.
- 41 Sec. 329. "TANF", for purposes of IC 12-20, refers to the
42 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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(4) IC 12-15.
 (5) IC 12-19.
 Sec. 355. "Waste", for purposes of IC 12-15-35.5, has the meaning set forth in IC 12-15-35.5-2.6.
 Sec. 356. "Wasted resources", for purposes of IC 12-20, means:

- (1) the amount of money or resources expended by an applicant or an adult member of an applicant's household seeking township assistance during the thirty (30) days before the date of application for township assistance for items or services that are not basic necessities;
- (2) income, resources, or tax supported services lost or reduced as a result of a voluntary act during the sixty (60) days before the date of application for township assistance by an adult member of an applicant's household unless the adult member can establish a good reason for the act; or
- (3) lump sum amounts of money or resources from tax refunds, lawsuits, inheritances, or pension payments of at least four hundred dollars (\$400) that are expended by:
 - (A) an applicant seeking township assistance; or
 - (B) an adult member of the applicant's household;
 during the one hundred eighty (180) days immediately preceding the date of application for township assistance for items or services that are not basic necessities if, at the time of the expenditure, there were amounts due and owing for items or services constituting basic necessities.

SECTION 64. IC 12-8-1.5-6.1, AS ADDED BY P.L.179-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) Subject to an approved state plan amendment or waiver under subsection (b), the office of the secretary shall, immediately upon request by the department of child services, provide to the department of child services address information that is maintained by the office of the secretary and that is necessary for the department of child services to:

- (1) respond to a report of suspected child abuse or neglect under IC 31-33; or
- (2) take action concerning a child with regard to whom exigent circumstances (as defined by ~~IC 31-9-2-44.1~~ in IC 31-9-2.1-92) exist.

(b) The office of the secretary shall apply for any state plan amendment or waiver necessary to implement this section.

SECTION 65. IC 12-8-12-8, AS ADDED BY P.L.102-2022,

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1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 8. (a) This section does not apply to an individual
 3 who:
 4 (1) is less than eighteen (18) years of age;
 5 (2) is more than sixty-four (64) years of age;
 6 (3) is medically certified as:
 7 (A) physically; or
 8 (B) mentally;
 9 unfit for employment;
 10 (4) is pregnant;
 11 (5) is a parent or caretaker who personally provides care for a
 12 dependent child who has a:
 13 (A) serious medical condition; or
 14 (B) disability;
 15 as determined by the secretary;
 16 (6) is receiving unemployment compensation and complying
 17 with work requirements under IC 22-4;
 18 (7) is participating in a treatment and rehabilitation program for
 19 a drug or alcohol addiction;
 20 (8) is participating in:
 21 (A) an adult basic education program;
 22 (B) a workforce training, certification, or credentialing
 23 program; or
 24 (C) a course of study at a postsecondary institution;
 25 (9) has been awarded a federal or state financial aid award or
 26 grant;
 27 (10) is a victim of domestic or family violence (as defined in
 28 ~~IC 31-9-2-42~~; IC 31-9-2.1-84);
 29 (11) separated from service in the armed forces (as defined in
 30 IC 36-8-4.7-3) not more than one hundred eighty (180) days
 31 before applying for TANF assistance; or
 32 (12) has experienced homelessness.
 33 (b) As used in this section, "IMPACT mandatory" means, with
 34 respect to an individual who applies for or receives TANF assistance,
 35 a determination by the division that the individual is required, as a
 36 condition of receiving TANF assistance, to participate in the IMPACT
 37 program.
 38 (c) The secretary shall adopt rules under this section that require,
 39 at a minimum, the following:
 40 (1) After submitting an application for TANF assistance, an
 41 IMPACT mandatory applicant must, as a condition of eligibility,
 42 provide evidence of the applicant's job search activities. The

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1 evidence of job search activities must include, at a minimum,
2 evidence of:

- 3 (A) six (6) contacts by the applicant with employers; and
- 4 (B) submission by the applicant of three (3) job applications
- 5 or resumes;
- 6 after the applicant's submission of the application.

7 (2) An IMPACT mandatory individual whose application for
8 TANF assistance is approved or who receives TANF assistance,
9 whichever comes first, must participate in the IMPACT program
10 as directed by the division.

11 (d) The secretary may suspend application of rules adopted by the
12 secretary under subsection (c) to individuals residing in an area in
13 which:

- 14 (1) the unemployment rate is ten percent (10%) or greater; or
- 15 (2) an insufficient number of jobs is available to provide
- 16 employment for residents of the area, as demonstrated by one (1)
- 17 or more of the following:

18 (A) The United States Department of Labor's Employment
19 and Training Administration has designated the area as a
20 labor surplus area.

21 (B) The United States Department of Labor has determined
22 that the area qualifies for extended unemployment benefits.

23 (C) The area has a low and declining ratio of employment
24 to population.

25 (D) The average unemployment rate in the area for the
26 immediately preceding twenty-four (24) month period is
27 twenty percent (20%) or more above the national average
28 unemployment rate during the same twenty-four (24) month
29 period.

30 SECTION 66. IC 12-9-2-6, AS AMENDED BY P.L.117-2015,
31 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]: Sec. 6. (a) The secretary shall act for the division in
33 entering into contracts for the disbursal of money and the providing of
34 service for approved community intellectual disability and other
35 developmental disability centers where constructed and operated or
36 maintained by private nonprofit organizations, a local public agency,
37 or any other state agency that the secretary determines to be best suited
38 to advance programs for individuals with developmental disabilities.

39 (b) Before entering into a contract under this section, the secretary
40 shall submit the contract to the attorney general for approval as to form
41 and legality.

42 (c) A contract under this section must do the following:

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- 1 (1) Specify the services to be provided and the client populations
- 2 to whom services must be provided.
- 3 (2) Specify that the definition of developmental disability set
- 4 forth in ~~IC 12-7-2-61~~ IC 12-7-2.1-118 must be used to determine
- 5 the eligibility of an individual for reimbursement of the center by
- 6 the division for the center's services for individuals with a
- 7 developmental disability. The division shall reimburse the
- 8 centers at rates established by rule.
- 9 (3) Provide for a reduction in funding for failure to comply with
- 10 terms of the contract.

11 SECTION 67. IC 12-10-6-5, AS AMENDED BY P.L.56-2023,
 12 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 5. (a) An individual who is determined under
 14 section 2.1(a)(2) of this chapter to be incapable of residing in the
 15 individual's own home because of mental illness may be admitted to a
 16 home or facility that provides residential care to the extent that money
 17 is available for the care.

18 (b) Within thirty (30) days after an individual with a mental illness
 19 is placed in a home or facility that provides residential care, a
 20 comprehensive care plan must be developed for the individual.

21 (c) The residential care facility, in cooperation with the community
 22 mental health center or an individual's ~~managed care~~ provider (as
 23 defined in ~~IC 12-7-2-127(b)~~ IC 12-7-2.1-267(5)) serving the area in
 24 which the residential care facility is located, shall develop the
 25 comprehensive care plan for the individual. The plan must include the
 26 following:

- 27 (1) Psychosocial rehabilitation services that are provided within
- 28 the community.
- 29 (2) A comprehensive range of activities to meet multiple levels
- 30 of need, including the following:
 - 31 (A) Recreational and socialization activities.
 - 32 (B) Social skills.
 - 33 (C) Educational, training, occupational, and work programs.
 - 34 (D) Opportunities for progression into less restrictive and
 - 35 more independent living arrangements.
- 36 (3) Appropriate alternate placement if the individual's needs
- 37 cannot be met by the facility.

38 (d) The Indiana department of health shall, in coordination with
 39 the division of mental health and addiction and the division, adopt rules
 40 under IC 4-22-2 to govern:

- 41 (1) residential care; and
- 42 (2) the comprehensive care plan;

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1 provided to individuals with a mental illness who reside under this
2 chapter in a home or facility that provides residential care.

3 SECTION 68. IC 12-10-10-2, AS AMENDED BY P.L.167-2025,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 2. As used in this chapter, "community and home
6 care services" means services provided within the limits of available
7 funding to an eligible individual. The term includes the following:

8 (1) Homemaker services and attendant care, including personal
9 care services.

10 (2) Respite care services and other support services for primary
11 or family caregivers.

12 (3) Adult day care services.

13 (4) Home health services and supplies.

14 (5) Home delivered meals.

15 (6) Transportation.

16 (7) Attendant care services provided by a registered personal
17 services attendant under IC 12-10-17.1 to persons described in
18 IC 12-10-17.1-6.

19 (8) Other services necessary to prevent and reduce:

20 (A) hospitalization and institutionalization; and

21 (B) the need for Medicaid home and community based
22 services;

23 of eligible individuals when feasible.

24 (9) Other services, not covered by Medicaid, including
25 equipment and building modifications, necessary to:

26 (A) prevent individuals with intellectual or developmental
27 disabilities from being institutionalized; and

28 (B) help an individual described in clause (A) to transition
29 out of a health facility licensed under IC 16-28 or a group
30 home (as defined by ~~IC 31-9-2-48.5~~; **in IC 31-9-2.1-115**).

31 (10) Support services that provide education, resources, and
32 strategies to help caregivers and family members of individuals
33 with dementia.

34 SECTION 69. IC 12-14-2-16 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. If an investigation
36 discloses that a child is a dependent child and the child is living or will
37 live with at least one (1) of the relatives prescribed in ~~IC 12-7-2-58~~;
38 IC 12-7-2.1-114, assistance may be allowed for the support of the child
39 without complying with an Indiana law other than this article.

40 SECTION 70. IC 12-14-2-24, AS AMENDED BY P.L.80-2010,
41 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2026]: Sec. 24. (a) A dependent child and a parent or an

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1 essential person are not eligible for TANF assistance under this chapter
2 unless the mother of the dependent child:

- 3 (1) initiates a court proceeding to establish paternity, other than
4 an adoption proceeding, except as provided in IC 31-14-20-2;
5 (2) executes a paternity affidavit under IC 16-37-2-2.1; or
6 (3) requests, at the time of application or renewal, that the Title
7 IV-D agency or its agents file a paternity action under
8 IC 31-14-4-3.

9 (b) A person applying for assistance under this chapter is not
10 required to comply with subsection (a) if:

- 11 (1) the father of the dependent child has been charged with an
12 act of rape, incest, or child molesting that occurred against the
13 dependent child's mother within ten (10) months before the birth
14 of the dependent child;
15 (2) the mother of the dependent child is deceased;
16 (3) the division determines under rules adopted by the division
17 under IC 4-22-2 that the mother of the dependent child could not
18 know the identity of the child's father;
19 (4) the mother of the dependent child provides proof, and the
20 division agrees, that the physical health or safety of the mother
21 or the dependent child would be jeopardized if the mother
22 complies with subsection (a); or
23 (5) the dependent child is living in the family home of a relative
24 other than the mother of the child as described under
25 IC 12-14-1-1(a) and the relative provides proof, and the division
26 agrees, that the physical health or safety of the mother, relative,
27 or dependent child would be jeopardized if the relative complies
28 with subsection (a).

29 (c) If a dependent child's mother is a party to a paternity action
30 filed under IC 31-14 (or IC 31-6-6.1 before its repeal), a county office
31 shall revoke assistance under this chapter if the mother fails to pursue
32 the paternity action.

33 (d) The office may not delay payments otherwise owing to a
34 provider if the mother fails to comply with this section.

35 (e) Except as provided in subsection (b)(1), (b)(3), and (b)(5), if
36 a child is residing with a nonparent guardian or custodian, the
37 nonparent guardian or custodian shall make a good faith effort to
38 cooperate with a prosecuting attorney or the division by providing to
39 the prosecuting attorney or the division any information regarding the
40 potential paternity of the child.

41 (f) The nonparent custodian or guardian is presumed to make a
42 good faith effort under subsection (e) if the nonparent custodian or

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- 1 guardian does one (1) or more of the following:
- 2 (1) Responds to telephone calls from a prosecuting attorney or
- 3 correspondence from a prosecuting attorney.
- 4 (2) Appears for an appointment, in person or by telephone, with
- 5 a prosecuting attorney.
- 6 (3) Appears at a court hearing when requested by a prosecuting
- 7 attorney.
- 8 (4) Does one (1) or more of the following:
- 9 (A) Provides information described in ~~IC 12-7-2-43.5(b)~~;
- 10 IC 12-7-2.1-88(b), to the extent the information is known.
- 11 (B) Affirms that the information described in
- 12 ~~IC 12-7-2-43.5(b)~~ IC 12-7-2.1-88(b) is not known.
- 13 (g) Before making a determination that the nonparent custodian or
- 14 guardian is not making a good faith effort to cooperate, the prosecuting
- 15 attorney shall consider one (1) or more of the following:
- 16 (1) Whether the nonparent custodian or guardian could
- 17 reasonably be expected to provide the information.
- 18 (2) The age of the child for whom child support is being sought.
- 19 (3) The circumstances surrounding the conception of the child.
- 20 (4) The age and mental capacity of the nonparent custodian or
- 21 guardian.
- 22 (5) The time that has expired since the nonparent custodian or
- 23 guardian has last had contact with:
- 24 (A) the alleged father of the child;
- 25 (B) a parent of the child; or
- 26 (C) a relative of the persons listed in clause (A) or (B).
- 27 (6) Any credible information that demonstrates an inability to
- 28 provide correct information about an alleged father or a parent
- 29 of the child because of deception by the alleged father or parent.
- 30 (7) Any other credible information obtained by the prosecuting
- 31 attorney that demonstrates the nonparent custodian or guardian
- 32 has knowledge of the information sought by the prosecuting
- 33 attorney.
- 34 SECTION 71. IC 12-14-7-2, AS AMENDED BY ~~<P.L.80-2010;~~
- 35 ~~SECTION 18>~~ [THE TECHNICAL CORRECTIONS BILL OF THE
- 36 2026 GENERAL ASSEMBLY], IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If:
- 38 (1) the parents of a dependent child are ~~(†)~~ separated or
- 39 divorced; and
- 40 (2) there is no court order for the support of the child;
- 41 the other parent shall cooperate, within federal regulations, with the
- 42 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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1 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 3. (a) If a child is born out of wedlock, the mother
3 shall, when establishing the paternity of the child and obtaining a
4 support order, cooperate with the state agency responsible for
5 administering Title IV-D of the federal Social Security Act, in
6 compliance with federal regulations governing Title IV-D of the federal
7 Social Security Act.

8 (b) If a child is residing with a nonparent guardian or custodian,
9 the nonparent guardian or custodian shall make a good faith effort to
10 cooperate with the division and with any agency responsible for
11 administering Title IV-D of the federal Social Security Act by
12 providing any information known to the nonparent guardian or
13 custodian regarding the potential paternity of the child.

14 (c) If a child is residing with a nonparent guardian or custodian,
15 the nonparent guardian or custodian shall make a good faith effort to
16 cooperate with the division and any agency responsible for
17 administering Title IV-D of the federal Social Security Act in the
18 establishment and enforcement of a child support order.

19 (d) The nonparent custodian or guardian is presumed to make a
20 good faith effort under subsections (b) and (c) if the nonparent
21 custodian or guardian does one (1) or more of the following:

22 (1) Responds to telephone calls from a prosecutor or
23 correspondence from a prosecuting attorney.

24 (2) Appears for an appointment, in person or by telephone, with
25 a prosecuting attorney.

26 (3) Appears at a court hearing when requested by a prosecuting
27 attorney.

28 (4) Does one (1) or more of the following:

29 (A) Provides information described in ~~IC 12-7-2-43.5(b)~~,
30 IC 12-7-2.1-88(b), to the extent the information is known.

31 (B) Affirms that the information described in
32 ~~IC 12-7-2-43.5(b)~~ IC 12-7-2.1-88(b) is not known.

33 (e) Before making a determination that the nonparent custodian or
34 guardian is not making a good faith effort to cooperate, the prosecuting
35 attorney shall consider one (1) or more of the following:

36 (1) Whether the nonparent custodian or guardian could
37 reasonably be expected to provide the information.

38 (2) The age of the child for whom child support is being sought.

39 (3) The circumstances surrounding the conception of the child.

40 (4) The age and mental capacity of the nonparent custodian or
41 guardian.

42 (5) The time that has expired since the nonparent custodian or

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- 1 guardian has last had contact with:
- 2 (A) the alleged father of the child;
- 3 (B) a parent of the child; or
- 4 (C) a relative of the persons listed in clause (A) or (B).
- 5 (6) Any credible information that demonstrates an inability to
- 6 provide correct information about an alleged father or a parent
- 7 of the child because of deception by the alleged father or parent.
- 8 (7) Any other credible information obtained by the prosecuting
- 9 attorney that demonstrates the nonparent custodian or guardian
- 10 has knowledge of the information sought by the prosecuting
- 11 attorney.

12 SECTION 73. IC 12-14-31-4, AS ADDED BY P.L.57-2025,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2026]: Sec. 4. A household that, at the time of the office of the
 15 secretary's initial determination of the household's income eligibility for
 16 purposes of entry into the CCDF program, includes a foster parent (as
 17 defined in ~~IC 31-9-2-47~~ IC 31-9-2.1-109) is eligible for assistance
 18 under the CCDF program for children in foster care (as defined in
 19 ~~IC 31-9-2-46.7~~ IC 31-9-2.1-107).

20 SECTION 74. IC 12-15-13.5-6, AS ADDED BY P.L.127-2020,
 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2026]: Sec. 6. (a) Subject to subsection (b), a recovery audit
 23 shall not require documentation, at the time of service, for services
 24 provided by a community mental health center (as defined in
 25 ~~IC 12-7-2-38~~ IC 12-7-2.1-78) when the documentation is part of an
 26 ongoing plan of treatment or a documentation of specific treatment
 27 methods.

28 (b) The direct service provider shall complete documentation
 29 described in subsection (a) within a reasonable time frame, but not later
 30 than thirty (30) days from the date of service, prior to Medicaid billing.

31 (c) Any supervising provider in a community mental health center
 32 is eligible to review documentation in order to certify a plan of
 33 treatment or review specific treatment methods at intervals not greater
 34 than ninety (90) days.

35 (d) A supervising provider described in subsection (c) may review
 36 the documentation described in subsection (c) regardless of:

- 37 (1) whether the supervising provider is providing direct
- 38 supervision; and
- 39 (2) the location where the service was provided.

40 A review described under this subsection must be documented by the
 41 signature of the supervising provider.

42 (e) In developing a plan of treatment, the following must be

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1 completed to demonstrate active treatment with a client:

- 2 (1) A signed client consent form.
- 3 (2) The completion of a list of requirements concerning audit
- 4 compliance, as determined by the division in collaboration with
- 5 community mental health centers, that verifies active
- 6 participation in the development of the client's plan of treatment.
- 7 (3) Either:
- 8 (A) the signature of the client on the client's plan of
- 9 treatment; or
- 10 (B) if the direct care provider, after a good faith effort, is
- 11 unable to obtain the client's signature on the client's plan of
- 12 treatment:
- 13 (i) the provision of documentation by the provider of
- 14 the reasons the provider was unable to obtain the
- 15 signature;
- 16 (ii) the continuation of attempting to obtain the client's
- 17 signature on the client's plan of treatment; and
- 18 (iii) a determination by the division, based on the
- 19 documentation in item (i), that the direct care provider
- 20 has made a good faith effort to obtain the signature.

21 SECTION 75. IC 12-15-32-11, AS AMENDED BY P.L.35-2016,
 22 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]: Sec. 11. (a) The office may assess community
 24 residential facilities for the developmentally disabled (as defined in
 25 ~~IC 12-7-2-61~~ IC 12-7-2.1-118) and intermediate care facilities for
 26 individuals with intellectual disabilities (ICF/IID) (as defined in
 27 IC 16-29-4-2) that are not operated by the state in an amount not to
 28 exceed ten percent (10%) of the total annual revenue of the facility for
 29 the facility's preceding fiscal year.

30 (b) The assessments shall be paid to the office of Medicaid policy
 31 and planning in equal monthly amounts on or before the tenth day of
 32 each calendar month. The office may withhold Medicaid payments to
 33 a provider described in subsection (a) that fails to pay an assessment
 34 within thirty (30) days after the due date. The amount withheld may not
 35 exceed the amount of the assessments due.

36 (c) Revenue from the assessments shall be credited to a special
 37 account within the state general fund to be called the Medicaid
 38 assessment account. Money in the account may be used only for
 39 services for which federal financial participation under Medicaid is
 40 available to match state funds. An amount equivalent to the federal
 41 financial participation estimated to be received for services financed
 42 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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1 meets the following conditions:
 2 (1) Provides at least thirty-five (35) square feet for each child.
 3 (2) Maintains the child to staff ratio required under rules adopted
 4 by the division for each age group of children in attendance.
 5 (3) Has an illuminated exit sign over each required exit or
 6 emergency lighting for each required exit.
 7 SECTION 81. IC 12-17.2-5-7.5 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) The license
 9 issued to a person for the operation of a child care home under section
 10 7 of this chapter shall indicate whether the child care home is licensed
 11 as a class I child care home or a class II child care home.
 12 (b) A person who:
 13 (1) holds a license to operate a class I child care home; and
 14 (2) at any time serves a number of children greater than the
 15 number allowed under ~~IC 12-7-2-33.7~~; IC 12-7-2.1-68;
 16 is subject to sanctions under section 33 of this chapter, a civil penalty
 17 under section 34 of this chapter, and the criminal penalty set forth in
 18 section 35 of this chapter.
 19 (c) A person who:
 20 (1) holds a license to operate a class II child care home; and
 21 (2) at any time:
 22 (A) serves a number of children greater than the number
 23 allowed under ~~IC 12-7-2-33.8~~; IC 12-7-2.1-69; or
 24 (B) fails to comply with the requirements for class II child
 25 care homes set forth in section 6.5 of this chapter;
 26 is subject to sanctions under section 33 of this chapter, a civil penalty
 27 under section 34 of this chapter, and the criminal penalty set forth in
 28 section 35 of this chapter.
 29 SECTION 82. IC 12-17.2-5-32, AS AMENDED BY P.L.74-2022,
 30 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 32. (a) The following constitute sufficient grounds
 32 for revocation of a license:
 33 (1) A determination by the department of child services of child
 34 abuse or neglect (as defined in ~~IC 31-9-2-14~~); IC 31-9-2.1-33) by:
 35 (A) the licensee;
 36 (B) a member of the licensee's household;
 37 (C) an employee of the licensee who may be present on the
 38 premises of the child care home during operating hours of
 39 the child care home; or
 40 (D) a volunteer of the licensee who may be present on the
 41 premises of the child care home during operating hours of
 42 the child care home.

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- 1 (2) A criminal conviction of the licensee, an employee or
- 2 volunteer of the licensee who may be present on the premises of
- 3 the child care home during operating hours of the child care
- 4 home, or a member of the licensee's household of any of the
- 5 following:
- 6 (A) A felony:
- 7 (i) related to the health or safety of a child;
- 8 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
- 9 (iii) that is a dangerous felony; or
- 10 (iv) that is not a felony otherwise described in items (i)
- 11 through (iii), and less than ten (10) years have elapsed
- 12 from the date the person was discharged from
- 13 probation, imprisonment, or parole, whichever
- 14 discharge date is latest.
- 15 (B) A misdemeanor related to the health or safety of a child.
- 16 (C) A misdemeanor for operating a child care center
- 17 without a license under IC 12-17.2-4-35, or a substantially
- 18 similar offense committed in another jurisdiction if the
- 19 offense is directly or indirectly related to jeopardizing the
- 20 health or safety of a child.
- 21 (D) A misdemeanor for operating a child care home without
- 22 a license under section 35 of this chapter, or a substantially
- 23 similar offense committed in another jurisdiction if the
- 24 offense is directly or indirectly related to jeopardizing the
- 25 health or safety of a child.
- 26 (3) A determination by the division that the licensee made false
- 27 statements in the licensee's application for licensure.
- 28 (4) A determination by the division that the licensee made false
- 29 statements in the records required by the division.
- 30 (5) A determination by the division that the licensee previously
- 31 operated a:
- 32 (A) child care center without a license under IC 12-17.2-4;
- 33 or
- 34 (B) child care home without a license under this chapter.
- 35 (b) Notwithstanding subsection (a)(2), if:
- 36 (1) a license is revoked due to a criminal conviction of:
- 37 (A) an employee or a volunteer of the licensee's; or
- 38 (B) a resident of the licensee's household; and
- 39 (2) the division determines that the:
- 40 (A) employee or volunteer has been dismissed by the
- 41 licensee; or
- 42 (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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- 1 a license under IC 12-17.2-5-35, or a substantially similar
- 2 offense in another jurisdiction if the offense is directly or
- 3 indirectly related to jeopardizing the health or safety of a
- 4 child.
- 5 (3) A determination by the division that the applicant made false
- 6 statements in the applicant's application for registration.
- 7 (4) A determination by the division that the applicant made false
- 8 statements in the records required by the division.
- 9 (5) A determination by the division that the applicant previously
- 10 operated a:
 - 11 (A) child care ministry without a registration under this
 - 12 chapter;
 - 13 (B) child care center without a license under IC 12-17.2-4;
 - 14 or
 - 15 (C) child care home without a license under IC 12-17.2-5.
- 16 (b) Notwithstanding subsection (a)(2), if:
 - 17 (1) a registration application is denied due to a criminal
 - 18 conviction of an employee or a volunteer of the applicant; and
 - 19 (2) the division determines that the employee or volunteer has
 - 20 been dismissed by the applicant;
- 21 the criminal conviction of the former employee or former volunteer
- 22 does not require denial of the registration application.
- 23 SECTION 84. IC 12-17.2-6-19, AS AMENDED BY
- 24 P.L.121-2020, SECTION 12, IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) The following
- 26 constitute sufficient grounds for revocation of a registration under this
- 27 chapter:
 - 28 (1) A determination by the department of child services of child
 - 29 abuse or neglect (as defined in ~~IC 31-9-2-14~~ IC 31-9-2.1-33) by:
 - 30 (A) the operator of the child care ministry;
 - 31 (B) an employee of the child care ministry who may be
 - 32 present on the premises of the child care ministry during
 - 33 operating hours of the child care ministry; or
 - 34 (C) a volunteer of the child care ministry who may be
 - 35 present on the premises of the child care ministry during
 - 36 operating hours of the child care ministry.
 - 37 (2) A criminal conviction of the operator of the child care
 - 38 ministry, or an employee or volunteer of the child care ministry
 - 39 who may be present on the premises of the child care ministry
 - 40 during operating hours of the child care ministry, of any of the
 - 41 following:
 - 42 (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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1 the criminal conviction of the former employee or former volunteer
2 does not require revocation of the registration.

3 SECTION 85. IC 12-17.2-7.6-3, AS ADDED BY P.L.92-2024,
4 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 3. (a) Not later than January 1, 2025, after
6 soliciting and considering recommendations from appropriate
7 stakeholders, the office of the secretary shall develop a regulatory
8 model that:

- 9 (1) is applicable only to micro facilities;
10 (2) incorporates waivers or variances from the office of the
11 secretary's rules applicable to providers under this article; and
12 (3) provides for a balance between the goals of:
13 (A) increasing the availability of child care, particularly in
14 geographic areas facing a critical shortage of child care, by
15 reducing the costs of operating a micro facility; and
16 (B) ensuring the health and safety of children for whom a
17 micro facility provides child care.

18 (b) In determining waivers or variances to be incorporated under
19 subsection (a)(2), the office of the secretary shall consider efficiencies
20 such as:

- 21 (1) allowing a micro facility to be operated in either a residential
22 or nonresidential building;
23 (2) prescribing educational requirements for staff members of a
24 micro facility that are tailored to the needs of providing child
25 care to groups of thirty (30) children or less; and
26 (3) allowing for supervision of children of diverse age groups in
27 a manner that maximizes use of limited facility space.

28 (c) Not later than March 1, 2025, the office of the secretary shall
29 establish and administer a pilot program under which:

- 30 (1) a licensee under ~~IC 12-7-2-28.4~~ IC 12-7-2.1-55 or
31 ~~IC 12-7-2-28.8~~ IC 12-7-2.1-58 that:

- 32 (A) operates an existing micro facility; or
33 (B) proposes to begin operating a new micro facility not
34 more than sixty (60) days after the date of the licensee's
35 application under this subdivision;

36 may apply to participate in the pilot program in a manner
37 prescribed by the office of the secretary;

- 38 (2) the office of the secretary shall select at least three (3)
39 licensees that apply under subdivision (1) and:

- 40 (A) allow a selected licensee described in subdivision
41 (1)(A) to operate the licensee's existing micro facility; and
42 (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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- 1 (B) Licensing or certifying community residential programs
- 2 described in IC 12-22-2-3.5 for individuals with serious
- 3 mental illness (SMI), serious emotional disturbance (SED),
- 4 or chronic addiction (CA) with the exception of psychiatric
- 5 residential treatment facilities.
- 6 (C) Subject to IC 12-29-2-21, certifying community mental
- 7 health centers to operate in Indiana.
- 8 (D) Establish exclusive geographic primary service areas
- 9 for community mental health centers. The rules must
- 10 include the following:
- 11 (i) Criteria and procedures to justify the change to the
- 12 boundaries of a community mental health center's
- 13 primary service area.
- 14 (ii) Criteria and procedures to justify the change of an
- 15 assignment of a community mental health center to a
- 16 primary service area.
- 17 (iii) A provision specifying that the criteria and
- 18 procedures determined in items (i) and (ii) must
- 19 include an option for the county and the community
- 20 mental health center to initiate a request for a change
- 21 in primary service area or provider assignment.
- 22 (iv) A provision specifying the criteria and procedures
- 23 determined in items (i) and (ii) may not limit an
- 24 eligible consumer's right to choose or access the
- 25 services of any provider who is certified by the division
- 26 of mental health and addiction to provide public
- 27 supported mental health services.
- 28 (6) Institute programs, in conjunction with an accredited college
- 29 or university and with the approval, if required by law, of the
- 30 commission for higher education, for the instruction of students
- 31 of mental health and other related occupations. The programs
- 32 may be designed to meet requirements for undergraduate and
- 33 postgraduate degrees and to provide continuing education and
- 34 research.
- 35 (7) Develop programs to educate the public in regard to the
- 36 prevention, diagnosis, treatment, and care of all abnormal mental
- 37 conditions.
- 38 (8) Make the facilities of the state institutions available for the
- 39 instruction of medical students, student nurses, interns, and
- 40 resident and fellow physicians under the supervision of the
- 41 faculty of any accredited school of medicine or osteopathy
- 42 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 cosponder 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 (1) An individual who is admitted to a state institution only for
- 2 evaluation purposes.
- 3 (2) An individual who is incompetent to stand trial.
- 4 (3) An individual who has a developmental disability (as defined
- 5 in ~~IC 12-7-2-61~~; IC 12-7-2.1-118).
- 6 (4) An individual in an alcohol and drug services program who
- 7 is not concurrently diagnosed with a mental illness.
- 8 (5) An individual who has escaped from the facility to which the
- 9 individual was involuntarily committed.
- 10 (6) An individual who was admitted to a facility for voluntary
- 11 treatment and who has left the facility against the advice of the
- 12 attending physician.

13 SECTION 91. IC 12-29-2-13, AS AMENDED BY P.L.143-2011,
 14 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2026]: Sec. 13. (a) This section applies to Lake County.

16 (b) In addition to any other appropriation under this article, the
 17 county annually may fund each center serving the county from the
 18 county's general fund in an amount not exceeding the following:

- 19 (1) For 2004, the product of the amount determined under
- 20 section 2(b)(1) of this chapter multiplied by seven hundred
- 21 fifty-two thousandths (0.752).
- 22 (2) For 2005 and each year thereafter, the product of the amount
- 23 determined under section 2(b)(2) of this chapter for that year
- 24 multiplied by seven hundred fifty-two thousandths (0.752).

25 (c) The receipts from the tax levied under this section shall be
 26 used for the leasing, purchasing, constructing, or operating of facilities
 27 for community based residential programs (as defined in ~~IC 12-7-2-40~~)
 28 IC 12-7-2.1-76) for individuals with a mental illness.

29 (d) Money appropriated under this section must be:

- 30 (1) budgeted under IC 6-1.1-17; and
- 31 (2) included in the center's budget submitted to the division of
- 32 mental health and addiction.

33 (e) Permission for a levy increase in excess of the levy limitations
 34 may be ordered under IC 6-1.1-18.5-15 only if the levy increase is
 35 approved by the division of mental health and addiction for a
 36 community mental health center.

37 SECTION 92. IC 13-20-25-10, AS AMENDED BY P.L.104-2024,
 38 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2026]: Sec. 10. (a) A person:

- 40 (1) who:
- 41 (A) is not required to submit a recycling activity report
- 42 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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1 P.L.233-2015, SECTION 26, IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.8. (a) As used in this
 3 section, "individual with special circumstances" means an individual
 4 who:

5 (1) has a developmental disability (as defined by ~~IC 12-7-2-61~~;
 6 **in IC 12-7-2.1-118**);

7 (2) is determined to be a student with a disability (as defined in
 8 IC 20-35-1-8); or

9 (3) has a permanent disability as determined by rules adopted by
 10 the department.

11 (b) As used in this section, "special circumstances hunter" means
 12 an individual with special circumstances who hunts under a special
 13 circumstances hunting safety card issued under this section.

14 (c) As used in this section, "special circumstances hunting safety
 15 card" refers to the card issued to a special circumstances hunter.

16 (d) The department may issue a special circumstances hunting
 17 safety card to a resident or nonresident who qualifies under the rules
 18 adopted by the department as authorized under this section.

19 (e) The commission shall establish the criteria for determining
 20 qualifications for a special circumstances hunting safety card.

21 (f) A special circumstances hunter may hunt in Indiana if the
 22 special circumstances hunter attends the course of instruction in hunter
 23 education offered by the department or the department's agent under
 24 IC 14-22-35.

25 (g) A special circumstances hunter must:

26 (1) comply with the requirements under this article, including
 27 obtaining a valid hunting license issued under IC 14-22-11, and
 28 the rules adopted by the department; and

29 (2) while hunting, be accompanied by an individual who:

30 (A) is at least eighteen (18) years of age; and

31 (B) holds a valid hunting license issued under IC 14-22-11.

32 (h) An individual described in subsection (g)(2) who accompanies
 33 a special circumstances hunter:

34 (1) must be in close enough proximity to monitor the special
 35 circumstances hunter's activities and communicate with the
 36 special circumstances hunter at all times; and

37 (2) may not accompany more than two (2) holders of a special
 38 circumstances hunting safety card at one (1) time.

39 (i) The department shall adopt rules under IC 4-22-2 to carry out
 40 this section.

41 SECTION 96. IC 16-18-2-167, AS AMENDED BY P.L.117-2015,
 42 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 167. (a) "Health facility":
2 (1) except for purposes of IC 16-28-15, means a building, a
3 structure, an institution, or other place for the reception,
4 accommodation, board, care, or treatment extending beyond a
5 continuous twenty-four (24) hour period in a week of more than
6 four (4) individuals who need or desire such services because of
7 physical or mental illness, infirmity, or impairment; and
8 (2) for purposes of IC 16-28-15, has the meaning set forth in
9 IC 16-28-15-3.
10 (b) The term does not include the premises used for the reception,
11 accommodation, board, care, or treatment in a household or family, for
12 compensation, of a person related by blood to the head of the
13 household or family (or to the spouse of the head of the household or
14 family) within the degree of consanguinity of first cousins.
15 (c) The term does not include any of the following:
16 (1) Hotels, motels, or mobile homes when used as such.
17 (2) Hospitals or mental hospitals, except for that part of a
18 hospital that provides long term care services and functions as a
19 health facility, in which case that part of the hospital is licensed
20 under IC 16-21-2, but in all other respects is subject to IC 16-28.
21 (3) Hospices that furnish inpatient care and are licensed under
22 IC 16-25-3.
23 (4) Institutions operated by the federal government.
24 (5) Foster family homes or day care centers.
25 (6) Schools for individuals who are deaf or blind.
26 (7) Day schools for individuals with an intellectual disability.
27 (8) Day care centers.
28 (9) Children's homes and child placement agencies.
29 (10) Offices of practitioners of the healing arts.
30 (11) Any institution in which health care services and private
31 duty nursing services are provided that is listed and certified by
32 the Commission for Accreditation of Christian Science Nursing
33 Organizations/Facilities, Inc.
34 (12) Industrial clinics providing only emergency medical
35 services or first aid for employees.
36 (13) A residential facility (as defined in ~~IC 12-7-2-165~~;
37 IC 12-7-2.1-292).
38 (14) Maternity homes.
39 (15) Offices of Christian Science practitioners.
40 SECTION 97. IC 16-18-2-179, AS AMENDED BY P.L.147-2023,
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2026]: Sec. 179. (a) "Hospital", except as provided in

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1 subsections (b) through (g), means a hospital that is licensed under
2 IC 16-21-2.

3 (b) "Hospital", for purposes of IC 16-21, means an institution, a
4 place, a building, or an agency that holds out to the general public that
5 it is operated for hospital purposes and that it provides care,
6 accommodations, facilities, and equipment, in connection with the
7 services of a physician, to individuals who may need medical or
8 surgical services. The term does not include the following:

9 (1) Freestanding health facilities.

10 (2) Hospitals or institutions specifically intended to diagnose,
11 care, and treat the following:

12 (A) Individuals with a mental illness (as defined in
13 ~~IC 12-7-2-117.6~~; IC 12-7-2.1-197).

14 (B) Individuals with developmental disabilities (as defined
15 in ~~IC 12-7-2-61~~; IC 12-7-2.1-118).

16 (3) Offices of physicians where patients are not regularly kept as
17 bed patients.

18 (4) Convalescent homes, boarding homes, or homes for the aged.

19 (5) Rural emergency hospitals.

20 (c) "Hospital", for purposes of IC 16-22-8, has the meaning set
21 forth in IC 16-22-8-5.

22 (d) "Hospital", for purposes of IC 16-23.5, has the meaning set
23 forth in IC 16-23.5-1-9.

24 (e) "Hospital" or "tuberculosis hospital", for purposes of IC 16-24,
25 means an institution or a facility for the treatment of individuals with
26 tuberculosis.

27 (f) "Hospital", for purposes of IC 16-34, means a hospital (as
28 defined in subsection (b)) that:

29 (1) is required to be licensed under IC 16-21-2; or

30 (2) is operated by an agency of the United States.

31 (g) "Hospital", for purposes of IC 16-41-12, has the meaning set
32 forth in IC 16-41-12-6.

33 SECTION 98. IC 16-18-2-224.1, AS ADDED BY P.L.203-2017,
34 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2026]: Sec. 224.1. "Medication assisted treatment" has the
36 meaning set forth in ~~IC 12-7-2-128.7~~; IC 12-7-2.1-223.

37 SECTION 99. IC 16-18-2-225.6, AS ADDED BY P.L.210-2025,
38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2026]: Sec. 225.6. "Mental health facility", for purposes of
40 IC 16-31, means the following:

41 (1) A certified community behavioral health clinic (as defined in
42 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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1 has an eligible medical condition under this chapter.

2 (b) The state department shall extend all care, services, and
3 materials provided under this chapter to an individual described in
4 subsection (a) who meets any additional eligibility criteria established
5 by the state department under this chapter.

6 SECTION 105. IC 16-36-1.5-6 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. In order to comply
8 with this chapter, a mental health provider needs to obtain only one (1)
9 consent for mental health services for a patient while admitted in or
10 treated as an outpatient at the main facility or a clinic of any of the
11 following:

12 (1) A psychiatric hospital (as defined in ~~IC 12-7-2-151~~;
13 IC 12-7-2.1-270).

14 (2) A hospital (as defined in IC 16-18-2-179(b)).

15 (3) A community mental health center (as defined in
16 ~~IC 12-7-2-38~~; IC 12-7-2.1-78).

17 SECTION 106. IC 16-36-3-1 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this
19 chapter, "appropriate facility" has the meaning set forth in
20 ~~IC 12-7-2-82(3)~~; IC 12-7-2.1-149(3).

21 SECTION 107. IC 16-36-3-2 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this
23 chapter, "superintendent" has the meaning set forth in
24 ~~IC 12-7-2-188(3)~~; IC 12-7-2.1-323(3).

25 SECTION 108. IC 16-37-2-2, AS AMENDED BY P.L.138-2019,
26 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]: Sec. 2. (a) A person in attendance at a live birth shall
28 do the following:

29 (1) File with the local health officer the following:

30 (A) A certificate of birth.

31 (B) Any paternity affidavit executed under section 2.1(c)(1)
32 of this chapter.

33 Except as provided in IC 16-37-1-3.1(f), the person in attendance
34 at a live birth shall use the Indiana birth registration system
35 established under IC 16-37-1-3.1 to electronically file a birth
36 certificate or paternity affidavit under this subdivision.

37 (2) Advise the mother of a child born out of wedlock of:

38 (A) the availability of paternity affidavits under section 2.1
39 of this chapter; and

40 (B) the existence of the putative father registry established
41 by IC 31-19-5-2.

42 (b) If there was no person in attendance at the birth, one (1) of the

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1 parents shall file with the local health officer the following:
 2 (1) A certificate of birth.
 3 (2) Any paternity affidavit executed under section 2.1 of this
 4 chapter.
 5 (c) If:
 6 (1) no person was in attendance at the birth and neither parent is
 7 able to prepare the certificate; or
 8 (2) the local health officer does not receive a certificate of birth;
 9 the local health officer shall prepare a certificate of birth from
 10 information secured from any person who has knowledge of the birth.
 11 (d) A local health department shall inform the Title IV-D agency
 12 (as defined in ~~IC 31-9-2-130~~) IC 31-9-2.1-244) regarding each
 13 paternity affidavit executed under section 2.1 of this chapter that the
 14 local health department receives under this section.
 15 (e) A paternity affidavit executed under section 2.1(c)(1) of this
 16 chapter shall be filed with the local health officer not more than five (5)
 17 days after the child's birth.
 18 (f) An attorney or agency that arranges an adoption may at any
 19 time request that the state department search its records to determine
 20 whether a man executed a paternity affidavit under section 2.1 of this
 21 chapter in relation to a child who is or may be the subject of an
 22 adoption that the attorney or agency is arranging.
 23 (g) Not more than ten (10) days after receiving a request from an
 24 attorney or agency under subsection (f), the state department shall
 25 submit an affidavit to the attorney or agency verifying whether a
 26 paternity affidavit has been filed under this section. If a paternity
 27 affidavit has been filed regarding a child who is the subject of a request
 28 under subsection (f), the state department shall release a copy of the
 29 paternity affidavit to the requesting attorney or agency.
 30 SECTION 109. IC 16-39-2-6, AS AMENDED BY P.L.243-2025,
 31 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 6. (a) Without the consent of the patient, the
 33 patient's mental health record may only be disclosed as follows:
 34 (1) To individuals who meet the following conditions:
 35 (A) Are employed by:
 36 (i) the provider at the same facility or agency;
 37 (ii) a managed care provider (as defined in
 38 ~~IC 12-7-2-127~~); IC 12-7-2.1-219); or
 39 (iii) a health care provider or mental health care
 40 provider, if the mental health records are needed to
 41 provide health care or mental health services to the
 42 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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- 1 individual's duties.
- 2 (9) To a school in which the patient is enrolled if the
- 3 superintendent of the facility determines that the information
- 4 will assist the school in meeting educational needs of the patient.
- 5 (10) To the extent necessary to satisfy reporting requirements
- 6 under the following statutes:
- 7 (A) IC 12-10-3-10.
- 8 (B) IC 12-24-17-5.
- 9 (C) IC 16-41-2-3.
- 10 (D) IC 16-49-3-3.
- 11 (E) IC 16-49-4-5.
- 12 (F) IC 16-49-6-6.
- 13 (G) IC 16-49.5-2-6.
- 14 (H) IC 16-50-1-8.
- 15 (I) IC 31-25-3-2.
- 16 (J) IC 31-33-5-4.
- 17 (K) IC 34-30-16-2.
- 18 (L) IC 35-46-1-13.
- 19 (11) To the extent necessary to satisfy release of information
- 20 requirements under the following statutes:
- 21 (A) IC 12-24-11-2.
- 22 (B) IC 12-24-12-3, IC 12-24-12-4, and IC 12-24-12-6.
- 23 (C) IC 12-26-11.
- 24 (12) To another health care provider in a health care emergency.
- 25 (13) For legitimate business purposes as described in
- 26 IC 16-39-5-3.
- 27 (14) Under a court order under IC 16-39-3.
- 28 (15) With respect to records from a mental health or
- 29 developmental disability facility, to the United States Secret
- 30 Service if the following conditions are met:
- 31 (A) The request does not apply to alcohol or drug abuse
- 32 records described in 42 U.S.C. 290dd-2 unless authorized
- 33 by a court order under 42 U.S.C. 290dd-2(b)(2)(c).
- 34 (B) The request relates to the United States Secret Service's
- 35 protective responsibility and investigative authority under
- 36 18 U.S.C. 3056, 18 U.S.C. 871, or 18 U.S.C. 879.
- 37 (C) The request specifies an individual patient.
- 38 (D) The director or superintendent of the facility determines
- 39 that disclosure of the mental health record may be necessary
- 40 to protect a person under the protection of the United States
- 41 Secret Service from serious bodily injury or death.
- 42 (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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1 (c) After information is disclosed under subsection (a)(15) and if
 2 the patient is evaluated to be dangerous, the records shall be interpreted
 3 in consultation with a licensed mental health professional on the staff
 4 of the United States Secret Service.

5 (d) A person who discloses information under subsection (a)(7),
 6 (a)(15), or (b) in good faith is immune from civil and criminal liability.

7 SECTION 110. IC 16-39-11-4.5, AS ADDED BY P.L.1-2022,
 8 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2026]: Sec. 4.5. (a) As used in this chapter, "Indiana
 10 governmental entity" means:

- 11 (1) the state (as defined in IC 5-11-1-16(b));
 12 (2) a state educational institution (as defined in IC 21-7-13-32);
 13 (3) a political subdivision (as defined in IC 36-1-2-13); or
 14 (4) a public school corporation (as defined in IC 4-4-38.5-6.2).

15 (b) The term does not include the following:

- 16 (1) A state institution (as defined in ~~IC 12-7-2-184~~;
 17 IC 12-7-2.1-318).
 18 (2) A hospital organized or operated under IC 16-22-1 through
 19 IC 16-22-5, IC 16-22-8, or IC 16-23-1.

20 SECTION 111. IC 16-41-21.2-2, AS ADDED BY P.L.125-2023,
 21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2026]: Sec. 2. As used in this chapter, "child care facility"
 23 means any of the following:

- 24 (1) A child care center (as defined in ~~IC 12-7-2-28.4~~;
 25 IC 12-7-2.1-55).
 26 (2) A child care home (as defined in ~~IC 12-7-2-28.6~~;
 27 IC 12-7-2.1-57).

28 SECTION 112. IC 16-41-21.2-3, AS ADDED BY P.L.125-2023,
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 3. As used in this chapter, "preschool" has the
 31 meaning set forth in ~~IC 12-7-2-143.5~~; IC 12-7-2.1-258.

32 SECTION 113. IC 16-41-40-5, AS AMENDED BY P.L.145-2006,
 33 SECTION 145, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) A program established under
 35 this chapter must include the distribution of readily understandable
 36 information and instructional materials regarding childhood hazards.
 37 Information concerning shaken baby syndrome, must explain its
 38 medical effects on infants and children and emphasize preventive
 39 measures.

40 (b) The information and instructional materials described in
 41 subsection (a) concerning shaken baby syndrome must be provided
 42 without cost by the following:

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- 1 (1) Each hospital licensed under IC 16-21, to a parent or
- 2 guardian of each newborn upon discharge from the hospital.
- 3 (2) The department of child services to each provider (as defined
- 4 in ~~IC 12-7-2-149.1~~ IC 12-7-2.1-267 or ~~IC 31-9-2-99.3~~
- 5 IC 31-9-2.1-193) when:
- 6 (A) the provider applies for a license from the division or
- 7 the department of child services under IC 12-17.2 or
- 8 IC 31-27; or
- 9 (B) the division or the department of child services inspects
- 10 a facility operated by a provider.

11 SECTION 114. IC 16-42-5.2-3, AS AMENDED BY
 12 P.L.139-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: Sec. 3. This chapter does not apply to
 14 the following:

- 15 (1) Hospitals licensed under IC 16-21.
- 16 (2) Health facilities licensed under IC 16-28.
- 17 (3) Housing with services establishments that are required to file
- 18 disclosure statements under IC 12-10-15.
- 19 (4) Continuing care retirement communities required to file
- 20 disclosure statements under IC 23-2-4.
- 21 (5) Community mental health centers (as defined in
- 22 ~~IC 12-7-2-38~~; IC 12-7-2.1-78).
- 23 (6) Private mental health institutions licensed under IC 12-25.
- 24 (7) An area agency on aging designated under IC 12-10-1 that
- 25 provides food under a nutrition service program. However, the
- 26 premises where the food is prepared is not exempt from the
- 27 requirements under this chapter.
- 28 (8) A food pantry that:
- 29 (A) is operated or affiliated with a nonprofit organization
- 30 that is exempt from federal income taxation under Section
- 31 501(c)(3) of the Internal Revenue Code; and
- 32 (B) distributes food, which may include food from the
- 33 United States Department of Agriculture, to needy persons.
- 34 However, a food bank or other facility that distributes donated
- 35 food to other organizations is not exempt from the requirements
- 36 of this chapter.

37 SECTION 115. IC 20-18-2-9, AS AMENDED BY P.L.99-2007,
 38 SECTION 161, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2026]: Sec. 9. "Individualized education
 40 program" means a written statement developed for a child by a group
 41 that includes:

- 42 (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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1 schools, disaggregated by the type of school, including public
 2 schools, charter schools, and secure private facilities (as defined
 3 in ~~IC 31-9-2-115~~; IC 31-9-2.1-223).

4 (c) Not later than June 1 of each year, the department shall submit
 5 the report described in subsection (b) to the following:

6 (1) The Indiana housing and community development authority.
 7 (2) The legislative council in an electronic format under
 8 IC 5-14-6.

9 SECTION 118. IC 20-26-11-11.5, AS AMENDED BY
 10 P.L.93-2024, SECTION 140, IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.5. (a) The following
 12 definitions apply to this section:

13 (1) "ADM" means average daily membership (as defined in
 14 IC 20-18-2-2).

15 (2) "Facility" means a secure private facility described in
 16 ~~IC 31-9-2-115(a)(1)~~; IC 31-9-2.1-223(a)(1).

17 (3) "School corporation" means the Indiana school or charter
 18 school that is receiving state tuition support for the student at the
 19 time of the student's admission to the facility.

20 (4) "Student" means an individual who:
 21 (A) is more than five (5) years of age and less than
 22 twenty-three (23) years of age;
 23 (B) has been admitted to a facility; and
 24 (C) was enrolled in a school corporation during the school
 25 year immediately preceding the student's admission to the
 26 facility.

27 (b) This section applies to a student if:
 28 (1) the student is placed in a facility under the written order of a
 29 physician licensed under IC 25-22.5;
 30 (2) the written order of the physician licensed under IC 25-22.5
 31 is based on medical necessity, as determined by a physician
 32 licensed under IC 25-22.5; and
 33 (3) the student receives educational services provided by the
 34 facility.

35 (c) A facility shall provide written notice to the school corporation
 36 not later than five (5) business days (excluding weekends and holidays)
 37 after a student described in subsection (b) is admitted to the facility.
 38 The written notice must include the following:
 39 (1) The student's name, address, and date of birth.
 40 (2) The date on which the student was admitted to the facility.
 41 (3) A copy of the physician's written order.
 42 (4) A statement that the student has opted out of attending school

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1 under section 8 of this chapter.
 2 (5) A statement that the facility will provide all educational
 3 services to the student during the student's admission in the
 4 facility.
 5 (d) The school corporation shall pay the facility a daily per diem
 6 as determined under subsection (e) for the educational services
 7 provided by the facility to the student during the student's admission in
 8 the facility. The school corporation may not be required to pay for any
 9 educational services provided to the student by the facility exceeding
 10 one hundred eighty (180) instructional days or an amount exceeding
 11 the student's proportionate share of state distributions paid to the school
 12 corporation, as determined under subsection (e).
 13 (e) A school corporation shall pay to the facility an amount,
 14 prorated according to the number of instructional days for which the
 15 student receives the educational services, equal to:
 16 (1) the student's proportionate share (as compared to the school
 17 corporation's total ADM) of basic tuition support (as determined
 18 under IC 20-43-6-3) distributions that are made to the school
 19 corporation for the school year; and
 20 (2) any special education grants received by the school
 21 corporation for the student under IC 20-43-7.
 22 Upon request of a facility, the department shall verify the amounts
 23 described in this subsection for a student admitted to the facility.
 24 (f) A school corporation responsible for making a per diem
 25 payment under this section shall pay the facility not later than sixty (60)
 26 days after receiving an invoice from the facility. The school corporation
 27 and the facility are entitled to the same remedies for disagreements
 28 over amounts or nonpayment of an amount due as are provided under
 29 the laws governing transfer tuition.
 30 (g) For each student admitted to a facility, the facility shall provide
 31 the following in accordance with rules adopted by the state board:
 32 (1) An educational opportunity, including special education and
 33 related services, that is comparable to that of a student attending
 34 a school in the school corporation.
 35 (2) A level of educational services from the facility that is
 36 comparable to that of a student attending a school in the school
 37 corporation.
 38 (3) Unless otherwise provided in a student's individualized
 39 education program (as defined in IC 20-18-2-9), educational
 40 services that include at least the following:
 41 (A) An instructional day that meets the requirements of
 42 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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under this section.

(c) The state board shall adopt rules under IC 4-22-2 necessary to implement this section.

(d) Money appropriated for the purposes of this section does not revert to the state general fund.

SECTION 123. IC 20-50-3-1.1, AS ADDED BY P.L.46-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.1. As used in this chapter, "foster care" has the meaning set forth in ~~IC 31-9-2-46.7~~. IC 31-9-2.1-107.

SECTION 124. IC 20-51.4-5.5-4, AS AMENDED BY P.L.213-2025, SECTION 237, IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 4: (a) If it is reasonably expected by the department that a CSA participating entity will receive, from payments made under the CSA program, more than one hundred thousand dollars (\$100,000) during a particular school year, the CSA participating entity shall, on or before a date prescribed by the department, provide the department evidence, in a manner prescribed by the department, indicating that the CSA participating entity has unencumbered assets sufficient to pay the department an amount equal to the amount expected to be paid to the CSA participating entity under the CSA program during the particular school year.

(b) Each CSA participating entity that accepts payments made from a CSA account under this article shall provide a receipt to the parent of a career scholarship student or to the emancipated career scholarship student for each payment made.

SECTION 125. IC 21-12-6-5, AS AMENDED BY P.L.186-2025, SECTION 118, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Unless a student qualifies under subsection (b), to qualify to participate in the program, a student must meet the following requirements:

- (1) Be a resident of Indiana.
- (2) Be:
 - (A) enrolled in grade 7 or 8 at a:
 - (i) public school; or
 - (ii) nonpublic school that is accredited either by the Indiana state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4.1-2; or
 - (B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.

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- 1 (3) Be a member of a household with an annual income of not
 2 more than the amount required for the individual to qualify for
 3 free or reduced price lunches under the national school lunch
 4 program, as determined for the immediately preceding taxable
 5 year for the household for which the student was claimed as a
 6 dependent.
- 7 (4) Agree that the student will:
- 8 (A) graduate from a secondary school located in Indiana
 9 that meets the admission criteria of an eligible institution;
 10 (B) not illegally use controlled substances (as defined in
 11 IC 35-48-1.1-7);
 12 (C) not commit a crime or an infraction described in
 13 IC 9-30-5;
 14 (D) not commit any other crime or delinquent act (as
 15 described in IC 31-37-1-2 or IC 31-37-2-2 through
 16 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through
 17 IC 31-6-4-1(a)(5) before their repeal));
 18 (E) timely apply, when the eligible student is a senior in
 19 high school:
 20 (i) for admission to an eligible institution; and
 21 (ii) for any federal and state student financial
 22 assistance available to the eligible student to attend an
 23 eligible institution;
- 24 (F) achieve a cumulative grade point average upon
 25 graduation of:
 26 (i) at least 2.0, if the student graduates from high
 27 school before July 1, 2014; and
 28 (ii) at least 2.5, if the student graduates from high
 29 school after June 30, 2014;
 30 on a 4.0 grading scale (or its equivalent if another grading
 31 scale is used) for courses taken during grades 9, 10, 11, and
 32 12; and
 33 (G) complete an academic success program required under
 34 the rules adopted by the commission, if the student initially
 35 enrolls in high school after June 30, 2013.
- 36 (b) A student qualifies to participate in the program if the student:
 37 (1) before or during grade 7 or grade 8, is placed by or with the
 38 consent of the department of child services, by a court order, or
 39 by a child placing agency in:
 40 (A) a foster family home;
 41 (B) the home of a relative or other unlicensed caretaker;
 42 (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 (1) Provides timely, comprehensive, relevant, and useful
 2 information on careers, including at least:
 3 (A) general and industry sector based regional, state,
 4 national, and global information to identify both immediate
 5 and potential career opportunities arising from:
 6 (i) current employer needs;
 7 (ii) developing or foreseeable talent needs and trends;
 8 and
 9 (iii) other factors identified by the commission;
 10 (B) state, regional, and local labor market supply and
 11 demand information from the department of workforce
 12 development, industry sectors, and other verifiable sources;
 13 and
 14 (C) educational requirements and attainment information
 15 from employers, the department of workforce development,
 16 and other verifiable sources.
 17 (2) Establishes strategies and identifies capacity to deliver career
 18 navigation and coaching to kindergarten through grade 12
 19 students, including at least:
 20 (A) processes for identifying an individual's aptitude for and
 21 interest in, and the education and training required for,
 22 various career and employment opportunities;
 23 (B) the use of approved intermediaries, career coaches, and
 24 other coaching resources;
 25 (C) qualifications for career coaches and a training program
 26 to enable the career coaches to provide relevant information
 27 to the individuals being served;
 28 (D) the incorporation and ongoing usage of Internet based
 29 systems that are interoperable with the comprehensive
 30 career navigation and coaching system; and
 31 (E) career exploration, engagement, and experience.
 32 (b) All high schools in Indiana may participate in the
 33 comprehensive career navigation and coaching system developed under
 34 subsection (a):
 35 (c) In developing and implementing the comprehensive career
 36 navigation and coaching system described in subsection (a), the
 37 commission shall:
 38 (1) work in consultation with, and receive cooperation, support,
 39 and assistance from:
 40 (A) the department of workforce development, governor's
 41 workforce cabinet, and department; and
 42 (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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- 1 (b) An unemployed individual shall be eligible to receive benefits
- 2 with respect to any week only if the individual:
- 3 (1) is physically and mentally able to work;
- 4 (2) is available for work;
- 5 (3) is found by the department to be making an effort to secure
- 6 full-time work; and
- 7 (4) participates in reemployment services and reemployment and
- 8 eligibility assessment activities when directed by the department
- 9 as provided under sections 3.2 and 3.5 of this chapter, unless the
- 10 department determines that:
- 11 (A) the individual has completed the reemployment
- 12 services; or
- 13 (B) failure by the individual to participate in or complete
- 14 the reemployment services is excused by the director under
- 15 IC 22-4-14-2(b).
- 16 (c) For the purpose of this article, unavailability for work of an
- 17 individual exists in, but is not limited to, any case in which, with
- 18 respect to any week, it is found:
- 19 (1) that such individual is engaged by any unit, agency, or
- 20 instrumentality of the United States, in charge of public works or
- 21 assistance through public employment, or any unit, agency, or
- 22 instrumentality of this state, or any political subdivision thereof,
- 23 in charge of any public works or assistance through public
- 24 employment;
- 25 (2) that such individual is in full-time active military service of
- 26 the United States, or is enrolled in civilian service as a
- 27 conscientious objector to military service;
- 28 (3) that such individual is suspended for misconduct in
- 29 connection with the individual's work; or
- 30 (4) that such individual is in attendance at a regularly established
- 31 public or private school during the customary hours of the
- 32 individual's occupation or is in any vacation period intervening
- 33 between regular school terms during which the individual is a
- 34 student. However, this subdivision does not apply to any
- 35 individual who is attending a regularly established school, has
- 36 been regularly employed and upon becoming unemployed makes
- 37 an effort to secure full-time work and is available for suitable
- 38 full-time work with the individual's last employer, or is available
- 39 for any other full-time employment deemed suitable.
- 40 (d) Notwithstanding any other provisions in this section or
- 41 IC 22-4-15-2, no otherwise eligible individual shall be denied benefits
- 42 for any week because the individual is in training with the approval of

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1 the department, nor shall such individual be denied benefits with
2 respect to any week in which the individual is in training with the
3 approval of the department by reason of the application of the
4 provisions of this section with respect to the availability for work or
5 active search for work or by reason of the application of the provisions
6 of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept,
7 suitable work. The department shall by rule prescribe the conditions
8 under which approval of such training will be granted.

9 (e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an
10 otherwise eligible individual shall not be denied benefits for any week
11 or determined not able, available, and actively seeking work, because
12 the individual is responding to a summons for jury service. The
13 individual shall:

14 (1) obtain from the court proof of the individual's jury service;
15 and

16 (2) provide to the department, in the manner the department
17 prescribes by rule, proof of the individual's jury service.

18 (f) If an otherwise eligible individual is unable to work or
19 unavailable for work on any normal work day of the week, the
20 individual shall be eligible to receive benefits with respect to such
21 week reduced by one-third (1/3) of the individual's weekly benefit
22 amount for each day of such inability to work or unavailability for
23 work.

24 (g) An individual has made an effort to secure full-time work with
25 respect to any week in which the individual has:

26 (1) completed activities directed by the department under
27 sections 3.2 and 3.5 of this chapter;

28 (2) completed any work search activities as directed by the
29 department under rules adopted by the department; and

30 (3) affirmed the individual has made an effort to secure full-time
31 work.

32 SECTION 132. IC 22-4-15-1, AS AMENDED BY P.L.186-2025,
33 SECTION 121, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Regarding an individual's
35 most recent separation from employment before filing an initial or
36 additional claim for benefits, an individual who voluntarily left the
37 employment without good cause in connection with the work or was
38 discharged from the employment for just cause is ineligible for waiting
39 period or benefit rights for the week in which the disqualifying
40 separation occurred and until:

41 (1) the individual has earned remuneration in employment in at
42 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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1 reasonable expectation of continued covered employment
 2 and betterment of wages or working conditions and
 3 thereafter was employed on said job;
 4 (B) having been simultaneously employed by two (2)
 5 employers, the individual leaves one (1) such employer
 6 voluntarily without good cause in connection with the work
 7 but remains in employment with the second employer with
 8 a reasonable expectation of continued employment; or
 9 (C) the individual left to accept recall made by a base
 10 period employer.

11 (2) An individual whose unemployment is the result of medically
 12 substantiated physical disability and who is involuntarily
 13 unemployed after having made reasonable efforts to maintain the
 14 employment relationship shall not be subject to disqualification
 15 under this section for such separation.

16 (3) An individual who left work to enter the armed forces of the
 17 United States shall not be subject to disqualification under this
 18 section for such leaving of work.

19 (4) An individual whose employment is terminated under the
 20 compulsory retirement provision of a collective bargaining
 21 agreement to which the employer is a party, or under any other
 22 plan, system, or program, public or private, providing for
 23 compulsory retirement and who is otherwise eligible shall not be
 24 deemed to have left the individual's work voluntarily without
 25 good cause in connection with the work. However, if such
 26 individual subsequently becomes reemployed and thereafter
 27 voluntarily leaves work without good cause in connection with
 28 the work, the individual shall be deemed ineligible as outlined
 29 in this section.

30 (5) An otherwise eligible individual shall not be denied benefits
 31 for any week because the individual is in training approved
 32 under Section 236(a)(1) of the Trade Act of 1974, nor shall the
 33 individual be denied benefits by reason of leaving work to enter
 34 such training, provided the work left is not suitable employment,
 35 or because of the application to any week in training of
 36 provisions in this law (or any applicable federal unemployment
 37 compensation law), relating to availability for work, active
 38 search for work, or refusal to accept work. For purposes of this
 39 subdivision, the term "suitable employment" means with respect
 40 to an individual, work of a substantially equal or higher skill
 41 level than the individual's past adversely affected employment
 42 (as defined for purposes of the Trade Act of 1974), and wages

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- 1 for such work at not less than eighty percent (80%) of the
- 2 individual's average weekly wage as determined for the purposes
- 3 of the Trade Act of 1974.
- 4 (6) An individual is not subject to disqualification because of
- 5 separation from the individual's employment if:
- 6 (A) the employment was outside the individual's labor
- 7 market;
- 8 (B) the individual left to accept previously secured full-time
- 9 work with an employer in the individual's labor market; and
- 10 (C) the individual actually became employed with the
- 11 employer in the individual's labor market.
- 12 (7) An individual who, but for the voluntary separation to move
- 13 to another labor market to join a spouse who had moved to that
- 14 labor market, shall not be disqualified for that voluntary
- 15 separation, if the individual is otherwise eligible for benefits.
- 16 Benefits paid to the spouse whose eligibility is established under
- 17 this subdivision shall not be charged against the employer from
- 18 whom the spouse voluntarily separated.
- 19 (8) An individual shall not be subject to disqualification if the
- 20 individual voluntarily left employment or was discharged due to
- 21 circumstances directly caused by domestic or family violence (as
- 22 defined in ~~IC 31-9-2-42~~; IC 31-9-2.1-84). An individual who
- 23 may be entitled to benefits based on this modification may apply
- 24 to the office of the attorney general under IC 5-26.5 to have an
- 25 address designated by the office of the attorney general to serve
- 26 as the individual's address for purposes of this article.
- 27 (9) An individual shall not be subject to disqualification if the
- 28 individual:
- 29 (A) has requested an exemption from an employer's
- 30 COVID-19 immunization requirement;
- 31 (B) has complied with the requirements set forth in
- 32 IC 22-5-4.6; and
- 33 (C) was discharged from employment for failing or refusing
- 34 to receive an immunization against COVID-19.
- 35 As used in this subsection, "labor market" means the area surrounding
- 36 an individual's permanent residence, outside which the individual
- 37 cannot reasonably commute on a daily basis. In determining whether
- 38 an individual can reasonably commute under this subdivision, the
- 39 department shall consider the nature of the individual's job.
- 40 (d) "Discharge for just cause" as used in this section is defined to
- 41 include but not be limited to:
- 42 (1) separation initiated by an employer for falsification of an

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- 1 employment application to obtain employment through
- 2 subterfuge;
- 3 (2) knowing violation of a reasonable and uniformly enforced
- 4 rule of an employer, including a rule regarding attendance;
- 5 (3) if an employer does not have a rule regarding attendance, an
- 6 individual's unsatisfactory attendance, if good cause for absences
- 7 or tardiness is not established;
- 8 (4) damaging the employer's property through willful and wanton
- 9 misconduct;
- 10 (5) refusing to obey instructions;
- 11 (6) conduct endangering safety of self or coworkers;
- 12 (7) incarceration in jail following conviction of a misdemeanor
- 13 or felony by a court of competent jurisdiction; or
- 14 (8) any breach of duty in connection with work which is
- 15 reasonably owed an employer by an employee.

16 (e) To verify that domestic or family violence has occurred, an
 17 individual who applies for benefits under subsection (c)(8) shall
 18 provide one (1) of the following:

- 19 (1) A report of a law enforcement agency (as defined in
- 20 IC 10-13-3-10).
- 21 (2) A protection order issued under IC 34-26-5.
- 22 (3) A foreign protection order (as defined in IC 34-6-2.1-76).
- 23 (4) An affidavit from a domestic violence service provider
- 24 verifying services provided to the individual by the domestic
- 25 violence service provider.

26 SECTION 133. IC 22-4.1-18-1, AS AMENDED BY
 27 P.L.150-2024, SECTION 79, IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies
 29 to an individual who is:

- 30 (1) at least eighteen (18) years of age; or
- 31 (2) less than eighteen (18) years of age and has received a
- 32 written recommendation from at least one (1) of the following,
- 33 as applicable:
- 34 (A) The individual's parent if the individual attends a
- 35 nonaccredited nonpublic school that has less than one (1)
- 36 employee.
- 37 (B) The superintendent (as defined in IC 20-18-2-21),
- 38 principal, or head of the school the individual attends, or the
- 39 appropriate designee, if the individual attends a school that
- 40 employs more than one (1) employee.
- 41 (C) A judge (as defined in ~~IC 31-9-2-68~~; IC 31-9-2.1-141).

42 SECTION 134. IC 22-12-7-15, AS ADDED BY P.L.160-2025,

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1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 15. (a) Except as provided by subsection (c), if a
 3 property is inspected by the department or plans were reviewed by the
 4 department, neither the department nor a political subdivision may
 5 require compliance with a new or different set of building, fire safety,
 6 or equipment laws than were originally enforced by the department:
 7 (1) before July 1, 2025; or
 8 (2) two (2) years after the earlier of the date of the:
 9 (A) initial inspection; or
 10 (B) plan review.
 11 (b) A child care home (as defined in ~~IC 12-7-2-28.6~~
 12 IC 12-7-2.1-57) that was licensed to operate in a Class 2 structure by
 13 the office of the secretary of family and social services before July 1,
 14 2025, may continue to operate in the structure notwithstanding the
 15 provisions of this article and 675 IAC 13.
 16 (c) Subsection (a) does not apply to any of the following:
 17 (1) Any:
 18 (A) fraud;
 19 (B) material misrepresentation; or
 20 (C) other act of bad faith;
 21 that results in misapplication of the appropriate requirements.
 22 (2) A change of use or occupancy of the structure or equipment.
 23 (3) A condition imposed in a variance issued by the:
 24 (A) department; or
 25 (B) commission.
 26 (4) Any new construction, addition, or alteration of the structure
 27 or equipment.
 28 (5) A violation that would qualify for an emergency order under
 29 section 6(a)(1) of this chapter.
 30 (6) Any maintenance requirements.
 31 SECTION 135. IC 24-5-14-12 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. A caller may not
 33 use an automatic dialing-announcing device to make a telephone call
 34 to the following:
 35 (1) A hospital (as defined in IC 16-18-2-179(b)).
 36 (2) An ambulatory outpatient surgical center (as defined in
 37 IC 16-18-2-14).
 38 (3) A health facility (as defined in IC 16-18-2-167).
 39 (4) An emergency medical services facility (as defined in
 40 IC 16-18-2-111).
 41 (5) A business providing emergency ambulance services (as
 42 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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1 individual, firm, corporation, limited liability company, or partnership
2 engaged in the business of purchasing and reselling valuable metal
3 either at a permanently established place of business or in connection
4 with a business of an itinerant nature, including junk shops, junk yards,
5 junk stores, auto wreckers, scrap metal dealers or processors, salvage
6 yards, collectors of or dealers in junk, and junk cars or trucks. The term
7 includes a core buyer. The term does not include a person who
8 purchases a vehicle and obtains title to the vehicle.

9 (c) As used in this chapter, "purchase" means acquiring a valuable
10 metal product for a consideration, but does not include purchases
11 between scrap metal processing facilities (as defined in ~~IC 8-23-1-36~~;
12 IC 8-23-1.1-35).

13 SECTION 138. IC 27-1-4.5-2, AS ADDED BY P.L.239-2025,
14 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2027]: Sec. 2. As used in this chapter, "insurer" includes the
16 following:

17 (1) An insurer (as defined in IC 27-1-2-3(x)) that issues a policy
18 of accident and sickness insurance (as defined in
19 IC 27-8-5-1(a)). However, the term does not include the
20 coverages described in IC 27-8-5-2.5(a).

21 (2) A health maintenance organization (as defined in
22 IC 27-13-1-19) that provides coverage for basic health care
23 services (as defined in IC 27-13-1-4).

24 (3) A managed care organization (as defined in ~~IC 12-7-2-126.9~~)
25 IC 12-7-2.1-218) that provides services to a Medicaid recipient.

26 (4) A prepaid health care delivery plan under IC 5-10-8-7(c) that
27 provides group health coverage for state employees.

28 SECTION 139. IC 27-1-22-20.1, AS AMENDED BY
29 P.L.46-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2026]: Sec. 20.1. (a) For purposes of this
31 section, an individual is a "foster youth" if:

32 (1) the department of child services; or

33 (2) a designee of the department of child services;

34 certifies or acknowledges that the individual is a foster youth (as
35 defined by ~~IC 31-9-2-47.3~~; **in IC 31-9-2.1-110**).

36 (b) The department of child services established by IC 31-25-1-1
37 shall make available to foster youths and to the public a list, provided
38 by the Insurance Institute of Indiana, identifying insurers that may
39 provide automobile insurance coverage outside the plan described in
40 subsection (c) for a minor without a guardian cosigner. The list of
41 insurers shall be reviewed annually.

42 (c) An assigned risk automobile insurance plan established by

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1 insurers under section 20 of this chapter must, subject to the rules of
 2 the plan, make automobile insurance available to a foster youth who:
 3 (1) is at least sixteen (16) years of age and not more than
 4 twenty-three (23) years of age; and
 5 (2) is receiving services from the department of child services.
 6 (d) An applicant who is a foster youth is responsible for paying all
 7 costs of a policy of automobile insurance issued under subsection (c).
 8 A state or local government agency, foster parent, or entity providing
 9 services to an applicant under a contract or at the direction of a state or
 10 local government agency shall not be required to pay any costs
 11 associated with a policy of automobile insurance issued under
 12 subsection (c) and shall not be liable for any damages that result from
 13 the foster youth's operation of an automobile owned and insured by the
 14 foster youth.

15 SECTION 140. IC 27-1-24.2-1, AS ADDED BY P.L.189-2025,
 16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2026]: Sec. 1. (a) This chapter applies to a policy or contract
 18 that is issued, delivered, entered into, renewed, or amended after
 19 December 31, 2025.

20 (b) This chapter does not apply to the following:
 21 (1) Medicaid or a managed care organization (as defined in
 22 ~~IC 12-7-2-126.9~~ IC 12-7-2.1-218).
 23 (2) Except as provided in section 18 of this chapter, a state
 24 employee health plan (as defined in IC 5-10-8-6.7).

25 SECTION 141. IC 27-1-24.5-0.7, AS ADDED BY P.L.152-2024,
 26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 0.7. As used in this chapter, "contract holder"
 28 means:

29 (1) an individual or entity that offers health insurance coverage
 30 to its employees or members through a self-funded health benefit
 31 plan, including a self-funded health benefit plan that complies
 32 with the federal Employee Retirement Income Security Act
 33 (ERISA) of 1974 (29 U.S.C. 1001 et seq.);
 34 (2) a health plan; or
 35 (3) Medicaid or a managed care organization (as defined in
 36 ~~IC 12-7-2-126.9~~ IC 12-7-2.1-218) that provides services to a
 37 Medicaid recipient;
 38 that contracts with a pharmacy benefit manager to provide services.

39 SECTION 142. IC 27-1-37.5-16, AS AMENDED BY
 40 P.L.144-2025, SECTION 26, IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) Except as
 42 provided in subsection (b), the department shall establish, post, and

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1 maintain on the department's website a standardized prior authorization
2 form for use by health care providers and utilization review entities for
3 purposes of any notice or authorization required by a utilization review
4 entity with respect to payment for a health care service rendered to a
5 covered individual.

6 (b) After December 31, 2020, a Medicaid managed care
7 organization (as defined in ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**) shall use
8 a standardized prior authorization form prescribed by the office of the
9 secretary of family and social services.

10 SECTION 143. IC 27-1-37.6-9, AS ADDED BY P.L.203-2023,
11 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 9. (a) As used in this chapter, "health plan" means
13 any of the following:

14 (1) A policy of accident and sickness insurance (as defined in
15 IC 27-8-5-1). However, the term does not include the coverages
16 described in IC 27-8-5-2.5(a).

17 (2) A contract with a health maintenance organization (as
18 defined in IC 27-13-1-19) that provides coverage for basic health
19 care services (as defined in IC 27-13-1-4).

20 (3) A self-insurance program established under IC 5-10-8-7(b)
21 to provide health care coverage.

22 (b) The term includes the following:

23 (1) The insurer that issues a policy of accident and sickness
24 insurance described in subsection (a)(1).

25 (2) The health maintenance organization referred to in
26 subsection (a)(2).

27 (3) The entity with which the state contracts for the
28 administration of the self-insurance program established under
29 IC 5-10-8-7(b) to provide health care coverage.

30 (c) The term does not include a Medicaid managed care
31 organization, as defined in ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**.

32 SECTION 144. IC 27-1-44.5-2, AS AMENDED BY
33 P.L.216-2025, SECTION 45, IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this
35 chapter, "health payer" includes the following:

36 (1) Medicare.

37 (2) Medicaid or a managed care organization (as defined in
38 ~~IC 12-7-2-126.9~~ **IC 12-7-2.1-218**) that has contracted with
39 Medicaid to provide services to a Medicaid recipient.

40 (3) An insurer that issues a policy of accident and sickness
41 insurance (as defined in IC 27-8-5-1), except for the following
42 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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1 as ASC X12N 835 files or a successor format. The files may be
2 modified only as necessary to comply with the federal Health
3 Insurance Portability and Accountability Act (HIPAA) (P.L.
4 104-191). In the event that paper claims are provided, the third
5 party administrator, managed care organization, or prepaid
6 health care delivery plan shall convert the paper claims to the
7 ASC X12N 835 electronic format or a successor format.

8 (4) Any fees charged to the plan sponsor, office of the secretary
9 of family and social services, or state personnel department
10 related to plan administration and claims processing, including
11 renegotiation fees, access fees, repricing fees, or enhanced
12 review fees.

13 (b) A third party administrator, managed care organization, or
14 prepaid health care delivery plan may not impose:

15 (1) fees for:
16 (A) requesting an audit under this section; or
17 (B) selecting an auditor other than an auditor designated by
18 the third party administrator, managed care organization, or
19 prepaid health care delivery plan; or

20 (2) conditions that would restrict a party's right to conduct an
21 audit under this section, including restrictions on the:

22 (A) time period of the audit;
23 (B) number of claims analyzed;
24 (C) type of analysis conducted;
25 (D) data elements used in the analysis; or
26 (E) selection of an auditor as long as the auditor:
27 (i) does not have a conflict of interest;
28 (ii) meets a threshold for liability insurance specified
29 in the contract between the parties;
30 (iii) does not work on a contingent fee basis; and
31 (iv) does not have a history of breaching nondisclosure
32 agreements.

33 (c) A third party administrator, managed care organization, or
34 prepaid health care delivery plan shall provide claims data to the
35 contract holder not later than fifteen (15) business days after the claims
36 data is requested.

37 (d) Information provided in an audit under this section must be
38 provided in accordance with the federal Health Insurance Portability
39 and Accountability Act (HIPAA) (P.L. 104-191).

40 (e) A contract that is entered into, issued, amended, or renewed
41 after June 30, 2024, may not contain a provision that violates this
42 section.

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1 (f) A violation of this section is an unfair or deceptive act or
 2 practice in the business of insurance under IC 27-4-1-4.

3 (g) The department may also adopt rules under IC 4-22-2 to set
 4 forth fines for a violation under this section.

5 SECTION 147. IC 27-8-5-15.5, AS AMENDED BY P.L.56-2023,
 6 SECTION 245, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) ~~As used~~ **The following**
 8 **terms are defined for use** in this section:

9 "Alcohol abuse" has the meaning set forth in ~~IC 12-7-2-10.~~
 10 IC 12-7-2.1-17.

11 "Community mental health center" has the meaning set forth in
 12 ~~IC 12-7-2-38 and IC 12-7-2-39.~~ IC 12-7-2.1-77 and IC 12-7-2.1-78.

13 "Division of mental health and addiction" refers to the division
 14 created under IC 12-21-1-1.

15 "Drug abuse" has the meaning set forth in ~~IC 12-7-2-72.~~
 16 IC 12-7-2.1-128.

17 "Indiana department of health" refers to the department established
 18 by IC 16-19-1-1.

19 "Inpatient services" means services that require the beneficiary of
 20 the services to remain overnight in the facility in which the services are
 21 offered.

22 "Mental illness" has the meaning set forth in ~~IC 12-7-2-130(1).~~
 23 IC 12-7-2.1-226(1).

24 "Psychiatric hospital" has the meaning set forth in ~~IC 12-7-2-151.~~
 25 IC 12-7-2.1-270.

26 "Substance abuse" means drug abuse or alcohol abuse.

27 (b) An insurance policy that provides coverage for inpatient
 28 services for the treatment of:

- 29 (1) mental illness;
- 30 (2) substance abuse; or
- 31 (3) both mental illness and substance abuse;

32 may not exclude coverage for inpatient services for the treatment of
 33 mental illness or substance abuse that are provided by a community
 34 mental health center or by any psychiatric hospital licensed by the
 35 Indiana department of health or the division of mental health and
 36 addiction to offer those services.

37 SECTION 148. IC 27-8-5-15.8, AS ADDED BY P.L.103-2020,
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2026]: Sec. 15.8. (a) As used in this section, "treatment of a
 40 mental illness or substance abuse" means:

- 41 (1) treatment for a mental illness, as defined in
 42 ~~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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- 1 (2) Identify and define the specific evidentiary standards used to
- 2 define the factors and any other evidence relied upon in
- 3 designing each nonquantitative treatment limitation.
- 4 (3) Provide the comparative analyses, including the results of the
- 5 analyses, performed to determine the following:
- 6 (A) That the processes and strategies used to design each
- 7 nonquantitative treatment limitation for coverage of
- 8 services for treatment of a mental illness or substance abuse
- 9 are comparable to, and applied no more stringently than, the
- 10 processes and strategies used to design each nonquantitative
- 11 treatment limitation for coverage of services for treatment
- 12 of other medical or surgical conditions.
- 13 (B) That the processes and strategies used to apply each
- 14 nonquantitative treatment limitation for treatment of a
- 15 mental illness or substance abuse are comparable to, and
- 16 applied no more stringently than, the processes and
- 17 strategies used to apply each nonquantitative limitation for
- 18 treatment of other medical or surgical conditions.
- 19 (g) The department shall adopt rules to ensure compliance with
- 20 this section and the applicable provisions of the act.
- 21 SECTION 149. IC 27-8-23-4 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. As used in this
- 23 chapter, "insurer" has the meaning set forth in ~~IC 12-7-2-120.~~
- 24 IC 12-7-2.1-202.
- 25 SECTION 150. IC 27-13-7-14.2, AS ADDED BY P.L.103-2020,
- 26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2026]: Sec. 14.2. (a) As used in this section, "treatment of a
- 28 mental illness or substance abuse" means:
- 29 (1) treatment for a mental illness, as defined in
- 30 ~~IC 12-7-2-130(1);~~ IC 12-7-2.1-226(1); and
- 31 (2) treatment for drug abuse or alcohol abuse.
- 32 (b) As used in this section, "act" refers to the Paul Wellstone and
- 33 Pete Domenici Mental Health Parity and Addiction Act of 2008 and
- 34 any amendments thereto, plus any federal guidance or regulations
- 35 relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45
- 36 CFR 147.160, and 45 CFR 156.115(a)(3).
- 37 (c) As used in this section, "nonquantitative treatment limitations"
- 38 refers to those limitations described in 26 CFR 54.9812-1, 29 CFR
- 39 2590.712, and 45 CFR 146.136.
- 40 (d) An individual contract or a group contract that provides
- 41 coverage of services for treatment of a mental illness or substance
- 42 abuse shall submit a report to the department not later than December

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- 1 31 of each year that contains the following information:
- 2 (1) A description of the processes:
- 3 (A) used to develop or select the medical necessity criteria
- 4 for coverage of services for treatment of a mental illness or
- 5 substance abuse; and
- 6 (B) used to develop or select the medical necessity criteria
- 7 for coverage of services for treatment of other medical or
- 8 surgical conditions.
- 9 (2) Identification of all nonquantitative treatment limitations that
- 10 are applied to:
- 11 (A) coverage of services for treatment of a mental illness or
- 12 substance abuse; and
- 13 (B) coverage of services for treatment of other medical or
- 14 surgical conditions;
- 15 within each classification of benefits.
- 16 (e) There may be no separate nonquantitative treatment limitations
- 17 that apply to coverage of services for treatment of a mental illness or
- 18 substance abuse that do not apply to coverage of services for treatment
- 19 of other medical or surgical conditions within any classification of
- 20 benefits.
- 21 (f) An individual contract or a group contract that provides
- 22 coverage of services for treatment of a mental illness or substance
- 23 abuse shall also submit an analysis showing the insurer's compliance
- 24 with this section and the act to the department not later than December
- 25 31 of each year. The analysis must do the following:
- 26 (1) Identify the factors used to determine that a nonquantitative
- 27 treatment limitation will apply to a benefit, including factors that
- 28 were considered but rejected.
- 29 (2) Identify and define the specific evidentiary standards used to
- 30 define the factors and any other evidence relied upon in
- 31 designing each nonquantitative treatment limitation.
- 32 (3) Provide the comparative analyses, including the results of the
- 33 analyses, performed to determine the following:
- 34 (A) That the processes and strategies used to design each
- 35 nonquantitative treatment limitation for coverage of
- 36 services for treatment of a mental illness or substance abuse
- 37 are comparable to, and applied no more stringently than, the
- 38 processes and strategies used to design each nonquantitative
- 39 treatment limitation for coverage of services for treatment
- 40 of other medical or surgical conditions.
- 41 (B) That the processes and strategies used to apply each
- 42 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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1 SECTION 155. IC 29-3-3-6, AS AMENDED BY P.L.68-2005,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 6. (a) The surviving parent of a minor does not
4 have the right to custody of the minor without a proceeding authorized
5 by law if the parent was not granted custody of the minor in a
6 dissolution of marriage decree and the conditions specified in this
7 section exist.

8 (b) If:

9 (1) the surviving parent, at the time of the custodial parent's
10 death, had required supervision during parenting time privileges
11 granted under a dissolution of marriage decree involving the
12 minor; or

13 (2) the surviving parent's parenting time privileges with the
14 minor had been suspended at the time of the death of the
15 custodial parent;

16 the court on petition by any person, including a temporary custodian
17 named under IC 31-17-2-11 (or IC 31-1-11.5-27 before its repeal), or
18 on the court's own motion, may appoint a temporary guardian for the
19 minor for a specified period not to exceed sixty (60) days.

20 (c) If a petition is filed under this section, a court shall appoint a
21 guardian ad litem (as defined in ~~IC 31-9-2-50~~ IC 31-9-2.1-117) or a
22 court appointed special advocate (as defined in ~~IC 31-9-2-28~~
23 IC 31-9-2.1-67) for the child. A guardian ad litem or court appointed
24 special advocate appointed under this section serves until removed by
25 the court.

26 (d) If a temporary guardian is appointed without notice and the
27 minor files a petition that the guardianship be terminated or the court
28 order modified, the court shall hold a hearing and make a determination
29 on the petition at the earliest possible time.

30 (e) A temporary guardian appointed under this section has only the
31 responsibilities and powers that are ordered by the court.

32 (f) A proceeding under this section may be joined with a
33 proceeding under IC 29-3-4 or IC 29-3-5.

34 (g) The court shall appoint a guardian under this article if the court
35 finds that the surviving parent is not entitled to the right of custody of
36 the minor.

37 SECTION 156. IC 29-3-5-1.5, AS ADDED BY P.L.104-2015,
38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2026]: Sec. 1.5. A petitioner for appointment as a guardian of
40 a minor in a guardianship to which IC 29-3-8-9 applies shall submit the
41 necessary information, forms, or consents for the department of child
42 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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1 (e) If a minor was the subject of a petition alleging the minor to be
2 a child in need of services or is participating in a program of informal
3 adjustment, the court shall do the following at a hearing regarding a
4 petition filed under this section:

- 5 (1) Consider the position of the department of child services.
- 6 (2) If requested by the department of child services, allow the
7 department of child services to present evidence regarding:
8 (A) whether the guardianship should be modified or
9 terminated;
10 (B) the fitness of the parent to provide for the care and
11 supervision of the minor at the time of the hearing;
12 (C) the appropriate care and placement of the child; and
13 (D) the best interests of the child.

14 (f) The department of child services or the proposed guardian shall
15 notify the court creating a guardianship if the department of child
16 services has approved financial assistance to a guardian for the benefit
17 of the protected person, as a component of child services (as defined in
18 ~~IC 31-9-2-17.8(1)(E))~~; IC 31-9-2.1-47(1)(E)). If the guardian will be
19 provided assistance as a component of child services, the court shall
20 order the guardian to provide financial support to the protected person
21 to the extent the following resources do not fully support the needs of
22 the protected person:

- 23 (1) The guardianship property of the protected person.
- 24 (2) Child support or other financial assistance received by the
25 guardian from the protected person's parent or parents.
- 26 (3) Periodic payments the guardian receives from the department
27 of child services for support of the protected person as set forth
28 in the department of child service's rules or the terms of the
29 guardianship assistance agreement.

30 SECTION 158. IC 29-3-9-1, AS AMENDED BY P.L.238-2025,
31 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]: Sec. 1. (a) As used in this section, "department" means
33 the department of child services established by IC 31-25-1-1.

34 (b) As used in this section and except as otherwise provided in this
35 section, "foster care" has the meaning set forth in ~~IC 31-9-2-46.7~~.
36 IC 31-9-2.1-107.

37 (c) Except as provided in subsections (d) and (h), by a properly
38 executed power of attorney, a parent of a minor or a guardian (other
39 than a temporary guardian) of a protected person may delegate to
40 another person for:

- 41 (1) any period during which the care and custody of the minor or
42 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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1 (2) has been adjudicated an incapacitated person;
2 the court may not terminate the guardianship of the protected person
3 when the protected person attains eighteen (18) years of age.

4 (b) If a protected person is:

5 (1) a minor; and

6 (2) a recipient or beneficiary of financial assistance provided by
7 the department of child services through a guardianship
8 described in ~~IC 31-9-2-17.8(1)(E)~~; IC 31-9-2.1-47(1)(E);

9 the court may not terminate the guardianship of the protected person
10 when the protected person attains eighteen (18) years of age.

11 SECTION 160. IC 31-9-2 IS REPEALED [EFFECTIVE JULY 1,
12 2026]. (Family Law and Juvenile Law Definitions).

13 SECTION 161. IC 31-9-2.1 IS ADDED TO THE INDIANA
14 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]:

16 **Chapter 2.1. Definitions**

17 **Sec. 1. The amendments made to IC 31-1-11.5-11(a) (before its**
18 **repeal, now codified at section 99 of this chapter) by P.L.170-1988**
19 **do not apply to actions filed under IC 31-1-11.5-3 (before its repeal,**
20 **now codified at IC 31-15-2-2, IC 31-15-2-3, and IC 31-16-2-2) that**
21 **are filed before July 1, 1988.**

22 **Sec. 2. "Abandoned", for purposes of the Uniform Child**
23 **Custody Jurisdiction Act under IC 31-21, has the meaning set forth**
24 **in IC 31-21-2-2.**

25 **Sec. 3. "Abandoned infant", for purposes of IC 31-34-21-5.6,**
26 **means a child who is less than twelve (12) months of age and whose**
27 **parent, guardian, or custodian has knowingly or intentionally left**
28 **the child in:**

29 (1) an environment that endangers the child's life or health;
30 or

31 (2) a hospital or medical facility;

32 and has no reasonable plan to assume the care, custody, and
33 control of the child.

34 **Sec. 4. (a) "Account", for purposes of IC 31-25-4, has the**
35 **meaning set forth in IC 31-25-4-3.**

36 **(b) "Account", for purposes of IC 31-26-1, has the meaning set**
37 **forth in IC 31-26-1-1.**

38 **Sec. 5. "Act of rape", for purposes of IC 31-35-3.5, means an**
39 **act described in:**

40 (1) IC 35-42-4-1;

41 (2) IC 35-42-4-3; or

42 (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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- 1 (2) an identification of the underlying causes of the safety
 2 issues described in subdivision (1);
 3 (3) a determination whether child abuse, neglect, or
 4 maltreatment occurred; and
 5 (4) a determination of the needs of a child's family in order
 6 for the child to:
 7 (A) remain in the home safely;
 8 (B) be returned to the home safely; or
 9 (C) be placed in an alternative living arrangement.

10 Sec. 22. "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 31-25-3.
 14 (2) IC 31-25-4.
 15 (3) IC 31-26-3.5.

16 Sec. 23. "At-risk child" or "at-risk children", for purposes of
 17 IC 31-32-3, means a child or children who:

- 18 (1) are at risk of becoming involved in a juvenile proceeding;
 19 (2) are at risk of being suspended or expelled from school;
 20 (3) are at risk of dropping out of school;
 21 (4) were previously children in need of services and who are
 22 in need of ongoing supervision and assistance; or
 23 (5) have been victims of domestic violence.

24 Sec. 24. "Birth parent", for purposes of IC 31-19-17 through
 25 IC 31-19-25.5, means:

- 26 (1) the woman who is legally presumed under Indiana law to
 27 be the mother of biological origin of an adoptee;
 28 (2) the man who is legally presumed under Indiana law to be
 29 the father of biological origin of an adoptee; or
 30 (3) a man who establishes paternity of a child born out of
 31 wedlock:
 32 (A) in a court proceeding; or
 33 (B) by executing a paternity affidavit under
 34 IC 16-37-2-2.1.

35 Sec. 25. "Blind", for purposes of IC 31-25-3, IC 31-25-4,
 36 IC 31-28-1, IC 31-28-2, and IC 31-28-3, means an individual who
 37 has vision in the better eye with correcting glasses of 20/200 or less,
 38 or a disqualifying visual field defect as determined upon
 39 examination by an ophthalmologist or optometrist who has been
 40 designated to make such examinations by the local office and
 41 approved by the department.

42 Sec. 26. (a) "Board", for purposes of IC 31-25-4, has the

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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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1 (C) is harmed or threatened with harm as a result of:
2 (i) a battery offense included in IC 35-42-2; or
3 (ii) sexual activity (as defined in IC 35-42-4-13(b));
4 committed by a member of the staff at the residential
5 facility.

6 (b) For purposes of subsection (a), the term under subsection
7 (a) does not refer to a child who is alleged to be a victim of a sexual
8 offense under IC 35-42-4-3 unless the alleged offense under
9 IC 35-42-4-3 involves the fondling or touching of the buttocks,
10 genitals, or female breasts, regardless of whether the child needs
11 care, treatment, rehabilitation, or the coercive intervention of a
12 court.

13 (c) "Child abuse or neglect", for purposes of IC 31-34-2.3 and
14 IC 31-42, refers to acts or omissions by a person against a child as
15 described in IC 31-34-1-1 through IC 31-34-1-11, regardless of
16 whether the child needs care, treatment, rehabilitation, or the
17 coercive intervention of a court.

18 (d) "Child abuse or neglect" does not include raising or
19 referring to a child in a manner consistent with the child's
20 biological sex.

21 Sec. 34. "Child advocacy center", for purposes of
22 IC 31-25-2-14.5 and IC 31-33-18-2, means a child focused, trauma
23 informed community based organization that:

- 24 (1) is:
25 (A) recognized by the Indiana Chapter of National
26 Children's Alliance; and
27 (B) designed to collaborate on reports of child abuse or
28 neglect;
29 (2) coordinates a multidisciplinary team; and
30 (3) facilitates forensic interviews.

31 Sec. 35. "Child at imminent risk of placement", for purposes
32 of IC 31-26-5, has the meaning set forth in IC 31-26-5-1.

33 Sec. 36. "Child born in wedlock", for purposes of IC 31-19-9,
34 means a child born to:

- 35 (1) a woman; and
36 (2) a man who is presumed to be the child's father under
37 IC 31-14-7-1(1) or IC 31-14-7-1(2) unless the presumption is
38 rebutted.

39 Sec. 37. "Child born out of wedlock", for purposes of
40 IC 31-19-3, IC 31-19-4-4, and IC 31-19-9, means a child who is
41 born to:

- 42 (1) a woman; and

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1 (2) a man who is not presumed to be the child's father under
2 IC 31-14-7-1(1) or IC 31-14-7-1(2).

3 Sec. 38. "Child care", for purposes of section 40 of this chapter
4 and IC 31-27, means a service that provides for the care, health,
5 safety, and supervision of a child's social, emotional, and
6 educational growth.

7 Sec. 39. "Child care provider", for purposes of IC 31-33-26,
8 has the meaning set forth in IC 31-33-26-1.

9 Sec. 40. "Child care worker", for purposes of IC 31-33, means
10 an individual who:

11 (1) is:

12 (A) employed, other than self-employed as an owner; or

13 (B) actively seeking employment;

14 with an agency, facility, or home described in section
15 71(b)(2) of this chapter;

16 (2) is a child caregiver; or

17 (3) has, or will have, direct contact with a child to whom the
18 individual is not a relative (as defined in section 207(c)(1)
19 through 207(c)(11) of this chapter) on a regular and
20 continuing basis through current employment with any
21 agency, facility, or home that provides:

22 (A) child care; or

23 (B) services to, or for the benefit of, a child who is a
24 victim of child abuse or neglect (as described in section
25 33(c) of this chapter).

26 Sec. 41. "Child caregiver", for purposes of sections 40 and 71
27 of this chapter, means a person who provides, or is responsible for
28 providing, care and supervision of a child (other than a child of
29 whom the person is a parent, stepparent, grandparent, aunt, uncle,
30 sibling, legal guardian, or custodian with whom the person resides)
31 at a residential property that is not the child's place of residence,
32 if the person:

33 (1) is not required to be licensed as the operator of:

34 (A) a child care home under IC 12-17.2-5; or

35 (B) a foster family home under IC 31-27-4;

36 (2) provides care and supervision of a child while unattended
37 by the child's:

38 (A) parent;

39 (B) guardian; or

40 (C) custodian with whom the child resides; and

41 (3) receives more than two thousand dollars (\$2,000) in
42 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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1 the identification of two (2) permanency plan goals and
 2 simultaneous reasonable efforts toward both goals with knowledge
 3 of all participants.

4 Sec. 58. "Conduct a criminal history check", for purposes of
 5 IC 31-19, IC 31-26, IC 31-27, IC 31-28, IC 31-33, IC 31-34,
 6 IC 31-37, and IC 31-39-2-13.5, means to:

7 (1) request:

8 (A) the state police department to conduct a:

9 (i) fingerprint based criminal history background
 10 check of both national and state records data bases
 11 concerning a person who is at least eighteen (18)
 12 years of age in accordance with IC 10-13-3-27 and
 13 IC 10-13-3-39; or

14 (ii) national name based criminal history record
 15 check (as defined in IC 10-13-3-12.5) of a person
 16 who is at least eighteen (18) years of age as
 17 provided by IC 10-13-3-27.5; or

18 (B) if an individual has:

19 (i) a physical disability that prevents fingerprinting
 20 and a person approved by the department who is
 21 trained to take fingerprints or a qualified medical
 22 practitioner (as defined in section 196 of this
 23 chapter) verifies that the individual has a disabling
 24 condition that prevents fingerprinting; or

25 (ii) low quality fingerprints, as a result of age,
 26 occupation, or otherwise, that prevent fingerprint
 27 results from being obtained and the individual's
 28 fingerprints have been rejected the required
 29 number of times by automated fingerprint
 30 classification equipment or rejected by a person
 31 designated by the Indiana state police department
 32 to examine and classify fingerprints;

33 the state police department to conduct a national name
 34 based criminal history record check (as defined in
 35 IC 10-13-3-12.5) or request the state police department
 36 to release or allow inspection of a limited criminal
 37 history (as defined in IC 10-13-3-11) and the state police
 38 in every state the individual has resided in the past five
 39 (5) years to release or allow inspection of the state's
 40 criminal history;

41 (2) collect each substantiated report of child abuse or neglect
 42 reported in a jurisdiction where a probation officer, a

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1 caseworker, or the department of child services has reason
 2 to believe that a person who is fourteen (14) years of age or
 3 older, or a person for whom a fingerprint based criminal
 4 history background check is required under this title, resided
 5 within the previous five (5) years;

6 (3) conduct a check of the national sex offender registry
 7 maintained by the United States Department of Justice for
 8 all persons who are at least fourteen (14) years of age; and

9 (4) conduct a check of local criminal records in every
 10 jurisdiction where a person who is at least eighteen (18)
 11 years of age has resided within the previous five (5) years
 12 unless the department of child services or a court grants an
 13 exception to conducting this check.

14 Sec. 59. "Contact", for purposes of IC 31-33-18-1.5, has the
 15 meaning set forth in IC 31-33-18-1.5(d).

16 Sec. 60. "Contact preference form" means the form prescribed
 17 by the state registrar under IC 31-19-25-4.6.

18 Sec. 61. "Controlled substance", for purposes of the juvenile
 19 law, has the meaning set forth in IC 35-48-1.1.

20 Sec. 62. "Convention", for purposes of the Uniform Interstate
 21 Family Support Act under IC 31-18.5, has the meaning set forth in
 22 IC 31-18.5-1-2.

23 Sec. 63. "Convention support order", for purposes of the
 24 Uniform Interstate Family Support Act under IC 31-18.5, has the
 25 meaning set forth in IC 31-18.5-7-1.

26 Sec. 64. "Costs of secure detention", for purposes of this title,
 27 has the meaning set forth in IC 31-40-1-1.5.

28 Sec. 65. "Council", for purposes of IC 31-31-9, refers to the
 29 city-county council of the consolidated city within the county.

30 Sec. 66. (a) "Court", for purposes of IC 31-15, IC 31-16, and
 31 IC 31-17, means the circuit, superior, or other courts of Indiana
 32 upon which jurisdiction to enter dissolution decrees has been or
 33 may be conferred.

34 (b) "Court", for purposes of IC 31-16-15, refers to the court
 35 having jurisdiction over child support orders.

36 (c) "Court", for purposes of IC 31-37-23, has the meaning set
 37 forth in IC 31-37-23-3.

38 (d) "Court", for purposes of the Interstate Compact on
 39 Juveniles under IC 31-37-23-1, has the meaning set forth in
 40 IC 31-37-23-1.

41 (e) "Court", for purposes of IC 31-27, means a circuit or
 42 superior court.

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1 (f) "Court", for purposes of the Uniform Child Custody
2 Jurisdiction Act under IC 31-21, has the meaning set forth in
3 IC 31-21-2-7.

4 Sec. 67. (a) "Court appointed special advocate", for purposes
5 of IC 31-15-6, IC 31-17-6, IC 31-19-16, IC 31-19-16.5, IC 31-28-5,
6 IC 31-32-3-10.5, and the juvenile law, means a community
7 volunteer who:

8 (1) has completed a training program approved by the court;

9 (2) has been appointed by a court to represent and protect
10 the best interests of a child; and

11 (3) may research, examine, advocate, facilitate, and monitor
12 a child's situation.

13 (b) "Court appointed special advocate", for purposes of
14 IC 31-32-3-10.5, IC 31-33, IC 31-34, IC 31-35, and IC 31-37, means
15 a community volunteer who:

16 (1) has completed a training program approved by the court
17 that includes training in:

18 (A) the identification and treatment of child abuse and
19 neglect; and

20 (B) early childhood, child, and adolescent development;

21 as required by 42 U.S.C. 5106a(b)(2)(B)(xiii);

22 (2) has been appointed by a court to represent and protect
23 the best interests of a child; and

24 (3) may research, examine, advocate, facilitate, and monitor
25 a child's situation.

26 Sec. 68. "Crime", for purposes of the juvenile law, means an
27 offense for which an adult might be imprisoned or incarcerated if
28 convicted under the law of the jurisdiction in which the offense is
29 committed.

30 Sec. 69. "Crime involving domestic or family violence" means
31 a crime that occurs when a family or household member commits,
32 attempts to commit, or conspires to commit any of the following
33 against another family or household member:

34 (1) A homicide offense under IC 35-42-1.

35 (2) A battery offense under IC 35-42-2.

36 (3) Kidnapping or confinement under IC 35-42-3.

37 (4) A sex offense under IC 35-42-4.

38 (5) Robbery under IC 35-42-5.

39 (6) Arson or mischief under IC 35-43-1.

40 (7) Burglary or trespass under IC 35-43-2.

41 (8) Disorderly conduct under IC 35-45-1.

42 (9) Intimidation or harassment under IC 35-45-2.

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- 1 (10) Voyeurism under IC 35-45-4.
 2 (11) Stalking under IC 35-45-10.
 3 (12) An offense against the family under IC 35-46-1-2
 4 through IC 35-46-1-8, IC 35-46-1-12, IC 35-46-1-15.1, or
 5 IC 35-46-1-15.3.
 6 (13) Human and sexual trafficking crimes under
 7 IC 35-42-3.5.
 8 (14) A crime involving animal cruelty and a family or
 9 household member under IC 35-46-3-12(b)(2) or
 10 IC 35-46-3-12.5.

11 Sec. 70. "Custodial parent", for purposes of IC 31-14-13-8,
 12 IC 31-14-15, IC 31-16-6-1.5, IC 31-16-12.5, IC 31-17-2-22, and
 13 IC 31-17-4, means the parent who has been awarded physical
 14 custody of a child by a court.

15 Sec. 71. (a) "Custodian", for purposes of the juvenile law,
 16 means a person with whom a child resides.

17 (b) "Custodian", for purposes of IC 31-34-1, includes any
 18 person who is:

- 19 (1) a license applicant or licensee of:
 20 (A) a foster home or residential child care facility that is
 21 required to be licensed or is licensed under IC 31-27;
 22 (B) a child care center that is required to be licensed or
 23 is licensed under IC 12-17.2-4; or
 24 (C) a child care home that is required to be licensed or
 25 is licensed under IC 12-17.2-5;
 26 (2) a person who is responsible for care, supervision, or
 27 welfare of children while providing services as an owner,
 28 operator, director, manager, supervisor, employee, or
 29 volunteer at:
 30 (A) a home, center, or facility described in subdivision
 31 (1);
 32 (B) a child care ministry, as defined in IC 12-7-2.1-58,
 33 that is exempt from licensing requirements and is
 34 registered or required to be registered under
 35 IC 12-17.2-6;
 36 (C) a home, center, or facility of a child care provider, as
 37 defined in IC 12-7-2.1-267(5);
 38 (D) a home, center, or facility that is the location of a
 39 program that provides child care, as defined in section
 40 38 of this chapter, to serve migrant children and that is
 41 exempt from licensing under IC 12-17.2-2-8(6), whether
 42 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**

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- 1 **individual:**
 2 (1) who is needy;
 3 (2) who is not a public ward;
 4 (3) who is less than eighteen (18) years of age;
 5 (4) who has been deprived of parental support or care
 6 because of a parent's:
 7 (A) death;
 8 (B) continued absence from the home; or
 9 (C) physical or mental incapacity;
 10 (5) whose relatives liable for the individual's support are not
 11 able to provide adequate care or support for the individual
 12 without public assistance; and
 13 (6) who is in need of foster care, under circumstances that do
 14 not require the individual to be made a public ward.

15 **Sec. 79. "Detention tool" means a validated instrument that**
 16 **assesses a child's risk for rearrest in order to inform a decision on**
 17 **the use of secure detention.**

18 **Sec. 80. "Diagnostic assessment" means a clinical evaluation**
 19 **provided by a certified professional in order to gather information**
 20 **to determine appropriate behavioral health treatment for a child.**

21 **Sec. 81. "Direct request", for purposes of the Uniform**
 22 **Interstate Family Support Act under IC 31-18.5, has the meaning**
 23 **set forth in IC 31-18.5-7-1.**

24 **Sec. 82. "Director", for purposes of IC 31-25-1, IC 31-25-2,**
 25 **IC 31-33, IC 31-34, and IC 31-37, refers to the director of the**
 26 **department of child services.**

27 **Sec. 83. "Dissolution decree", for purposes of IC 31-15,**
 28 **IC 31-16, and IC 31-17, means a judicial decree entered in a**
 29 **proceeding for the dissolution of marriage which:**

- 30 (1) has the effect of terminating the marriage and restoring
 31 the parties to the state of unmarried persons; and
 32 (2) may include those matters set forth in IC 31-15-2-16.

33 **Sec. 84. "Domestic or family violence" means, except for an**
 34 **act of self-defense, the occurrence of one (1) or more of the**
 35 **following acts committed by a family or household member:**

36 (1) Attempting to cause, threatening to cause, or causing
 37 physical harm to another family or household member
 38 without legal justification.

39 (2) Placing a family or household member in fear of physical
 40 harm without legal justification.

41 (3) Causing a family or household member to involuntarily
 42 engage in sexual activity by force, threat of force, or duress.

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1 (4) Abusing (as described in IC 35-46-3-0.5), torturing (as
2 described in IC 35-46-3-0.5), mutilating (as described in
3 IC 35-46-3-0.5), or killing a vertebrate animal without
4 justification with the intent to threaten, intimidate, coerce,
5 harass, or terrorize a family or household member.

6 For purposes of IC 22-4-15-1 and IC 34-26-5, domestic or family
7 violence also includes stalking (as defined in IC 35-45-10-1) or a sex
8 offense under IC 35-42-4, whether or not the stalking or sex offense
9 is committed by a family or household member.

10 Sec. 85. "Drug or alcohol screen test" means a test used to
11 determine the presence or use of alcohol, a controlled substance, or
12 a drug in a person's bodily substance.

13 Sec. 86. "Duty of support", 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. 87. "Early intervention advocate", for purposes of
17 IC 31-32-3, means a volunteer or staff member of a preventative
18 program who is appointed by the court as an officer of the court to
19 assist, represent, and protect the interests of at-risk children.

20 Sec. 88. "Emergency medical services provider" has the
21 meaning set forth in IC 16-41-10-1.

22 Sec. 89. "Emergency shelter", for purposes of IC 31-27, means
23 a short term place of residence, other than a private secure facility,
24 that:

25 (1) is not locked to prevent a child's departure unless the
26 administrator determines that locking is necessary to protect
27 the child's health; and

28 (2) provides twenty-four (24) hours a day temporary care for
29 not more than sixty (60) consecutive days to a child who is
30 admitted on an emergency basis.

31 Sec. 90. "Evaluator", for purposes of IC 31-32-2 and
32 IC 31-37-8-4.5, means a person responsible for providing mental
33 health screening, evaluation, or treatment to a child in connection
34 with a juvenile proceeding or probation proceeding under this title.

35 Sec. 91. "Executive authority", for purposes of IC 31-37-23,
36 has the meaning set forth in IC 31-37-23-6.

37 Sec. 92. (a) "Exigent circumstances", as applied to an action
38 by the department with regard to a child, means that:

39 (1) the department has definite and articulable evidence
40 giving rise to a reasonable suspicion that the child or a child
41 residing in the home with the child:

42 (A) has been or is in imminent danger of being

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- 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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1 (E) in a capacity with respect to the other person similar
 2 to those listed in clauses (A) through (D); or
 3 (7) has a child in common with the other person.

4 (b) An individual is a "family or household member" of both
 5 persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5),
 6 (a)(6), or (a)(7) applies if the individual is a minor child of one (1)
 7 of the persons.

8 Sec. 94. "Family preservation services", for purposes of
 9 IC 31-26-5 and IC 31-26-6, means short term, highly intensive
 10 services designed to protect, treat, and support the following:

11 (1) A family with a child at risk of placement by enabling the
 12 family to remain intact and care for the child at home.

13 (2) A family that adopts or plans to adopt an abused or
 14 neglected child who is at risk of placement or adoption
 15 disruption by assisting the family to achieve or maintain a
 16 stable, successful adoption of the child.

17 Sec. 95. "Family services", for purposes of the juvenile law,
 18 means services provided to:

19 (1) prevent a child from being removed from a parent,
 20 guardian, or custodian;

21 (2) reunite the child with a parent, guardian, or custodian; or

22 (3) implement a permanent plan of adoption, guardianship,
 23 or emancipation of a child.

24 Sec. 96. "Fentanyl containing substance", for purposes of the
 25 juvenile law, has the meaning set forth in IC 35-31.5-2-130.6.

26 Sec. 97. "Fentanyl related substance", for purposes of the
 27 juvenile law, has the meaning set forth in IC 35-31.5-2-130.5.

28 Sec. 98. "Final agency action" means, with respect to an
 29 administrative action taken by the department, the issuance of an
 30 order by the ultimate authority of the department that:

31 (1) disposes of all issues for all parties to an administrative
 32 proceeding regarding the action after the parties to the
 33 administrative proceeding have exhausted all administrative
 34 remedies concerning the action; and

35 (2) is designated as a final order by the ultimate authority of
 36 the department.

37 Sec. 99. "Final separation", for purposes of IC 31-15-7, means
 38 the date of filing of the petition for dissolution of marriage under
 39 IC 31-15-2-4 (or IC 31-1-11.5-3 before its repeal). However, if:

40 (1) a legal separation proceeding involving the parties was
 41 pending when the petition for dissolution of marriage under
 42 IC 31-15-2-4 (or IC 31-1-11.5-3 before its repeal) was filed;

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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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1 or the child's estate, or both.

2 Sec. 117. (a) "Guardian ad litem", for purposes of IC 31-15-6,
3 IC 31-19-16, IC 31-19-16.5, IC 31-28-5, IC 31-32-3-10.5, and the
4 juvenile law, means an attorney, a volunteer, or an employee of a
5 county program designated under IC 33-24-6-4 who is appointed
6 by a court to:

- 7 (1) represent and protect the best interests of a child; and
8 (2) provide the child with services requested by the court,
9 including:

- 10 (A) researching;
11 (B) examining;
12 (C) advocating;
13 (D) facilitating; and
14 (E) monitoring;

15 the child's situation.

16 A guardian ad litem who is not an attorney must complete the same
17 court approved training program that is required for a court
18 appointed special advocate under section 67 of this chapter.

19 (b) "Guardian ad litem", for purposes of IC 31-32-3-10.5,
20 IC 31-33, IC 31-34, IC 31-35, and IC 31-37, means an attorney, a
21 volunteer, or an employee of a county program designated under
22 IC 33-24-6-4 who:

- 23 (1) is appointed by a court to represent and protect the best
24 interests of a child;
25 (2) is appointed by a court to provide the child with services
26 requested by the court, including:

- 27 (A) researching;
28 (B) examining;
29 (C) advocating;
30 (D) facilitating; and
31 (E) monitoring;

32 the child's situation; and

- 33 (3) has completed training appropriate for the person's role,
34 including training in:

- 35 (A) the identification and treatment of child abuse and
36 neglect; and
37 (B) early childhood, child, and adolescent development;

38 as required by 42 U.S.C. 5106a(b)(2)(B)(xiii).

39 A guardian ad litem who is not an attorney must complete the same
40 court approved training program that is required for a court
41 appointed special advocate under section 67 of this chapter.

42 Sec. 118. "Hard to place child" or "hard to place children",

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1 for purposes of IC 31-19 and IC 31-34, means a child who is or
2 children who are disadvantaged:

3 (1) because of:

4 (A) ethnic background;

5 (B) race;

6 (C) color;

7 (D) language;

8 (E) physical, mental, or medical disability; or

9 (F) age; or

10 (2) because the child or children are members of a sibling
11 group that should be placed in the same home.

12 Sec. 119. "Health care", for purposes of IC 31-42, has the
13 meaning set forth in IC 16-36-1-1.

14 Sec. 120. "Health care provider", for purposes of IC 31-32-6-4,
15 IC 31-32-11-1, and IC 31-33, means any of the following:

16 (1) A licensed physician, intern, or resident.

17 (2) An osteopath.

18 (3) A chiropractor.

19 (4) A dentist.

20 (5) A podiatrist.

21 (6) A registered nurse or other licensed nurse.

22 (7) A mental health professional.

23 (8) A paramedic or an emergency medical technician.

24 (9) A social worker, an x-ray technician, or a laboratory
25 technician employed by a hospital.

26 (10) A pharmacist.

27 (11) A person working under the direction of any of the
28 practitioners listed in subdivisions (1) through (10).

29 Sec. 121. (a) "Home state", for purposes of the Uniform Child
30 Custody Jurisdiction Act under IC 31-21, has the meaning set forth
31 in IC 31-21-2-8.

32 (b) "Home state", for purposes of the Uniform Interstate
33 Family Support Act under IC 31-18.5, has the meaning set forth in
34 IC 31-18.5-1-2.

35 Sec. 122. "Identifying information", for purposes of
36 IC 31-19-9-6 and IC 31-19-17 through IC 31-19-25.5, means:

37 (1) any name that a party to an adoption has used or is using;

38 (2) any address that a party to an adoption has used or is
39 using;

40 (3) the original certificates of birth stored with the Indiana
41 department of health with evidence of adoption under

42 IC 31-19-13-2; and

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1 (4) any other information, except the medical history, that
 2 may identify a person as a party to an adoption or as a birth
 3 parent, an adoptee, or an adoptive parent.

4 Sec. 123. "Incapacitated person", for purposes of
 5 IC 31-11-10-1, IC 31-15-2-5, and IC 31-15-3-4, has the meaning set
 6 forth in IC 29-3-1-7.5.

7 Sec. 124. "Incarceration", for purposes of IC 31-16 and
 8 IC 31-25-4, means confinement of an individual on a full-time basis
 9 in a place of detention that prohibits the individual from gainful
 10 employment, including home detention or a municipal, county,
 11 state, or federal prison or jail. The term does not include an
 12 individual on parole, probation, work release, community
 13 corrections, or any other detention alternative program that allows
 14 the individual to be gainfully employed.

15 Sec. 125. "Includes" means includes but is not limited to.

16 Sec. 126. (a) "Income", for purposes of IC 31-16-15 and
 17 IC 31-16-16, means anything of value owed to an obligor.

18 (b) "Income", for purposes of the Uniform Interstate Family
 19 Support Act under IC 31-18.5, means earnings or other periodic
 20 entitlements to money from any source, and any other property
 21 subject to withholding for support under Indiana law (as defined
 22 in IC 31-18.5-1-2).

23 Sec. 127. (a) "Income payor", for purposes of IC 31-16-15 and
 24 IC 31-16-16, means an employer or other person who owes income
 25 to an obligor (as defined in section 170(a) of this chapter).

26 (b) "Income payor", for purposes of the Uniform Interstate
 27 Family Support Act under IC 31-18.5, means an employer or other
 28 person who owes income to an obligor (as defined in
 29 IC 31-18.5-1-2).

30 Sec. 128. (a) "Income withholding order", for purposes of
 31 IC 31-16-15 and IC 31-16-16, means an order or other legal
 32 process directed to an obligor's income payor to withhold:

- 33 (1) support; and
 34 (2) support fees and maintenance fees as described in
 35 IC 33-37-5-6;

36 from the income of the obligor.

37 (b) "Income withholding order", for purposes of the Uniform
 38 Interstate Family Support Act under IC 31-18.5, has the meaning
 39 set forth in IC 31-18.5-1-2.

40 Sec. 129. "Index", for purposes of IC 31-33-26, means the child
 41 protection index established under IC 31-33-26-2.

42 Sec. 130. "Indian child" has the same meaning as the term is

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1 defined in the Indian Child Welfare Act (25 U.S.C. 1901 et seq.).

2 Sec. 131. "Initial determination", for purposes of the Uniform
3 Child Custody Jurisdiction Act under IC 31-21, has the meaning
4 set forth in IC 31-21-2-9.

5 Sec. 132. "Initiating tribunal", for purposes of the Uniform
6 Interstate Family Support Act under IC 31-18.5, has the meaning
7 set forth in IC 31-18.5-1-2.

8 Sec. 133. "Intake officer", for purposes of the juvenile law,
9 means a probation officer or a caseworker who performs the
10 intake, preliminary inquiry, or other functions specified by the
11 juvenile court or by the juvenile law.

12 Sec. 134. "Intended biological parent", for purposes of sections
13 240 and 241 of this chapter, means a party to a surrogate
14 agreement who:

15 (1) agrees to be or is genetically related to a child borne by a
16 surrogate; and

17 (2) is not the surrogate's spouse.

18 Sec. 135. "Interested person", for purposes of IC 31-19-20 and
19 IC 31-19-24, means any of the following:

20 (1) An adoptee.

21 (2) A birth parent.

22 (3) An adoptive parent.

23 (4) A relative of a birth parent.

24 (5) A relative of an adoptive parent.

25 (6) A relative of an adoptee.

26 (7) A pre-adoptive sibling (as defined in section 182 of this
27 chapter).

28 (8) The department.

29 (9) An adoption agency.

30 (10) A court.

31 Sec. 136. "Issuing court", for purposes of the Uniform Child
32 Custody Jurisdiction Act under IC 31-21, has the meaning set forth
33 in IC 31-21-2-10.

34 Sec. 137. "Issuing foreign country", for purposes of the
35 Uniform Interstate Family Support Act under IC 31-18.5, has the
36 meaning set forth in IC 31-18.5-1-2.

37 Sec. 138. (a) "Issuing state", for purposes of the Uniform
38 Interstate Family Support Act under IC 31-18.5, has the meaning
39 set forth in IC 31-18.5-1-2.

40 (b) "Issuing state", for purposes of the Uniform Child Custody
41 Jurisdiction Act under IC 31-21, has the meaning set forth in
42 IC 31-21-2-11.

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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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- 1 order for purposes of placement in a child in need of services
2 case or juvenile delinquency case; and
3 (2) licensed as a foster parent under IC 31-27-4.
- 4 Sec. 153. "Licensee", for purposes of IC 31-27, means a person
5 who holds a valid license issued under IC 31-27.
- 6 Sec. 154. "Lifetime sex or violent offender" has the meaning
7 set forth in IC 34-28-2-1.5.
- 8 Sec. 155. "Local law enforcement authority" has the meaning
9 set forth in IC 11-8-8-2.
- 10 Sec. 156. "Local office", for purposes of this title, refers to a
11 local office established by the department to serve a county or a
12 region.
- 13 Sec. 157. "Long term foster parent", for purposes of
14 IC 31-32-2.5 and IC 31-34-21, means a foster parent who has
15 provided care and supervision for a child:
16 (1) for at least the twelve (12) most recent months;
17 (2) for at least fifteen (15) months of the most recent
18 twenty-two (22) months; or
19 (3) if the child is less than twelve (12) months of age, for at
20 least six (6) months.
- 21 Sec. 158. "Maternal or paternal grandparent", for purposes
22 of IC 31-17-5, includes:
23 (1) the adoptive parent of the child's parent;
24 (2) the parent of the child's adoptive parent; and
25 (3) the parent of the child's parent.
- 26 Sec. 159. "Medical history", for purposes of IC 31-19-18
27 through IC 31-19-20, means:
28 (1) a comprehensive report required by IC 31-19-2-7; and
29 (2) any voluntary medical information transmitted to the
30 state registrar under IC 31-19-18-3.
- 31 Sec. 160. "Medical information", for purposes of IC 31-19-18,
32 IC 31-19-20, and IC 31-19-24, means any information that may
33 affect the medical history of an adoptee.
- 34 Sec. 161. "Modification", for purposes of the Uniform Child
35 Custody Jurisdiction Act under IC 31-21, has the meaning set forth
36 in IC 31-21-2-12.
- 37 Sec. 162. "Monitor", for purposes of IC 31-27, means
38 observation to determine the licensee's continuing compliance with
39 IC 31-27.
- 40 Sec. 163. "Neglected child" or "dependent child", for purposes
41 of IC 31-37-23, has the meaning set forth in IC 31-37-23-5.
- 42 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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- 1 (16) A felony sex offense under IC 35-42-4.
 2 (17) Arson (IC 35-43-1-1) within the past five (5) years.
 3 (18) Incest (IC 35-46-1-3).
 4 (19) Neglect of a dependent (IC 35-46-1-4(a) and
 5 IC 35-46-1-4(b)).
 6 (20) Child selling (IC 35-46-1-4(d)).
 7 (21) Reckless supervision (IC 35-46-1-4.1).
 8 (22) Nonsupport of a dependent child (IC 35-46-1-5) within
 9 the past five (5) years.
 10 (23) Operating a motorboat while intoxicated
 11 (IC 35-46-9-6) within the past five (5) years.
 12 (24) A felony involving a weapon under IC 35-47 within the
 13 past five (5) years.
 14 (25) A felony relating to controlled substances under
 15 IC 35-48-4 within the past five (5) years.
 16 (26) An offense relating to material or a performance that is
 17 harmful to minors or obscene under IC 35-49-3.
 18 (27) A felony under IC 9-30-5 within the past five (5) years.
 19 (28) A felony related to the health or safety of a child (as
 20 defined in section 32(h) of this chapter) or an endangered
 21 adult (as defined in IC 12-10-3-2).
 22 Sec. 169. (a) "Obligee", for purposes of IC 31-16-15 and
 23 IC 31-16-16, means a person who is entitled to receive a payment
 24 under a support order.
 25 (b) "Obligee", for purposes of the Uniform Interstate Family
 26 Support Act under IC 31-18.5, has the meaning set forth in
 27 IC 31-18.5-1-2.
 28 Sec. 170. (a) "Obligor", for purposes of IC 31-16-15 and
 29 IC 31-16-16, means an individual who has been ordered by a court
 30 to pay child support.
 31 (b) "Obligor", for purposes of the Uniform Interstate Family
 32 Support Act under IC 31-18.5, has the meaning set forth in
 33 IC 31-18.5-1-2.
 34 (c) "Obligor", for purposes of IC 31-25-4, has the meaning set
 35 forth in IC 31-25-4-4.
 36 Sec. 171. "Office of administrative law proceedings" means
 37 the office of administrative law proceedings established by
 38 IC 4-15-10.5-7.
 39 Sec. 172. "Omission", for purposes of IC 31-34-1-2, means an
 40 occurrence in which the parent, guardian, or custodian allowed the
 41 child of the parent, guardian, or custodian to receive an injury that
 42 the parent, guardian, or custodian had a reasonable opportunity to

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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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- 1 or IC 31-31-9 (or IC 31-6-9-5 or IC 31-6-9.5 before their
2 repeal).
- 3 (2) A facility operated by the department of correction.
- 4 (3) A county jail.
- 5 (4) A detention center operated by a county sheriff.
- 6 Sec. 187. "Probation or parole", for purposes of the Interstate
7 Compact on Juveniles under IC 31-37-23-1, has the meaning set
8 forth in IC 31-37-23-1.
- 9 Sec. 188. "Professional health care provider", for purposes of
10 IC 31-19-25, has the meaning set forth in IC 34-6-2.1-165.
- 11 Sec. 189. "Project", for purposes of IC 31-26-4, has the
12 meaning set forth in IC 31-26-4-4.
- 13 Sec. 190. (a) "Property", for purposes of the Uniform
14 Premarital Agreement Act under IC 31-11-3, has the meaning set
15 forth in IC 31-11-3-3.
- 16 (b) "Property", for purposes of IC 31-15, IC 31-16, and
17 IC 31-17, means all the assets of either party or both parties,
18 including:
- 19 (1) a present right to withdraw pension or retirement
20 benefits;
- 21 (2) the right to receive pension or retirement benefits that
22 are not forfeited upon termination of employment or that are
23 vested (as defined in Section 411 of the Internal Revenue
24 Code) but that are payable after the dissolution of marriage;
25 and
- 26 (3) the right to receive disposable retired or retainer pay (as
27 defined in 10 U.S.C. 1408(a)) acquired during the marriage
28 that is or may be payable after the dissolution of marriage.
- 29 Sec. 191. "Prosecuting attorney", for purposes of the juvenile
30 law, means the prosecuting attorney or the prosecuting attorney's
31 deputy.
- 32 Sec. 192. "Prospective adoptive parent", for purposes of
33 IC 31-19-2-15, means a person who has filed a petition for adoption
34 of a child under IC 31-19-2-2.
- 35 Sec. 193. (a) "Provider", for purposes of IC 31-28-2 and
36 IC 31-28-3, means an individual, a partnership, a corporation, or
37 a governmental entity that is enrolled in the Medicaid program
38 under rules adopted under IC 4-22-2 by the office of Medicaid
39 policy and planning.
- 40 (b) "Provider", for purposes of IC 31-28-1, has the meaning
41 set forth in IC 31-28-1-2.
- 42 (c) "Provider", for purposes of IC 31-27, means a person who

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1 operates a child caring institution, foster family home, group home,
2 or child placing agency under IC 31-27.

3 Sec. 194. "Public welfare", for purposes of IC 31-25-3 and
4 IC 31-25-4, means any form of public welfare or Social Security
5 provided in IC 31-25-3 or IC 31-25-4. The term does not include
6 direct township assistance as administered by township trustees
7 under IC 12-20.

8 Sec. 195. "Putative father", for purposes of IC 31-19 and
9 IC 31-35-1, means a male of any age who is alleged to be or claims
10 that he may be a child's father but who:

11 (1) is not presumed to be the child's father under
12 IC 31-14-7-1(1) or IC 31-14-7-1(2); and

13 (2) has not established paternity of the child:

14 (A) in a court proceeding; or

15 (B) by executing a paternity affidavit under
16 IC 16-37-2-2.1;

17 before the filing of an adoption petition.

18 Sec. 196. "Qualified medical practitioner", for purposes of this
19 chapter, means the following:

20 (1) A physician licensed under IC 25-22.5.

21 (2) A physician assistant licensed under IC 25-27.5.

22 (3) A physical therapist licensed under IC 25-27.

23 (4) An advanced practice registered nurse licensed under
24 IC 25-23.

25 (5) A chiropractor licensed under IC 25-10.

26 (6) A psychologist licensed under IC 25-33.

27 Sec. 197. "Reason to believe", for purposes of IC 31-33, means
28 evidence that, if presented to individuals of similar background
29 and training, would cause the individuals to believe that a child was
30 abused or neglected.

31 Sec. 198. "Reasonable and prudent parent standard", for
32 purposes of IC 31-27, IC 31-34, and IC 31-37, means the standard
33 characterized by careful and sensible parental decisions that
34 maintain the health, safety, and best interests of a child.

35 Sec. 199. "Receiving state", for purposes of the Interstate
36 Compact on Juveniles under IC 31-37-23-1, has the meaning set
37 forth in IC 31-37-23-1.

38 Sec. 200. "Recipient", for purposes of IC 31-25-3 and
39 IC 31-25-4, means a person who has received or is receiving
40 assistance for the person or another person.

41 Sec. 201. (a) "Record", for purposes of the Uniform Interstate
42 Family Support Act under IC 31-18.5, has the meaning set forth in

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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,

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- 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.

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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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1 determination regarding the status of the report whenever facts
 2 obtained during an assessment of the report provide a
 3 preponderance of evidence that child abuse or neglect has
 4 occurred.

5 Sec. 236. "Successful adulthood services", for purposes of
 6 IC 31-25 and IC 31-28, means services for youth that are designed
 7 to assist youth who will age out of foster care with the skills and
 8 abilities necessary or desirable to be self-reliant, including housing
 9 and educational support, career exploration, vocational training,
 10 job placement and support, daily living skills, budgeting and
 11 financial management skills, substance abuse prevention,
 12 preventative health activities, and counseling.

13 Sec. 237. "Supervised independent living arrangement", for
 14 purposes of IC 31-28-5.8 and IC 31-34-21-7.5, means a living
 15 arrangement that provides housing for a youth that is not
 16 supervised on site, such as a dormitory, an apartment, or shared
 17 housing, and is not a foster home, host home, group home, child
 18 caring institution, or private secure facility.

19 Sec. 238. "Support enforcement agency", 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. 239. (a) "Support order", for purposes of IC 31-16-15 and
 23 IC 31-16-16, means any judgment, decree, or order of child
 24 support, including medical support, issued by a court, in Indiana
 25 or another state, that has jurisdiction over the support order. The
 26 term includes orders issued under IC 31-14 through IC 31-17.

27 (b) "Support order", for purposes of the Uniform Interstate
 28 Family Support Act under IC 31-18.5, has the meaning set forth in
 29 IC 31-18.5-1-2.

30 Sec. 240. "Surrogate", for purposes of IC 31-20, means a party
 31 to a surrogate agreement who agrees to bear or bears a child that
 32 is genetically related to:

- 33 (1) the party who agrees to bear or bears the child and an
 34 intended biological parent;
 35 (2) an intended biological parent and a gamete donor who is
 36 not:
 37 (A) an intended biological parent; and
 38 (B) the spouse of the party who agrees to bear or bears
 39 the child; or
 40 (3) two (2) intended biological parents of the child.

41 Sec. 241. "Surrogate agreement", for purposes of IC 31-20,
 42 means an agreement that is entered into before the birth of a child

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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;
 regardless of whether the child needs care, treatment,
30 rehabilitation, or the coercive intervention of a court; or
- 31 (2) an individual who:
 - 32 (A) is at least eighteen (18) years of age but less than
33 twenty-one (21) years of age;
 - 34 (B) resides, or has previously resided, at a residential
35 facility licensed by the department; and
 - 36 (C) is harmed or threatened with harm as a result of:
 - 37 (i) a battery offense included in IC 35-42-2; or
 - 38 (ii) sexual activity (as defined in IC 35-42-4-13(b));
 - 39 committed by a member of the staff at the residential
40 facility.

41 (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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- 1 process directed to an obligor's income payor (as defined in
 2 ~~IC 31-9-2-57~~ IC 31-9-2.1-127) or other debtor to withhold
 3 support from the income of the obligor.
 4 (11) "Initiating tribunal" means the tribunal of a state or foreign
 5 country from which a petition or comparable pleading is
 6 forwarded or in which a petition or comparable pleading is filed
 7 for forwarding to another state or foreign country.
 8 (12) "Issuing foreign country" means the foreign country in
 9 which a tribunal issues a support order or a judgment
 10 determining parentage of a child.
 11 (13) "Issuing state" means the state in which a tribunal issues a
 12 support order or a judgment determining parentage of a child.
 13 (14) "Issuing tribunal" means the tribunal of a state or foreign
 14 country that issues a support order or a judgment determining
 15 parentage of a child.
 16 (15) "Law" includes decisional and statutory law and rules and
 17 regulations having the force of law.
 18 (16) "Obligee" means:
 19 (A) an individual to whom a duty of support is or is alleged
 20 to be owed or in whose favor:
 21 (i) a support order; or
 22 (ii) a judgment determining parentage of a child;
 23 has been issued;
 24 (B) a foreign country, state, or political subdivision of a
 25 state to which the rights under a duty of support or support
 26 order have been assigned or which has independent claims
 27 based on financial assistance provided to an individual
 28 obligee in place of child support;
 29 (C) an individual seeking a judgment determining parentage
 30 of the individual's child; or
 31 (D) a person that is a creditor in a proceeding under
 32 IC 31-18.5-7.
 33 (17) "Obligor" means an individual or the estate of a decedent
 34 that:
 35 (A) owes or is alleged to owe a duty of support;
 36 (B) is alleged but has not been adjudicated to be a parent of
 37 a child;
 38 (C) is liable under a support order; or
 39 (D) is a debtor in a proceeding under IC 31-18.5-7.
 40 (18) "Outside this state" means a location in another state or a
 41 country other than the United States, whether or not the country
 42 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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1 provides the licensed child placing agency or the local office with the
2 results of a criminal history check conducted:

- 3 (1) in accordance with ~~IC 31-9-2-22.5~~, IC 31-9-2.1-58; and
- 4 (2) not more than one (1) year before the date on which the
- 5 licensed child placing agency or the local office provides written
- 6 approval for the placement.

7 SECTION 170. IC 31-19-11-1, AS AMENDED BY P.L.56-2023,
8 SECTION 282, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Whenever the court has heard
10 the evidence and finds that:

- 11 (1) the adoption requested is in the best interest of the child;
- 12 (2) the petitioner or petitioners for adoption are of sufficient
- 13 ability to rear the child and furnish suitable support and
- 14 education;
- 15 (3) the report of the investigation and recommendation under
- 16 IC 31-19-8-5 has been filed;
- 17 (4) the attorney or agency arranging an adoption has filed with
- 18 the court an affidavit prepared by the Indiana department of
- 19 health under IC 31-19-5-16 indicating whether a man is entitled
- 20 to notice of the adoption because the man has registered with the
- 21 putative father registry in accordance with IC 31-19-5;
- 22 (5) proper notice arising under subdivision (4), if notice is
- 23 necessary, of the adoption has been given;
- 24 (6) the attorney or agency has filed with the court an affidavit
- 25 prepared by the Indiana department of health under:
 - 26 (A) IC 31-19-6 indicating whether a record of a paternity
 - 27 determination; or
 - 28 (B) IC 16-37-2-2(g) indicating whether a paternity affidavit
 - 29 executed under IC 16-37-2-2.1;
- 30 has been filed in relation to the child;
- 31 (7) proper consent, if consent is necessary, to the adoption has
- 32 been given;
- 33 (8) the petitioner for adoption is not prohibited from adopting the
- 34 child as the result of an inappropriate criminal history described
- 35 in subsection (c) or (d); and
- 36 (9) the person, licensed child placing agency, or local office that
- 37 has placed the child for adoption has provided the documents
- 38 and other information required under IC 31-19-17 to the
- 39 prospective adoptive parents;

40 the court shall grant the petition for adoption and enter an adoption
41 decree.

- 42 (b) A court may not grant an adoption unless the Indiana

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1 department of health's affidavit under IC 31-19-5-16 is filed with the
2 court as provided under subsection (a)(4).

3 (c) A juvenile adjudication for an act listed in ~~IC 31-9-2-84.8~~
4 IC 31-9-2.1-168 that would be a felony if committed by an adult, a
5 conviction of a misdemeanor related to the health and safety of a child,
6 or a conviction of a felony not listed in ~~IC 31-9-2-84.8~~
7 IC 31-9-2.1-168 by a petitioner for adoption or household member is
8 a permissible basis for the court to deny the petition for adoption. In
9 addition, the court may not grant an adoption if a petitioner for
10 adoption has been convicted of a nonwaivable offense under
11 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. However, the court is not prohibited
12 from granting an adoption based upon a felony conviction for:

- 13 (1) a felony under IC 9-30-5;
- 14 (2) battery (IC []35-42-2-1);
- 15 (3) criminal recklessness (IC []35-42-2-2) as a felony;
- 16 (4) criminal confinement (IC []35-42-3-3);
- 17 (5) arson (IC []35-43-1-1);
- 18 (6) nonsupport of a dependent child (IC []35-46-1-5);
- 19 (7) operating a motorboat while intoxicated (IC []35-46-9-6) as
20 a felony;
- 21 (8) a felony involving a weapon under IC 35-47; or
- 22 (9) a felony relating to controlled substances under IC 35-48-4;

23 if the date of the conviction did not occur within the immediately
24 preceding five (5) year period.

25 (d) A court may not grant an adoption if the petitioner is a sex or
26 violent offender (as defined in IC 11-8-8-5) or a sexually violent
27 predator (as defined in IC 35-38-1-7.5).

28 (e) In addition to this section, section 1.1 of this chapter applies
29 when one (1) or more petitioners is a person with a disability.

30 SECTION 171. IC 31-25-2-23, AS AMENDED BY P.L.123-2014,
31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]: Sec. 23. (a) The department shall establish a
33 permanency roundtable (as defined in ~~IC 31-9-2-88.7~~:
34 IC 31-9-2.1-176). The permanency roundtable shall review:

- 35 (1) a child's permanency plan under IC 31-34-21-5.7 if the child
36 is placed in a child caring institution, group home, or private
37 secure facility; and
- 38 (2) a child's permanency plan under IC 31-37-20-3 if the child is
39 placed in a child caring institution, group home, or private
40 secure facility;

41 and make recommendations to the court.

- 42 (b) The department shall establish a residential placement

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1 committee (as defined in ~~IC 31-9-2-109.5~~; IC 31-9-2.1-212). The
2 residential placement committee shall, before a case plan is approved
3 by the local office or court, review:

- 4 (1) a child's placement in a child caring institution, group home,
5 or private secure facility under IC 31-34-15-2; and
- 6 (2) a child's placement in a child caring institution, group home,
7 or private secure facility under IC 31-37-19-1.5 if the placement
8 is contrary to the department's recommendation under
9 IC 31-37-17-1.4;

10 and make recommendations to the court.

11 SECTION 172. IC 31-26-5-3, AS AMENDED BY P.L.186-2025,
12 SECTION 158, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Family preservation services
14 may provide:

- 15 (1) comprehensive, coordinated, flexible, and accessible
16 services;
- 17 (2) intervention as early as possible with emphasis on
18 establishing a safe and nurturing environment;
- 19 (3) services to families who have members placed in care
20 settings outside the nuclear family; and
- 21 (4) planning options for temporary placement outside the family
22 if it would endanger the child to remain in the home.

23 (b) Unless authorized by a juvenile court, family preservation
24 services may not include a temporary out-of-home placement if a
25 person who is currently residing in the location designated as the
26 out-of-home placement has committed an act resulting in a
27 substantiated report of child abuse or neglect or has a juvenile
28 adjudication or a conviction for a nonwaivable offense, as defined in
29 ~~IC 31-9-2-84.8~~; IC 31-9-2.1-168.

30 (c) Before placing a child at imminent risk of placement in a
31 temporary out-of-home placement, the department shall conduct a
32 criminal history check (as defined in ~~IC 31-9-2-22.5~~; IC 31-9-2.1-58)
33 for each person described in subsection (b). However, the department
34 is not required to conduct a criminal history check under this section
35 if the temporary out-of-home placement is made to an entity or facility
36 that is not a residence (as defined in IC 3-5-2.1-90) or that is licensed
37 by the state.

38 SECTION 173. IC 31-27-2-1, AS AMENDED BY P.L.128-2012,
39 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 1. The department shall perform the following
41 duties:

- 42 (1) Administer the licensing and monitoring of child caring

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- 1 institutions, foster family homes, group homes, and child placing
- 2 agencies in accordance with this article.
- 3 (2) Ensure that a criminal history check of an applicant is
- 4 conducted under ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58 before issuing
- 5 a license.
- 6 (3) Provide for the issuance, denial, and revocation of licenses.
- 7 (4) Cooperate with governing bodies of child caring institutions,
- 8 foster family homes, group homes, and child placing agencies
- 9 and their staffs to improve standards of child care.
- 10 (5) Prepare at least biannually a directory of licensees, except for
- 11 foster family homes, with a description of the program capacity
- 12 and type of children served that will be distributed to the
- 13 legislature, licensees, and other interested parties as a public
- 14 document.
- 15 (6) Deposit all license application fees collected under section 2
- 16 of this chapter in the department of child services child care fund
- 17 established by IC 31-25-2-16.
- 18 SECTION 174. IC 31-27-2-8, AS AMENDED BY P.L.183-2017,
- 19 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (f), the
- 21 department may grant a variance or waiver of a rule governing child
- 22 caring institutions, foster family homes, group homes, or child placing
- 23 agencies. A variance or waiver granted under this section must promote
- 24 statewide practices and must protect the rights of persons affected by
- 25 this article.
- 26 (b) The department may grant a variance to a rule if an applicant
- 27 for a license or a licensee under this article does the following:
- 28 (1) Submits to the department a written request for the variance
- 29 in the form and manner specified by the department.
- 30 (2) Documents that compliance with an alternative method of
- 31 compliance approved by the department will not be adverse to
- 32 the health, safety, or welfare of a child receiving services from
- 33 the applicant for the variance, as determined by the department.
- 34 (c) A variance granted under subsection (b) must be conditioned
- 35 upon compliance with the alternative method approved by the
- 36 department. Noncompliance constitutes the violation of a rule of the
- 37 department and may be the basis for revoking the variance.
- 38 (d) The department may grant a waiver of a rule if an applicant for
- 39 a license or a licensee under this article does the following:
- 40 (1) Submits to the department a written request for the waiver in
- 41 the form and manner specified by the department.
- 42 (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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1 an employee, volunteer, or contractor before a criminal history check
 2 of the individual is completed as required under subsection (h) if all of
 3 the following conditions are satisfied:

4 (1) The following checks have been completed regarding the
 5 individual:

6 (A) A fingerprint based check of national crime information
 7 data bases under ~~IC 31-9-2-22.5(1)~~, IC 31-9-2.1-58(1).

8 (B) A national sex offender registry check under
 9 ~~IC 31-9-2-22.5(3)~~, IC 31-9-2.1-58(3).

10 (C) An in-state local criminal records check under
 11 ~~IC 31-9-2-22.5(4)~~, IC 31-9-2.1-58(4).

12 (D) An in-state child protection index check under
 13 IC 31-33-26.

14 (2) If the individual has resided outside Indiana at any time
 15 during the five (5) years preceding the individual's date of hiring
 16 by the child caring institution, the following checks have been
 17 requested regarding the individual:

18 (A) An out-of-state child abuse registry check under
 19 ~~IC 31-9-2-22.5(2)~~, IC 31-9-2.1-58(2).

20 (B) An out-of-state local criminal records check under
 21 ~~IC 31-9-2-22.5(4)~~, IC 31-9-2.1-58(4).

22 (3) The individual's employment before the completion of the
 23 criminal history check required under subsection (h) is limited
 24 to training during which the individual:

25 (A) does not have contact with children who are under the
 26 care and control of the child caring institution; and

27 (B) does not have access to records containing information
 28 regarding children who are under the care and control of the
 29 child caring institution.

30 (4) The individual completes an attestation, under penalty of
 31 perjury, disclosing:

32 (A) any abuse or neglect complaints made against the
 33 individual with the child welfare agency of a state other
 34 than Indiana in which the individual resided within the five
 35 (5) years preceding the date of the attestation; and

36 (B) any contact the individual had with a law enforcement
 37 agency in connection with the individual's suspected or
 38 alleged commission of a crime in a state other than Indiana
 39 in which the individual resided within the five (5) years
 40 preceding the date of the attestation.

41 (j) The applicant or facility is responsible for any fees associated
 42 with a criminal history check.

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1 (k) The department shall, at the applicant's request, inform the
 2 applicant whether the department has or does not have a record of the
 3 person who is the subject of a criminal history check and if the
 4 department has identified the person as an alleged perpetrator of abuse
 5 or neglect. The department may not provide to the applicant any details
 6 or personally identifying information contained in any child protective
 7 services investigation report.

8 (l) A person who is the subject of a criminal history check
 9 conducted in accordance with this section may request the state police
 10 department to provide the person with a copy of any state or national
 11 criminal history report concerning the person.

12 SECTION 176. IC 31-27-3-5, AS AMENDED BY P.L.243-2019,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2026]: Sec. 5. (a) The following constitute sufficient grounds
 15 for a denial of a license application:

16 (1) A determination by the department of child abuse or neglect
 17 by:

18 (A) the applicant; or

19 (B) an employee, volunteer, or contractor of the applicant.

20 (2) A criminal conviction of the applicant, or the director or
 21 manager of a facility where children will be placed by the
 22 applicant, of:

23 (A) a felony;

24 (B) a misdemeanor related to the health and safety of a
 25 child;

26 (C) a misdemeanor for operating a child caring institution,
 27 foster family home, group home, or child placing agency
 28 without a license under this article (or IC 12-17.4 before its
 29 repeal); or

30 (D) a misdemeanor for operating a child care center or child
 31 care home without a license under IC 12-17.2.

32 (3) A determination by the department that the applicant made
 33 false statements in the applicant's application for licensure.

34 (4) A determination by the department that the applicant made
 35 false statements in the records required by the department.

36 (5) A determination by the department that:

37 (A) the applicant; or

38 (B) an employee, volunteer, or contractor of the applicant;
 39 previously operated a home or facility without a license required
 40 under any applicable provision of this article (or IC 12-17.4
 41 before its repeal) or IC 12-17.2.

42 (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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- 1 (2) A criminal conviction of the licensee, or the director or
- 2 manager of a facility where children will be placed by the
- 3 licensee, of any of the following:
- 4 (A) A felony.
- 5 (B) A misdemeanor related to the health or safety of a child.
- 6 (C) A misdemeanor for operating a child caring institution,
- 7 foster family home, group home, or child placing agency
- 8 without a license under this article (or IC 12-17.4 before its
- 9 repeal).
- 10 (D) A misdemeanor for operating a child care center or
- 11 child care home without a license under IC 12-17.2.
- 12 (3) A determination by the department that the licensee made
- 13 false statements in the licensee's application for licensure.
- 14 (4) A determination by the department that the licensee made
- 15 false statements in the records required by the department.
- 16 (5) A determination by the department that:
- 17 (A) the licensee; or
- 18 (B) an employee, volunteer, or contractor of the licensee;
- 19 previously operated a home or facility without a license required
- 20 under any applicable provision of this article (or IC 12-17.4
- 21 before its repeal) or IC 12-17.2.
- 22 (6) A juvenile adjudication of a licensee for a nonwaivable
- 23 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
- 24 committed by an adult, would be a felony.
- 25 (b) A license may also be revoked if an employee, volunteer, or
- 26 contractor of the licensee has had any of the following:
- 27 (1) A conviction of a nonwaivable offense, as defined in
- 28 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
- 29 (2) A conviction of any other felony or a misdemeanor relating
- 30 to the health and safety of a child, unless the licensee is granted
- 31 a waiver by the department with regard to the employee,
- 32 volunteer, or contractor.
- 33 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 34 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
- 35 would be a felony, unless the licensee is granted a waiver by the
- 36 department with regard to the employee, volunteer, or contractor.
- 37 (c) In determining whether to grant a waiver under subsection (b),
- 38 the department shall consider the following factors:
- 39 (1) The length of time that has passed since the disqualifying
- 40 conviction.
- 41 (2) The severity, nature, and circumstances of the offense.
- 42 (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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1 subsection (e), the applicant shall maintain records of the information
 2 received concerning each individual subject of a criminal history
 3 check.

4 (g) If the department conducts a criminal history check on behalf
 5 of an applicant under subsection (e), the department shall:

6 (1) make a determination whether the subject of a national
 7 fingerprint based criminal history check has a record of:

8 (A) a conviction for a felony;

9 (B) a conviction for a misdemeanor relating to the health
 10 and safety of a child; or

11 (C) a 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 (e); and

21 (4) maintain a record of every report and all information the
 22 department receives concerning a person described in subsection
 23 (e).

24 (h) Except as provided in subsection (i), a criminal history check
 25 described in subsection (e) is required only at the time an application
 26 for a new license or the renewal of an existing license is submitted.

27 (i) A criminal history check concerning a person described in
 28 subsection (e) must be completed on or before the date the employee
 29 or volunteer has direct contact on a regular and continuing basis with
 30 a child placed in the home or the person first becomes a resident of the
 31 applicant's household as described in subsection (e)(2).

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 whether the department has or does not have a record of the
 36 person who is the subject of a criminal history check and if the
 37 department has identified the person as an alleged perpetrator of abuse
 38 or neglect. The department may not provide to the applicant any details
 39 or personally identifying information contained in any child protective
 40 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 179. IC 31-27-4-6, AS AMENDED BY P.L.45-2023,
4 SECTION 4, 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;

10 (B) an employee or a volunteer of the applicant who has
11 direct contact, on a regular and continuous basis, with
12 children who are under the direct supervision of the
13 applicant; or

14 (C) a person residing in the applicant's residence.

15 (2) A criminal conviction of the applicant of any of the
16 following:

17 (A) a felony;

18 (B) a misdemeanor related to the health and safety of a
19 child;

20 (C) a misdemeanor for operating a child care center or child
21 care home without a license under IC 12-17.2-5; or

22 (D) a misdemeanor for operating a foster family home
23 without a license under this chapter (or IC 12-17.4-4 before
24 its repeal).

25 (3) A determination by the department that the applicant made
26 false statements in the applicant's application for licensure.

27 (4) A determination by the department that the applicant made
28 false statements in the records required by the department.

29 (5) A determination by the department that:

30 (A) the applicant;

31 (B) an employee or a volunteer of the applicant who has
32 direct contact, on a regular and continuous basis, with
33 children who are under the direct supervision of the
34 applicant; or

35 (C) a person residing in the applicant's residence;

36 previously operated a child care center or child care home
37 without a license under IC 12-17.2-5 or a foster family home
38 without a license under this chapter (or IC 12-17.4-4 before its
39 repeal).

40 (6) A juvenile adjudication of the applicant for a nonwaivable
41 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
42 committed by an adult, would be a felony.

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1 (b) An application for a license may also be denied if an individual
2 who resides in the residence of the applicant or an employee or
3 volunteer of the applicant who has direct contact on a regular and
4 continuous basis with children who are under the direct supervision of
5 the applicant has had any of the following:

6 (1) A conviction of a nonwaivable offense, as defined in
7 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

8 (2) A conviction of any other felony or a misdemeanor relating
9 to the health and safety of a child, unless the applicant is granted
10 a waiver by the department to employ or assign the person as a
11 volunteer in a position described in this subsection or to permit
12 the individual to reside in the applicant's residence.

13 (3) A juvenile adjudication for a nonwaivable offense, as defined
14 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
15 would be a felony, unless the applicant is granted a waiver by the
16 department to:

17 (A) employ or assign the person as a volunteer in a position
18 described in this subsection; or

19 (B) permit the individual to reside in the applicant's
20 residence.

21 (c) In determining whether to grant a waiver under subsection (b),
22 the department shall consider the following factors:

23 (1) The length of time that has passed since the disqualifying
24 conviction.

25 (2) The severity, nature, and circumstances of the offense.

26 (3) Evidence of rehabilitation.

27 (4) The duties and qualifications required for the proposed
28 employment positions or volunteer assignment.

29 (5) The nature and extent of unsupervised contact with children
30 residing in the home.

31 (d) Notwithstanding subsection (a) or (b), if:

32 (1) a license application could be denied due to a criminal
33 conviction of, or a determination of child abuse or neglect by, an
34 employee, a volunteer, or a person residing in the residence of
35 the applicant; and

36 (2) the department determines that the employee or volunteer has
37 been dismissed before the employee or volunteer has direct
38 contact on a regular and continuing basis with a child who is or
39 will be placed in a facility operated by the applicant or that the
40 person residing in the residence no longer resides there;

41 the criminal conviction of, or determination of child abuse or neglect
42 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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1 (2) A conviction of any other felony or a misdemeanor relating
 2 to the health and safety of a child, unless the licensee is granted
 3 a waiver by the department to employ or assign the person as a
 4 volunteer in a position described in this subsection or to permit
 5 the individual to reside in the licensee's residence.
 6 (3) A juvenile adjudication for a nonwaivable offense, as defined
 7 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
 8 would be a felony, unless the licensee is granted a waiver by the
 9 department to:
 10 (A) employ or assign the individual as a volunteer in a
 11 position described in this subsection; or
 12 (B) permit the individual to reside in the licensee's
 13 residence.
 14 (c) In determining whether to grant a waiver under subsection (b),
 15 the department shall consider the following factors:
 16 (1) The length of time that has passed since the disqualifying
 17 conviction.
 18 (2) The severity, nature, and circumstances of the offense.
 19 (3) Evidence of rehabilitation.
 20 (4) The duties and qualifications required for the proposed
 21 employment positions or volunteer assignment.
 22 (d) Notwithstanding subsection (b), if:
 23 (1) a license could be revoked due to a criminal conviction of, or
 24 a determination of child abuse or neglect by, an employee or a
 25 volunteer of the licensee or an individual residing in the
 26 residence of the licensee; and
 27 (2) the department determines that the employee or volunteer has
 28 been dismissed by the licensee within a reasonable time after the
 29 licensee became aware of the conviction or that the individual no
 30 longer resides in the licensee's residence;
 31 the criminal conviction of, or determination of child abuse or neglect
 32 by, the former employee, former volunteer, or former household
 33 resident does not constitute a sufficient basis for the revocation of a
 34 license.
 35 (e) The department may adopt rules to implement this section.
 36 SECTION 182. IC 31-27-4-33, AS AMENDED BY P.L.183-2017,
 37 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 33. (a) A licensee shall operate a foster family
 39 home in compliance with the rules established under this article and is
 40 subject to the disciplinary sanctions under subsection (b) if the
 41 department finds that the licensee has violated this article or a rule
 42 adopted under this article.

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1 (b) After complying with the procedural provisions in sections 22
 2 through 24 of this chapter, the department may revoke the license when
 3 the department finds that a licensee has committed a violation under
 4 subsection (a). However, the department shall permanently revoke the
 5 license of a licensee who has been convicted of any of the nonwaivable
 6 offenses, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168. The
 7 department may permanently revoke the license of a person who has
 8 been convicted of a nonwaivable offense that is not described in
 9 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 and for other reasons set forth in rules
 10 adopted by the department.

11 SECTION 183. IC 31-27-5-4, AS AMENDED BY P.L.81-2025,
 12 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 4. (a) An applicant must apply for a group home
 14 license on forms provided by the department.

15 (b) An applicant must submit the required information as part of
 16 the application.

17 (c) An applicant must submit with the application a statement
 18 attesting the following:

- 19 (1) Whether the applicant has been convicted of:
 20 (A) a felony; or
 21 (B) a misdemeanor relating to the health and safety of
 22 children.
 23 (2) Whether the applicant has been charged with:
 24 (A) a felony; or
 25 (B) a misdemeanor relating to the health and safety of
 26 children;
 27 during the pendency of the application.

28 (d) The department on behalf of an applicant, or, at the discretion
 29 of the department, an applicant, shall conduct a criminal history check
 30 of the following:

- 31 (1) Each individual who is an applicant.
 32 (2) The director or manager of a facility where children will be
 33 placed.
 34 (3) Each employee or volunteer of the applicant.
 35 (4) Each contractor or individual working in the group home
 36 who is likely to have unsupervised contact with children in the
 37 group home.

38 (e) If the applicant conducts a criminal history check under
 39 subsection (d), the applicant shall:

- 40 (1) maintain records of the information it receives concerning
 41 each individual who is the subject of a criminal history check;
 42 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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1 volunteer in a position described in this subsection.
 2 (3) A juvenile adjudication for a nonwaivable offense, as defined
 3 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
 4 would be a felony, unless the applicant is granted a waiver by the
 5 department to employ or assign the person as a volunteer in a
 6 position described in this subsection.
 7 (c) In determining whether to grant a waiver under subsection (b),
 8 the department shall consider the following factors:
 9 (1) The length of time that has passed since the disqualifying
 10 conviction.
 11 (2) The severity, nature, and circumstances of the offense.
 12 (3) Evidence of rehabilitation.
 13 (4) The duties and qualifications required for the proposed
 14 employment positions, volunteer assignment, or contract.
 15 (d) Notwithstanding subsection (a) or (b), if:
 16 (1) a license application could be denied due to a criminal
 17 conviction of, or a determination of child abuse or neglect by, an
 18 employee, volunteer, or contractor of the applicant; and
 19 (2) the department determines that the employee, volunteer, or
 20 contractor has been dismissed by the applicant within a
 21 reasonable time after the applicant became aware of the
 22 conviction or determination;
 23 the criminal conviction of, or determination of child abuse or neglect
 24 by, the former employee, former volunteer, or former contractor does
 25 not constitute a sufficient basis for the denial of a license application.
 26 (e) The department may adopt rules to implement this section.
 27 SECTION 185. IC 31-27-5-31, AS AMENDED BY P.L.243-2019,
 28 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2026]: Sec. 31. (a) The following constitute sufficient grounds
 30 for revocation of a license:
 31 (1) A determination by the department of child abuse or neglect
 32 by:
 33 (A) the licensee; or
 34 (B) an employee, volunteer, or contractor of the licensee.
 35 (2) A criminal conviction of the licensee, or the director or
 36 manager of a facility where children will be placed by the
 37 licensee, for any of the following:
 38 (A) A felony.
 39 (B) A misdemeanor related to the health or safety of a child.
 40 (C) A misdemeanor for operating a child caring institution,
 41 foster family home, group home, or child placing agency
 42 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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1 by the child placing agency, the following checks have been
2 requested regarding the individual:

3 (A) An out-of-state child abuse registry check under
4 ~~IC 31-9-2-22.5(2)~~; IC 31-9-2.1-58(2).

5 (B) An out-of-state local criminal records check under
6 ~~IC 31-9-2-22.5(4)~~; IC 31-9-2.1-58(4).

7 (3) The individual's employment before the completion of the
8 criminal history check required under subsection (h) is limited
9 to training during which the individual:

10 (A) does not have contact with children who are under the
11 care and control of the child placing agency; and

12 (B) does not have access to records containing information
13 regarding children who are under the care and control of the
14 child placing agency.

15 (4) The individual completes an attestation, under penalty of
16 perjury, disclosing:

17 (A) any abuse or neglect complaints made against the
18 individual with the child welfare agency of a state other
19 than Indiana in which the individual resided within the five
20 (5) years preceding the date of the attestation; and

21 (B) any contact the individual had with a law enforcement
22 agency in connection with the individual's suspected or
23 alleged commission of a crime in a state other than Indiana
24 in which the individual resided within the five (5) years
25 preceding the date of the attestation.

26 (j) The applicant or facility is responsible for any fees associated
27 with a criminal history check.

28 (k) The department shall, at the applicant's request, inform the
29 applicant whether the department has or does not have a record of the
30 person who is the subject of a criminal history check and if the
31 department has identified the person as an alleged perpetrator of abuse
32 or neglect. The department may not provide to the applicant any details
33 or personally identifying information contained in any child protective
34 investigation report.

35 (l) A person who is the subject of a criminal history check
36 conducted in accordance with this section may request the state police
37 department to provide the person with a copy of any state or national
38 criminal history report concerning the person.

39 SECTION 187. IC 31-27-6-3, AS AMENDED BY P.L.243-2019,
40 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds
42 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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- 1 the department shall consider the following factors:
- 2 (1) The length of time that has passed since the disqualifying
- 3 conviction.
- 4 (2) The severity, nature, and circumstances of the offense.
- 5 (3) Evidence of rehabilitation.
- 6 (4) The duties and qualifications required for the proposed
- 7 employment positions, volunteer assignment, or contract.
- 8 (d) Notwithstanding subsection (a) or (b), if:
- 9 (1) a license application could be denied due to a criminal
- 10 conviction of, or a determination of child abuse or neglect by, an
- 11 employee, volunteer, or contractor of the applicant; and
- 12 (2) the department determines that the employee, volunteer, or
- 13 contractor has been dismissed by the applicant within a
- 14 reasonable time after the applicant became aware of the
- 15 conviction or determination;
- 16 the criminal conviction of, or determination of child abuse or neglect
- 17 by, the former employee, former volunteer, or former contractor does
- 18 not constitute a sufficient basis for the denial of a license application.
- 19 (e) The department may adopt rules to implement this section.
- 20 SECTION 188. IC 31-27-6-15.5, AS AMENDED BY
- 21 P.L.81-2025, SECTION 7, IS AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) A child placing agency
- 23 shall establish minimum qualifications for each classification of
- 24 employee. The standards in subsections (b) through (e) must be used
- 25 as a guide by each child placing agency in establishing minimum
- 26 qualifications for the classifications of an executive, a casework
- 27 supervisor, a caseworker, and a worker in training, and by the
- 28 department in the licensing of each child placing agency.
- 29 (b) An executive must have the following:
- 30 (1) A bachelor's degree.
- 31 (2) At least one (1) of the following:
- 32 (A) Five (5) years of paid experience in a field related to
- 33 social work, at least two (2) years of which were:
- 34 (i) in social work; or
- 35 (ii) in a supervisory or administrative capacity in a
- 36 field related to social work, including working for the
- 37 department.
- 38 (B) A master's degree in social work, counseling, or a
- 39 related human services area and at least two (2) years of
- 40 paid experience:
- 41 (i) in social work; or
- 42 (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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- 1 manager of a facility where children will be placed by the
- 2 licensee, for any of the following:
- 3 (A) A felony.
- 4 (B) A misdemeanor related to the health or safety of a child.
- 5 (C) A misdemeanor for operating a child caring institution,
- 6 foster family home, group home, or child placing agency
- 7 without a license under this article (or IC 12-17.4 before its
- 8 repeal).
- 9 (D) A misdemeanor for operating a child care center or
- 10 child care home without a license under IC 12-17.2.
- 11 (3) A determination by the department that the licensee made
- 12 false statements in the licensee's application for licensure.
- 13 (4) A determination by the department that the licensee made
- 14 false statements in the records required by the department.
- 15 (5) A determination by the department that:
- 16 (A) the licensee; or
- 17 (B) an employee, volunteer, or contractor of the licensee;
- 18 previously operated a home or facility without a license required
- 19 under any applicable provision of this article (or IC 12-17.4
- 20 before its repeal) or IC 12-17.2.
- 21 (6) A juvenile adjudication of a licensee for a nonwaivable
- 22 offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
- 23 committed by an adult, would be a felony.
- 24 (b) A license may also be revoked if an employee, volunteer, or
- 25 contractor of the licensee has had any of the following:
- 26 (1) A conviction of a nonwaivable offense, as defined in
- 27 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
- 28 (2) A conviction of any other felony or a misdemeanor relating
- 29 to the health and safety of a child, unless the licensee is granted
- 30 a waiver by the department with regard to the employee,
- 31 volunteer, or contractor.
- 32 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 33 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if committed by an adult,
- 34 would be a felony, unless the licensee is granted a waiver by the
- 35 department with regard to the employee, volunteer, or contractor.
- 36 (c) In determining whether to grant a waiver under subsection (b),
- 37 the department shall consider the following factors:
- 38 (1) The length of time that has passed since the disqualifying
- 39 conviction.
- 40 (2) The severity, nature, and circumstances of the offense.
- 41 (3) Evidence of rehabilitation.
- 42 (4) The duties and qualifications required for the proposed

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1 employment positions, volunteer assignment, or contract.
 2 (d) Notwithstanding subsection (a) or (b), if:
 3 (1) a license could be revoked due to a criminal conviction of, or
 4 a determination of child abuse or neglect by, an employee,
 5 volunteer, or contractor of the licensee; and
 6 (2) the department determines that the employee, volunteer, or
 7 contractor has been dismissed by the licensee within a
 8 reasonable time after the licensee became aware of the
 9 conviction or determination;
 10 the criminal conviction of, or determination of child abuse or neglect
 11 by, the former employee, former volunteer, or former contractor does
 12 not constitute a sufficient basis for the revocation of a license.
 13 (e) The department may adopt rules to implement this section.
 14 SECTION 190. IC 31-27-7-2, AS ADDED BY P.L.173-2022,
 15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 2. As used in this chapter, "child services
 17 provider" means the following:
 18 (1) A child caring institution, as defined in ~~IC 31-9-2-16.7.~~
 19 IC 31-9-2.1-42.
 20 (2) A group home, as defined in ~~IC 31-9-2-48.5.~~
 21 IC 31-9-2.1-115.
 22 (3) A licensed child placing agency, as defined in
 23 ~~IC 31-9-2-17.5.~~ IC 31-9-2.1-46.
 24 (4) A secure private facility, as defined in ~~IC 31-9-2-115.~~
 25 IC 31-9-2.1-223.
 26 SECTION 191. IC 31-32-2-2.5, AS ADDED BY P.L.120-2007,
 27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2026]: Sec. 2.5. (a) This section applies only to a court
 29 ordered or voluntary mental health:
 30 (1) screening;
 31 (2) assessment;
 32 (3) evaluation; or
 33 (4) treatment;
 34 provided by or under the direction of an evaluator, as defined in
 35 ~~IC 31-9-2-43.8.~~ IC 31-9-2.1-90, in conjunction with proceedings under
 36 this article.
 37 (b) Except as provided in subsection (d) and except for purposes
 38 of:
 39 (1) a probation revocation proceeding; or
 40 (2) a modification of a dispositional decree under IC 31-37-22;
 41 a statement communicated to an evaluator in the evaluator's official
 42 capacity may not be admitted as evidence against the child on the issue

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1 of whether the child committed a delinquent act or a crime.
2 (c) This section does not affect the admissibility of evidence when
3 a juvenile interposes the defense of insanity.

4 (d) This section does not affect a disclosure or reporting
5 requirement in effect on July 1, 2007, under statute or in case law
6 regarding a statement that:

7 (1) relates directly to the facts or immediate circumstances of a
8 homicide; or

9 (2) reveals that the child may intend to commit a crime.

10 SECTION 192. IC 31-32-2-3.5, AS ADDED BY P.L.179-2025,
11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 3.5. An individual with whom a child is placed,
13 or a representative of a licensed child placing agency (as defined by
14 ~~IC 31-9-2-17.5~~) in IC 31-9-2.1-46) that is providing services to a child,
15 during child in need of services proceedings regarding the child is
16 entitled to attend, in its entirety, any hearing conducted as part of:

17 (1) the child in need of services proceedings; or

18 (2) proceedings to terminate the parent-child relationship
19 resulting from a petition filed with regard to the child under
20 IC 31-35-2-4 during the child in need of services proceedings.

21 SECTION 193. IC 31-32-2.5-1, AS AMENDED BY
22 P.L.179-2025, SECTION 9, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as provided in
24 subsection (b) and subject to this chapter, an individual who is
25 providing care and supervision of a child as:

26 (1) a foster parent;

27 (2) a long term foster parent; or

28 (3) an unlicensed kinship caregiver;

29 at the time the child is the subject of a child in need of services
30 proceeding under IC 31-34 or a termination of parent-child relationship
31 proceeding under IC 31-35 may intervene as a party during any stage
32 of the proceeding if the individual files a petition to intervene with the
33 court and the court makes the findings described in section 3 of this
34 chapter.

35 (b) Any person described in subsection (a) who has been:

36 (1) the subject of a substantiated report of child abuse or neglect;
37 or

38 (2) convicted of a nonwaivable offense, as defined in
39 ~~IC 31-9-2-84.8~~; IC 31-9-2.1-168;

40 may not intervene under this chapter.

41 SECTION 194. IC 31-32-3-10.5, AS ADDED BY P.L.120-2018,
42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 10.5. (a) As used in this section, "court appointed
2 special advocate" has the meaning set forth in ~~IC 31-9-2-28.~~
3 IC 31-9-2.1-67.

4 (b) As used in this section, "guardian ad litem" has the meaning set
5 forth in ~~IC 31-9-2-50.~~ IC 31-9-2.1-117.

6 (c) When a juvenile court appoints a guardian ad litem or court
7 appointed special advocate in a proceeding from a volunteer based
8 program funded through IC 33-24-6-4, and, due to the caseload of the
9 guardian ad litem program or court appointed special advocate
10 program, the child is placed on a waiting list for guardian ad litem or
11 court appointed special advocate services:

12 (1) the guardian ad litem program or court appointed special
13 advocate program;

14 (2) any employee of or volunteer for the guardian ad litem
15 program or court appointed special advocate program; and

16 (3) any individual acting as a contracted guardian ad litem;

17 are immune from civil liability based on the child being placed on the
18 waiting list unless the placement of the child on the waiting list is the
19 result of gross negligence or willful and wanton misconduct.

20 (d) Nothing in this section shall be construed to negate the
21 appointment of a:

22 (1) guardian ad litem; or

23 (2) court appointed special advocate;

24 when required by IC 31-34-10-3.

25 SECTION 195. IC 31-32-3-11, AS AMENDED BY P.L.183-2017,
26 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]: Sec. 11. (a) A juvenile court may establish a voluntary
28 preventative program for at-risk children.

29 (b) A juvenile court that establishes a program under subsection
30 (a) may, after conducting a criminal history check of every individual
31 who is likely to have contact with a child, appoint staff and an early
32 intervention advocate to implement, coordinate, and carry out the
33 purposes of the program. The court may not appoint an individual
34 under this subsection if the results of the criminal history check
35 disclose that the individual has a record of:

36 (1) a conviction for a felony;

37 (2) a conviction for a misdemeanor relating to the health and
38 safety of a child; or

39 (3) a juvenile adjudication for an act that, if committed by an
40 adult, would be a nonwaivable offense, as defined in
41 ~~IC 31-9-2-84.8.~~ ~~IC 31-9-2-168~~ [\[IC 31-9-2.1-168\].](#)

42 (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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1 determines that the child would benefit from the program, the staff or
 2 early intervention advocate shall inform the parent, guardian, or
 3 custodian of the determination and request that the parent, guardian, or
 4 custodian permit the child to participate in the program. The child (and
 5 the parent, guardian, or custodian) may participate in the program only
 6 with the consent of the parent, guardian, or custodian.

7 (h) A person who:

8 (1) makes a good faith request under subsection (f);

9 (2) in good faith provides information concerning a child to
 10 program staff or an early intervention advocate appointed under
 11 subsection (b); or

12 (3) in good faith participates in a plan under this section;

13 is immune from civil or criminal liability.

14 (i) Except as provided under IC 31-33-5, no information received
 15 under the program by the program staff or an early intervention
 16 advocate may be used against the child in a criminal or civil
 17 proceeding.

18 SECTION 196. IC 31-33-7-8, AS AMENDED BY P.L.198-2019,
 19 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2026]: Sec. 8. (a) This section applies if the department
 21 receives a report of suspected child abuse or neglect from:

22 (1) a hospital;

23 (2) a community mental health center;

24 (3) a managed care provider (as defined in ~~IC 12-7-2-127~~;
 25 IC 12-7-2.1-219);

26 (4) a referring physician;

27 (5) a dentist;

28 (6) a licensed psychologist;

29 (7) a school;

30 (8) a child caring institution licensed under IC 31-27;

31 (9) a group home licensed under IC 31-27 or IC 12-28-4;

32 (10) a secure private facility; or

33 (11) a child placing agency (as defined in ~~IC 31-9-2-17.5~~;
 34 IC 31-9-2.1-46).

35 (b) Not later than forty-five (45) days after the date the department
 36 initiates an assessment or investigation of a report of suspected child
 37 abuse or neglect from a person described in subsection (a), the
 38 department shall send a report to:

39 (1) the administrator of the hospital;

40 (2) the community mental health center;

41 (3) the managed care provider;

42 (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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1 at the school; and
 2 (2) a written statement that the department "has parental consent
 3 or a court order, or exigent circumstances exist as defined by
 4 ~~IC 31-9-2-44.1~~ in IC 31-9-2.1-92 to interview [insert child's
 5 name]". The written statement under this subdivision shall not
 6 disclose any of the facts of the allegations or evidence and may
 7 be transmitted to the school electronically.

8 (g) If the department provides a written statement under
 9 subsection (f)(2), the school shall:

- 10 (1) not maintain the written statement in the child's file; and
- 11 (2) protect the child and the child's family's confidentiality
 12 regarding the written statement and the interview.

13 (h) If a parent, guardian, or custodian of a child who is the subject
 14 of a substantiated investigation of abuse or neglect is an active duty
 15 member of the military, the department shall notify the United States
 16 Department of Defense Family Advocacy Program of the assessment
 17 concerning the child of the active duty member of the military upon
 18 request.

19 SECTION 198. IC 31-33-18-6, AS AMENDED BY P.L.46-2024,
 20 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 6. For the purposes of IC 31-26-4.5, the
 22 department may certify or acknowledge that an individual qualifies as
 23 a foster youth under ~~IC 31-9-2-47.3~~ IC 31-9-2.1-110.

24 SECTION 199. IC 31-33-18-7, AS AMENDED BY P.L.170-2023,
 25 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), the department
 27 may notify a child care worker's employer that a substantiated report
 28 for child abuse or neglect has been entered against the child care
 29 worker if the department:

- 30 (1) enters a new substantiated report against an individual that
 31 the department knows to be a child care worker (as defined in
 32 ~~IC 31-9-2-16.6~~; IC 31-9-2.1-40); and
- 33 (2) knows the identity of the child care worker's employer.

34 (b) If the department concludes that the health or safety of a child
 35 will be potentially endangered if the child care worker has continuing
 36 unsupervised contact with a child, the department shall notify the child
 37 care worker's employer that a substantiated report has been entered
 38 against the child care worker not more than two (2) business days after
 39 entering the child care worker's name into the child protection index.

40 SECTION 200. IC 31-33-26-1, AS ADDED BY P.L.138-2007,
 41 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 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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1 (g) A court may order or the department may approve an
2 out-of-home placement if:

3 (1) a person described in subsection (d) has:

4 (A) committed an act resulting in a substantiated report of
5 child abuse or neglect;

6 (B) been convicted of:

7 (i) battery (IC []35-42-2-1);

8 (ii) criminal recklessness (IC []35-42-2-2) as a felony;

9 (iii) criminal confinement (IC []35-42-3-3) as a felony;

10 (iv) arson (IC []35-43-1-1) as a felony;

11 (v) nonsupport of a dependent child (IC []35-46-1-5);

12 (vi) operating a motorboat while intoxicated
13 (IC []35-46-9-6) as a felony;

14 (vii) a felony involving a weapon under IC 35-47;

15 (viii) a felony relating to controlled substances under
16 IC 35-48-4; or

17 (ix) a felony under IC 9-30-5;

18 if the conviction did not occur within the past five (5) years;

19 or

20 (C) had a juvenile adjudication for a nonwaivable offense,
21 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
22 committed by an adult, would be a felony; and

23 (2) the person's commission of the offense, delinquent act, or act
24 of abuse or neglect described in subdivision (1) is not relevant
25 to the person's present ability to care for a child, and the
26 placement is in the best interest of the child.

27 However, a court or the department shall not make an out-of-home
28 placement if the person has been convicted of a nonwaivable offense,
29 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that is not specifically
30 excluded under subdivision (1)(B).

31 (h) In considering the placement under subsection (g), the court or
32 the department shall consider the following:

33 (1) The length of time since the person committed the offense,
34 delinquent act, or abuse or neglect.

35 (2) The severity of the offense, delinquent act, or abuse or
36 neglect.

37 (3) Evidence of the person's rehabilitation, including the person's
38 cooperation with a treatment plan, if applicable.

39 SECTION 205. IC 31-34-18-6.1, AS AMENDED BY
40 P.L.186-2025, SECTION 160, IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) The
42 predispositional report prepared by the department or caseworker must

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- 1 include the following information:
- 2 (1) A description of all dispositional options considered in
- 3 preparing the report.
- 4 (2) An evaluation of each of the options considered in relation to
- 5 the plan of care, treatment, rehabilitation, or placement
- 6 recommended under the guidelines described in section 4 of this
- 7 chapter.
- 8 (3) A description of the due diligence efforts that the department
- 9 has made to identify all adult relatives of the child.
- 10 (4) The name, occupation and position, and any relationship to
- 11 the child of each person with whom the preparer of the report
- 12 conferred as provided in section 1.1 of this chapter.
- 13 (5) The report and recommendations of the dual status
- 14 assessment team if the child is a dual status child under
- 15 IC 31-41.
- 16 (b) If the department or caseworker is considering an out-of-home
- 17 placement, including placement with a blood or an adoptive relative
- 18 caretaker, the department or caseworker shall conduct a criminal
- 19 history check (as defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) for each
- 20 person who is currently residing in the location designated as the
- 21 out-of-home placement. The results of the criminal history check must
- 22 be included in the predispositional report.
- 23 (c) The department or caseworker is not required to conduct a
- 24 criminal history check under this section if:
- 25 (1) the department or caseworker is considering only an
- 26 out-of-home placement to an entity or a facility that:
- 27 (A) is not a residence (as defined in IC 3-5-2.1-90); or
- 28 (B) is licensed by the state; or
- 29 (2) placement under this section is undetermined at the time the
- 30 predispositional report is prepared.
- 31 SECTION 206. IC 31-34-19-5, AS AMENDED BY P.L.128-2012,
- 32 SECTION 164, IS AMENDED TO READ AS FOLLOWS
- 33 [EFFECTIVE JULY 1, 2026]: Sec. 5. If the court authorizes a child
- 34 who is under the custody or supervision of a local office or the
- 35 department to be placed in a state institution (as defined in
- 36 ~~IC 12-7-2-184~~ IC 12-7-2.1-318) for voluntary treatment in accordance
- 37 with IC 12-26-3, the court may not release the department from
- 38 obligations of the local office or the department to the child until a
- 39 parent, guardian, or other responsible person approved by the court
- 40 assumes the obligations.
- 41 SECTION 207. IC 31-34-20-1.5, AS AMENDED BY
- 42 P.L.186-2025, SECTION 161, IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Except as
 2 provided in subsection (d), the juvenile court may not enter a
 3 dispositional decree approving or ordering placement of a child in
 4 another home under section 1(a)(3) of this chapter or awarding
 5 wardship to the department that will place the child in another home
 6 under section 1(a)(4) of this chapter if a person who is currently
 7 residing in the home in which the child would be placed under section
 8 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a
 9 substantiated report of child abuse or neglect, has a juvenile
 10 adjudication for an act that would be a nonwaivable offense, as defined
 11 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a
 12 conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~
 13 IC 31-9-2.1-168.

14 (b) The department or caseworker who prepared the
 15 predispositional report shall conduct a criminal history check (as
 16 defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) to determine if a person
 17 described in subsection (a) has committed an act resulting in a
 18 substantiated report of child abuse or neglect, has a juvenile
 19 adjudication for an act that would be a nonwaivable offense, as defined
 20 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a
 21 conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~
 22 IC 31-9-2.1-168. However, the department or caseworker is not
 23 required to conduct a criminal history check under this section if
 24 criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1
 25 establishes whether a person described in subsection (a) has committed
 26 an act resulting in a substantiated report of child abuse or neglect, has
 27 a juvenile adjudication for an act that would be a nonwaivable offense,
 28 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult,
 29 or has a conviction for a nonwaivable offense, as defined in
 30 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

31 (c) The department or caseworker is not required to conduct a
 32 criminal history check under this section if:

33 (1) the department or caseworker is considering only an
 34 out-of-home placement to an entity or a facility that:

35 (A) is not a residence (as defined in IC 3-5-2.1-90); or

36 (B) is licensed by the state; or

37 (2) placement under this section is undetermined at the time the
 38 predispositional report is prepared.

39 (d) A juvenile court may enter a dispositional decree that approves
 40 placement of a child in another home or award wardship to the
 41 department that will place the child in a home with a person described
 42 in subsection (a) if:

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1 (1) the person described in subsection (a) has:
 2 (A) committed an act resulting in a substantiated report of
 3 child abuse or neglect;
 4 (B) been convicted of:
 5 (i) battery (IC []35-42-2-1);
 6 (ii) criminal recklessness (IC []35-42-2-2) as a felony;
 7 (iii) criminal confinement (IC []35-42-3-3) as a felony;
 8 (iv) arson (IC []35-43-1-1) as a felony;
 9 (v) nonsupport of a dependent child (IC []35-46-1-5);
 10 (vi) operating a motorboat while intoxicated
 11 (IC []35-46-9-6) as a felony;
 12 (vii) a felony involving a weapon under IC 35-47;
 13 (viii) a felony relating to controlled substances under
 14 IC 35-48-4; or
 15 (ix) a felony under IC 9-30-5;
 16 if the conviction did not occur within the past five (5) years;
 17 or
 18 (C) had a juvenile adjudication for a nonwaivable offense,
 19 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
 20 committed by an adult, would be a felony; and
 21 (2) the person's commission of the offense, delinquent act, or act
 22 of abuse or neglect described in subdivision (1) is not relevant
 23 to the person's present ability to care for a child, and placing a
 24 child in another home or awarding wardship to the department
 25 is in the best interest of the child.
 26 However, a court may not enter a dispositional decree that approves
 27 placement of a child in another home or awards wardship to the
 28 department if the person has been convicted of a nonwaivable offense,
 29 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that is not specifically
 30 excluded under subdivision (1)(B).
 31 (e) In considering the placement under subsection (d), the court
 32 shall consider the following:
 33 (1) The length of time since the person committed the offense,
 34 delinquent act, or act that resulted in the substantiated report of
 35 abuse or neglect.
 36 (2) The severity of the offense, delinquent act, or abuse or
 37 neglect.
 38 (3) Evidence of the person's rehabilitation, including the person's
 39 cooperation with a treatment plan, if applicable.
 40 SECTION 208. IC 31-34-21-5.5, AS AMENDED BY
 41 P.L.179-2025, SECTION 19, IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. (a) In determining

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1 the extent to which reasonable efforts to reunify or preserve a family
2 are appropriate under this chapter, the child's health, welfare, and
3 safety are of paramount concern.

4 (b) Except as provided in section 5.6 of this chapter, the
5 department shall make reasonable efforts to preserve and reunify
6 families as follows:

7 (1) If a child has not been removed from the child's home, to
8 prevent or eliminate the need for removing the child from the
9 child's home.

10 (2) If a child has been removed from the child's home, to make
11 it possible for the child to return safely to the child's home as
12 soon as possible.

13 (c) The department may, before reunification of the child with a
14 parent, guardian, or custodian, conduct a criminal history check (as
15 defined in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) of:

16 (1) the child's:

17 (A) parent;

18 (B) guardian; or

19 (C) custodian; and

20 (2) any household member of the:

21 (A) parent;

22 (B) guardian; or

23 (C) custodian.

24 (d) The department shall:

25 (1) use the results of a criminal history check conducted under
26 subsection (c) to decide whether it is safe for the child to return
27 home; and

28 (2) provide the results of the criminal history check to the court.

29 SECTION 209. IC 31-34-21-7.5, AS AMENDED BY
30 P.L.156-2020, SECTION 119, IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) Except as
32 provided in subsection (d), the juvenile court may not approve a
33 permanency plan under subsection (c)(1)(C), (c)(1)(D), or (c)(1)(E) if
34 a person who is currently residing with a person described in
35 subsection (c)(1)(C) or (c)(1)(D) or in a residence in which the child
36 would be placed under subsection (c)(1)(E) has committed an act
37 resulting in a substantiated report of child abuse or neglect, has a
38 juvenile adjudication for an act that would be a nonwaivable offense,
39 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult,
40 or has a conviction for a nonwaivable offense, as defined in
41 ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.

42 (b) Before requesting juvenile court approval of a permanency

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1 plan, the department shall conduct a criminal history check (as defined
 2 in ~~IC 31-9-2-22.5~~ IC 31-9-2.1-58) to determine if a person described
 3 in subsection (a) has committed an act resulting in a substantiated
 4 report of child abuse or neglect, has a juvenile adjudication for an act
 5 that would be a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~
 6 IC 31-9-2.1-168 if committed by an adult, or has a conviction for a
 7 nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168.
 8 However, the department is not required to conduct a criminal history
 9 check under this section if criminal history information under
 10 IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes whether
 11 a person described in subsection (a) has committed an act resulting in
 12 a substantiated report of child abuse or neglect, has a juvenile
 13 adjudication for an act that would be a nonwaivable offense, as defined
 14 in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 if committed by an adult, or has a
 15 conviction for a nonwaivable offense, as defined in ~~IC 31-9-2-84.8~~
 16 IC 31-9-2.1-168.

17 (c) A permanency plan, or plans, if concurrent planning, under this
 18 chapter includes the following:

19 (1) The intended permanent or long term arrangements for care
 20 and custody of the child that may include any one (1), or two (2),
 21 if concurrent planning, of the following arrangements that the
 22 department or the court considers most appropriate and
 23 consistent with the best interests of the child:

24 (A) Return to or continuation of existing custodial care
 25 within the home of the child's parent, guardian, or custodian
 26 or placement of the child with the child's noncustodial
 27 parent.

28 (B) Placement of the child for adoption.

29 (C) Placement of the child with a responsible person,
 30 including:

31 (i) an adult sibling;

32 (ii) a grandparent;

33 (iii) an aunt;

34 (iv) an uncle;

35 (v) a custodial parent of a sibling of the child; or

36 (vi) another relative;

37 who is able and willing to act as the child's permanent
 38 custodian and carry out the responsibilities required by the
 39 permanency plan.

40 (D) Appointment of a legal guardian. The legal guardian
 41 appointed under this section is a caretaker in a judicially
 42 created relationship between the child and caretaker that is

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1 intended to be permanent and self-sustaining as evidenced
 2 by the transfer to the caretaker of the following parental
 3 rights with respect to the child:

4 (i) Care, custody, and control of the child.

5 (ii) Decision making concerning the child's upbringing.

6 (E) A supervised independent living arrangement or foster
 7 care for the child with a permanency plan of another
 8 planned, permanent living arrangement. However, a child
 9 less than sixteen (16) years of age may not have another
 10 planned, permanent living arrangement as the child's
 11 permanency plan.

12 (2) A time schedule for implementing the applicable provisions
 13 of the permanency plan.

14 (3) Provisions for temporary or interim arrangements for care
 15 and custody of the child, pending completion of implementation
 16 of the permanency plan.

17 (4) Other items required to be included in a case plan under
 18 IC 31-34-15 or federal law, consistent with the permanent or
 19 long term arrangements described by the permanency plan.

20 (d) A juvenile court may approve a permanency plan if:

21 (1) a person described in subsection (a) has:

22 (A) committed an act resulting in a substantiated report of
 23 child abuse or neglect;

24 (B) been convicted of:

25 (i) battery (IC [] 35-42-2-1);

26 (ii) criminal recklessness (IC [] 35-42-2-2) as a felony;

27 (iii) criminal confinement (IC [] 35-42-3-3) as a felony;

28 (iv) arson (IC [] 35-43-1-1) as a felony;

29 (v) nonsupport of a dependent child (IC [] 35-46-1-5);

30 (vi) operating a motorboat while intoxicated
 31 (IC [] 35-46-9-6) as a felony;

32 (vii) a felony involving a weapon under IC 35-47;

33 (viii) a felony relating to controlled substances under
 34 IC 35-48-4; or

35 (ix) a felony under IC 9-30-5;

36 if the conviction did not occur within the past five (5) years;

37 or

38 (C) had a juvenile adjudication for a nonwaivable offense,
 39 as defined in ~~IC 31-9-2-84.8~~ IC 31-9-2.1-168 that, if
 40 committed by an adult, would be a felony; and

41 (2) the person's commission of the offense, delinquent act, or act
 42 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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1 child, parent, or family of the child, in accordance with
 2 applicable provisions of a currently effective case plan
 3 prepared under IC 31-34-15 or IC 31-37-19-1.5, or a
 4 permanency plan or dispositional decree approved under
 5 IC 31-34 or IC 31-37; and

6 (C) the services that the department has not provided are
 7 substantial and material in relation to implementation of a
 8 plan to permit safe return of the child to the child's home.

9 (4) Subject to subsection (f), that:

10 (A) the parent is incarcerated or the parent's prior
 11 incarceration is a significant factor in the child having been
 12 under the supervision of the department or a county
 13 probation department for at least fifteen (15) of the most
 14 recent twenty-two (22) months;

15 (B) the parent maintains a meaningful role in the child's
 16 life; and

17 (C) the department has not documented a reason to
 18 conclude that it would otherwise be in the child's best
 19 interests to terminate the parent-child relationship.

20 The motion to dismiss shall specify which of the allegations described
 21 in subdivisions (1) through (4) apply to the motion. If the court finds
 22 that any of the allegations described in subdivisions (1) through (4) are
 23 true, as established by a preponderance of the evidence, the court shall
 24 dismiss the petition to terminate the parent-child relationship. In
 25 determining whether to dismiss a petition to terminate a parent-child
 26 relationship pursuant to a motion to dismiss that specifies allegations
 27 described in subdivision (4), the court may consider the length of time
 28 remaining in the incarcerated parent's sentence and any other factor the
 29 court considers relevant.

30 (e) If:

31 (1) a child in need of services or a delinquent child has been
 32 removed from a parent and has been under the supervision of the
 33 department or county probation department for not less than
 34 fifteen (15) months of the most recent twenty-two (22) months,
 35 beginning with the date the child is removed from the home as
 36 a result of the child being alleged to be a child in need of
 37 services or a delinquent child; and

38 (2) a petition to terminate the parent-child relationship has not
 39 been filed by the department or another person described in
 40 section 4(a) of this chapter;

41 a foster parent, relative of the child, or de facto custodian with whom
 42 the child has been placed for at least six (6) months may file a notice

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1 with the court that the petition to terminate the parent-child relationship
 2 has not been filed as required under subsection (b). Upon the filing of
 3 the notice, if the petition to terminate the parent-child relationship has
 4 not been filed, the court shall schedule a hearing within thirty (30)
 5 days.

6 (f) Subsection (d)(4) does not apply if the person was incarcerated
 7 for any of the following:

8 (1) A crime described in IC 31-35-3-4.

9 (2) A crime of child abuse (as defined in IC 5-2-22-1).

10 (3) Neglect of a dependent (IC 35-46-1-4) if:

11 (A) the incarceration was for neglect of a dependent as a
 12 Level 5 or above felony; and

13 (B) the dependent would be the subject of the petition to
 14 terminate the parent-child relationship.

15 (g) The department may not:

16 (1) take adverse action against a foster parent's license under
 17 IC 31-27-4; or

18 (2) remove a child from the home of a foster parent, relative of
 19 the child, or de facto custodian;

20 on the basis of the foster parent, relative, or de facto custodian filing a
 21 notice with the court under subsection (e).

22 SECTION 212. IC 31-37-8-4.5, AS ADDED BY P.L.120-2007,
 23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2026]: Sec. 4.5. (a) This section applies only to a court
 25 ordered or voluntary mental health:

26 (1) screening;

27 (2) assessment;

28 (3) evaluation; or

29 (4) treatment;

30 provided by or under the direction of an evaluator, as defined in
 31 ~~IC 31-9-2-43.8~~; IC 31-9-2.1-90, in conjunction with proceedings under
 32 this chapter.

33 (b) Notwithstanding section 4(5) of this chapter and except as
 34 provided in subsection (d) and except for purposes of:

35 (1) a probation revocation proceeding; or

36 (2) a modification of a dispositional decree under IC 31-37-22;
 37 a statement communicated to an evaluator in the evaluator's official
 38 capacity may not be admitted as evidence against the child on the issue
 39 of whether the child committed a delinquent act or a crime.

40 (c) This section does not affect the admissibility of evidence when
 41 a juvenile interposes the defense of insanity.

42 (d) This section does not affect a disclosure or reporting

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1 requirement in effect on July 1, 2007, under statute or in case law
2 regarding a statement that:

3 (1) relates directly to the facts or immediate circumstances of a
4 homicide; or

5 (2) reveals that the child may intend to commit a crime.

6 SECTION 213. IC 31-37-17-6.1, AS AMENDED BY
7 P.L.186-2025, SECTION 162, IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.1. (a) The
9 predispositional report prepared by a probation officer must include the
10 following information:

11 (1) A validated risk and needs assessment as described in section
12 1 of this chapter.

13 (2) A description of all dispositional options considered in
14 preparing the report.

15 (3) An evaluation of each of the options considered in relation to
16 the plan of care, treatment, rehabilitation, or placement
17 recommended under the guidelines described in section 4 of this
18 chapter.

19 (4) The name, occupation and position, and any relationship to
20 the child of each person with whom the preparer of the report
21 conferred as provided in section 1.1 of this chapter.

22 (5) The items required under section 1 of this chapter.

23 (6) The results of a dual status screening tool to determine
24 whether the child is a dual status child as described in
25 IC 31-41-1-2.

26 (b) If a probation officer is considering an out-of-home placement,
27 including placement with a relative, the probation officer must conduct
28 a criminal history check (as defined in ~~IC 31-9-2-22.5~~
29 IC 31-9-2.1-58) for each person who is currently residing in the
30 location designated as the out-of-home placement. The results of the
31 criminal history check must be included in the predispositional report.

32 (c) A probation officer is not required to conduct a criminal history
33 check under this section if:

34 (1) the probation officer is considering only an out-of-home
35 placement to an entity or a facility that:

36 (A) is not a residence (as defined in IC 3-5-2.1-90); or

37 (B) is licensed by the state; or

38 (2) placement under this section is undetermined at the time the
39 predispositional report is prepared.

40 SECTION 214. IC 31-37-18-5, AS AMENDED BY P.L.146-2008,
41 SECTION 645, IS AMENDED TO READ AS FOLLOWS
42 [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 [] that is not specifically excluded under subdivision (1)(B).
 42 (e) In considering the placement under subsection (d), the court

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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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1 immunity available by statute or at common law, including
 2 judicial immunity.
 3 (4) Apply to an act or omission by a parent to end the life of a
 4 child.
 5 (5) Waive attorney-client privilege as governed by the Rules of
 6 Professional Conduct of the Indiana supreme court.
 7 (6) Waive immunities described in IC 31-32-3-10 and
 8 IC 31-32-3-10.5.
 9 SECTION 219. IC 32-17.5-8-2.5, AS ADDED BY P.L.80-2010,
 10 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2026]: Sec. 2.5. (a) This section applies to a disclaimer of an
 12 interest in property by a disclaimant who is delinquent (as defined in
 13 ~~IC 31-9-2-36(b))~~ IC 31-9-2.1-73(b)) before the disclaimer becomes
 14 effective.
 15 (b) A disclaimer of an interest in property is barred up to the
 16 amount of the disclaimant's child support arrearage.
 17 SECTION 220. IC 33-23-1-8.5, AS ADDED BY P.L.203-2017,
 18 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 8.5. "Medication assisted treatment" has the
 20 meaning set forth in ~~IC 12-7-2-128.7.~~ IC 12-7-2.1-223.
 21 SECTION 221. IC 33-39-6-2, AS AMENDED BY P.L.201-2023,
 22 SECTION 263, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A prosecuting attorney may
 24 appoint one (1) chief deputy prosecuting attorney. The maximum
 25 annual salary paid by the state of a chief deputy prosecuting attorney
 26 appointed under this subsection is as follows:
 27 (1) If the prosecuting attorney is a full-time prosecuting attorney
 28 appointing a full-time chief deputy prosecuting attorney, the
 29 annual salary of the chief deputy prosecuting attorney is equal to
 30 seventy-five percent (75%) of the salary paid by the state to a
 31 full-time prosecuting attorney.
 32 (2) If the prosecuting attorney is a full-time prosecuting attorney
 33 appointing a part-time chief deputy prosecuting attorney, the
 34 annual salary of the chief deputy prosecuting attorney is equal to
 35 seventy-five percent (75%) of the salary paid by the state to a
 36 part-time prosecuting attorney serving the judicial district served
 37 by the chief deputy prosecuting attorney.
 38 (3) If the prosecuting attorney is a part-time prosecuting attorney
 39 appointing a full-time chief deputy prosecuting attorney, the
 40 annual salary of the chief deputy prosecuting attorney is equal to
 41 seventy-five percent (75%) of the salary paid by the state to a
 42 full-time prosecuting attorney.

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1 (4) If the prosecuting attorney is a part-time prosecuting attorney
2 appointing a part-time chief deputy prosecuting attorney, the
3 annual salary of the chief deputy prosecuting attorney is equal to
4 seventy-five percent (75%) of the salary paid by the state to a
5 part-time prosecuting attorney.

6 (b) The prosecuting attorney in a county in which is located at
7 least one (1) institution operated by the department of correction that
8 houses at least one thousand five hundred (1,500) offenders may
9 appoint two (2) additional deputy prosecuting attorneys. In a county
10 having two (2) institutions, each of which houses at least one thousand
11 five hundred (1,500) offenders, the prosecuting attorney may appoint
12 a third deputy prosecuting attorney.

13 (c) The prosecuting attorney in a county in which is located an
14 institution operated by the department of correction that houses at least
15 one hundred (100) but less than one thousand five hundred (1,500)
16 adult offenders may appoint one (1) additional deputy prosecuting
17 attorney.

18 (d) The prosecuting attorney in a county in which is located a state
19 institution (as defined in ~~IC 12-7-2-184~~ IC 12-7-2.1-318) that has a
20 daily population of at least three hundred fifty (350) patients may
21 appoint one (1) additional deputy prosecuting attorney.

22 (e) The prosecuting attorney of Cass County may appoint one (1)
23 additional deputy prosecuting attorney.

24 (f) The annual salary of a deputy prosecuting attorney appointed
25 under subsections (b) through (e) may not be less than seventy percent
26 (70%) of the annual salary of a full-time prosecuting attorney.

27 (g) The salaries provided in this section shall be paid by the state
28 once every two (2) weeks from the state general fund. There is
29 appropriated annually out of the general fund of the state sufficient
30 funds to pay any amount necessary. However, the salaries fixed in this
31 chapter are determined to be maximum salaries to be paid by the state.
32 This chapter does not limit the power of counties comprising the
33 respective judicial circuits to pay additional salaries upon proper action
34 by the appropriate county officials.

35 (h) The various county councils shall appropriate annually for
36 other deputy prosecuting attorneys, investigators, clerical assistance,
37 witness fees, out-of-state travel, postage, telephone tolls and telegraph,
38 repairs to equipment, office supplies, other operating expenses, and
39 equipment an amount necessary for the proper discharge of the duties
40 imposed by law upon the office of the prosecuting attorney of each
41 judicial circuit.

42 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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1 center (as defined in ~~IC 12-7-2-38~~; IC 12-7-2.1-78).
 2 SECTION 226. IC 34-57-5-8, AS ADDED BY P.L.112-2005,
 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 8. (a) In a dissolution of marriage case, the family
 5 law arbitrator shall:

- 6 (1) divide the property of the parties, regardless of whether the
 7 property was:
 8 (A) owned by either party before the marriage;
 9 (B) acquired by either party in his or her own right:
 10 (i) after the marriage; and
 11 (ii) before final separation of the parties; or
 12 (C) acquired by their joint efforts; and
 13 (2) divide the property in a just and reasonable manner by:
 14 (A) division of the property in kind;
 15 (B) setting the property or parts of the property over to one
 16 (1) of the parties and requiring either party to pay an
 17 amount, either in gross or in installments, that is just and
 18 proper;
 19 (C) ordering the sale of the property under the conditions
 20 the family law arbitrator prescribes and dividing the
 21 proceeds of the sale; or
 22 (D) ordering the distribution of benefits described in
 23 ~~IC 31-9-2-98(b)(2)~~ IC 31-9-2.1-190(b)(2) or
 24 ~~IC 31-9-2-98(b)(3)~~ IC 31-9-2.1-190(b)(3) that are payable
 25 after the dissolution of marriage, by setting aside to either
 26 of the parties a percentage of those payments either by
 27 assignment or in kind at the time of receipt.

28 (b) The division of marital property under this section must
 29 comply with IC 31-15-7-5.

30 SECTION 227. IC 35-31.5-2-139.3, AS ADDED BY P.L.65-2016,
 31 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 139.3. "Foster family home", for purposes of
 33 IC 35-42-2-1, has the meaning set forth in ~~IC 31-9-2-46.9~~
 34 IC 31-9-2.1-108.

35 SECTION 228. IC 35-31.5-2-196.5, AS ADDED BY
 36 P.L.203-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2026]: Sec. 196.5. "Medication assisted
 38 treatment" has the meaning set forth in ~~IC 12-7-2-128.7~~
 39 IC 12-7-2.1-223.

40 SECTION 229. IC 35-36-2-4, AS AMENDED BY P.L.161-2018,
 41 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Whenever a defendant is

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1 found not responsible by reason of insanity at the time of the crime, the
 2 prosecuting attorney shall file a written petition with the court under
 3 IC 12-26-6-2(a)(3) or under IC 12-26-7. If a petition is filed under
 4 IC 12-26-6-2(a)(3), the court shall hold a commitment hearing under
 5 IC 12-26-6. If a petition is filed under IC 12-26-7, the court shall hold
 6 a commitment hearing under IC 12-26-7.

7 (b) The hearing shall be conducted at the earliest opportunity after
 8 the finding of not responsible by reason of insanity at the time of the
 9 crime, and the defendant shall be detained in custody until the
 10 completion of the hearing. The court may take judicial notice of
 11 evidence introduced during the trial of the defendant and may call the
 12 physicians appointed by the court to testify concerning whether the
 13 defendant is currently mentally ill and dangerous or currently mentally
 14 ill and gravely disabled, as those terms are defined by ~~IC 12-7-2-96~~ in
 15 **IC 12-7-2.1-170** and ~~IC 12-7-2-130(1)~~. IC 12-7-2.1-226(1). The court
 16 may subpoena any other persons with knowledge concerning the issues
 17 presented at the hearing.

18 (c) The defendant has all the rights provided by the provisions of
 19 IC 12-26 under which the petition against the defendant was filed. The
 20 prosecuting attorney may cross-examine the witnesses and present
 21 relevant evidence concerning the issues presented at the hearing.

22 (d) If a court orders an individual to be committed under
 23 IC 12-26-6 or IC 12-26-7 following a verdict of not responsible by
 24 reason of insanity at the time of the crime, the warden of the facility to
 25 which the individual is committed and the attending physician are
 26 subject to the requirements of IC 12-26-15-1.

27 (e) If a defendant is found not responsible by reason of insanity,
 28 the court shall transmit any information required by the office of
 29 judicial administration to the office of judicial administration for
 30 transmission to the NICS (as defined in IC 35-47-2.5-2.5) in
 31 accordance with IC 33-24-6-3.

32 SECTION 230. IC 35-36-2-5, AS AMENDED BY P.L.161-2018,
 33 SECTION 119, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except as provided by
 35 subsection (e), whenever a defendant is found guilty but mentally ill at
 36 the time of the crime or enters a plea to that effect that is accepted by
 37 the court, the court shall sentence the defendant in the same manner as
 38 a defendant found guilty of the offense.

39 (b) Before sentencing the defendant under subsection (a), the court
 40 shall require the defendant to be evaluated by a physician licensed
 41 under IC 25-22.5 who practices psychiatric medicine, a licensed
 42 psychologist, or a community mental health center (as defined in

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1 ~~IC 12-7-2-38~~; IC 12-7-2.1-78). However, the court may waive this
 2 requirement if the defendant was evaluated by a physician licensed
 3 under IC 25-22.5 who practices psychiatric medicine, a licensed
 4 psychologist, or a community mental health center and the evaluation
 5 is contained in the record of the defendant's trial or plea agreement
 6 hearing.

7 (c) If a defendant who is found guilty but mentally ill at the time
 8 of the crime is committed to the department of correction, the
 9 defendant shall be further evaluated and then treated in such a manner
 10 as is psychiatrically indicated for the defendant's mental illness.
 11 Treatment may be provided by:

- 12 (1) the department of correction; or
 13 (2) the division of mental health and addiction after transfer
 14 under IC 11-10-4.

15 (d) If a defendant who is found guilty but mentally ill at the time
 16 of the crime is placed on probation, the court may, in accordance with
 17 IC 35-38-2-2.3, require that the defendant undergo treatment.

18 (e) As used in this subsection, "individual with an intellectual
 19 disability" means an individual who, before becoming twenty-two (22)
 20 years of age, manifests:

- 21 (1) significantly subaverage intellectual functioning; and
 22 (2) substantial impairment of adaptive behavior;

23 that is documented in a court ordered evaluative report. If a court
 24 determines under IC 35-36-9 that a defendant who is charged with a
 25 murder for which the state seeks a death sentence is an individual with
 26 an intellectual disability, the court shall sentence the defendant under
 27 IC 35-50-2-3(a).

28 (f) If a defendant is found guilty but mentally ill, the court shall
 29 transmit any information required by the office of judicial
 30 administration to the office of judicial administration for transmission
 31 to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with
 32 IC 33-24-6-3.

33 SECTION 231. IC 35-36-3-1, AS AMENDED BY P.L.85-2024,
 34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 1. (a) If at any time before the final submission of
 36 any criminal case to the court or the jury trying the case, the court has
 37 reasonable grounds for believing that the defendant lacks the ability to
 38 understand the proceedings and assist in the preparation of a defense,
 39 the court shall immediately fix a time for a hearing to determine
 40 whether the defendant has that ability.

41 (b) This subsection applies to a defendant charged with murder or
 42 a Level 1, Level 2, Level 3, Level 4, or Level 5 felony. When a court

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1 sets a hearing under subsection (a), the court shall appoint two (2) or
 2 three (3) individuals to determine the defendant's competency. Each of
 3 the appointed individuals must be a psychiatrist, or a psychologist
 4 endorsed by the Indiana state board of examiners in psychology as a
 5 health service provider in psychology. An individual appointed under
 6 this subsection must be competent and disinterested.

7 (c) This subsection applies to a defendant charged with a
 8 misdemeanor or a Level 6 felony. When a court sets a hearing under
 9 subsection (a), the court shall appoint one (1) individual who:

10 (1) is a:

11 (A) psychiatrist; or

12 (B) psychologist endorsed by the Indiana state board of
 13 examiners in psychology as a health service provider in
 14 psychology;

15 (2) is competent and disinterested; and

16 (3) has expertise in determining competency.

17 (d) In addition to the psychiatrist or psychologist appointed under
 18 subsection (c), the court may appoint not more than two (2) additional
 19 individuals to assist the court in determining competency. Upon request
 20 of either party, the court shall appoint at least one (1), but not more
 21 than two (2), additional individuals to assist the court in determining
 22 competency. An individual appointed under this subsection may be an
 23 individual:

24 (1) described in subsection (c); or

25 (2) who is competent and disinterested, has expertise in
 26 determining competency, and is:

27 (A) licensed:

28 (i) under IC 25-23 as an advanced practice registered
 29 nurse (APRN) with a certification as a psychiatric
 30 mental health nurse practitioner;

31 (ii) under IC 25-27.5 as a physician assistant who
 32 specializes in psychiatry or mental health; or

33 (iii) under IC 25-22.5 as a physician who specializes in
 34 psychiatry or mental health; and

35 (B) certified by the division of mental health and addiction
 36 as a competency evaluator.

37 (e) An individual appointed under this section may not be an
 38 employee or a contractor of a state institution (as defined in
 39 ~~IC 12-7-2-184~~; IC 12-7-2.1-318). The individuals who are appointed
 40 shall examine the defendant and testify at the hearing as to whether the
 41 defendant can understand the proceedings and assist in the preparation
 42 of the defendant's defense.

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1 (f) At the hearing, other evidence relevant to whether the
 2 defendant has the ability to understand the proceedings and assist in the
 3 preparation of the defendant's defense may be introduced. If the court
 4 finds that the defendant has the ability to understand the proceedings
 5 and assist in the preparation of the defendant's defense, the trial shall
 6 proceed. If the court finds that the defendant lacks this ability, it shall
 7 delay or continue the trial and order the defendant committed to the
 8 division of mental health and addiction. The division of mental health
 9 and addiction shall provide competency restoration services or enter
 10 into a contract for the provision of competency restoration services by
 11 a third party in the:

- 12 (1) location where the defendant currently resides; or
 13 (2) least restrictive setting appropriate to the needs of the
 14 defendant and the safety of the defendant and others.

15 However, if the defendant is serving an unrelated executed sentence in
 16 the department of correction at the time the defendant is committed to
 17 the division of mental health and addiction under this section, the
 18 division of mental health and addiction shall provide competency
 19 restoration services or enter into a contract for the provision of
 20 competency restoration services by a third party at a department of
 21 correction facility agreed upon by the division of mental health and
 22 addiction or the third party contractor and the department of correction.
 23 A contract entered into with a third party under this subsection may
 24 confer to the third party all authority the division would have in
 25 providing competency restoration services to the defendant at a state
 26 institution (as defined in ~~IC 12-7-2-184~~, IC 12-7-2.1-318).

27 (g) If the court makes a finding under subsection (f), the court
 28 shall transmit any information required by the office of judicial
 29 administration to the office of judicial administration for transmission
 30 to the NICS (as defined in IC 35-47-2.5-2.5) in accordance with
 31 IC 33-24-6-3.

32 SECTION 232. IC 35-36-3-2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Whenever the
 34 defendant attains the ability to understand the proceedings and assist
 35 in the preparation of the defendant's defense:

- 36 (1) the superintendent of the state institution (as defined in
 37 ~~IC 12-7-2-184~~, IC 12-7-2.1-318); or
 38 (2) if the division of mental health and addiction entered into a
 39 contract for the provision of competency restoration services, the
 40 director or medical director of the third party contractor;
 41 shall certify that fact to the proper court, which shall enter an order
 42 directing the sheriff to return the defendant. The court shall enter such

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1 an order immediately after being sufficiently advised of the defendant's
 2 attainment of the ability to understand the proceedings and assist in the
 3 preparation of the defendant's defense. Upon the return to court of any
 4 defendant committed under section 1 of this chapter, the court shall
 5 hold the trial as if no delay or postponement had occurred.

6 SECTION 233. IC 35-36-3-3, AS AMENDED BY P.L.85-2024,
 7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]: Sec. 3. (a) Within ninety (90) days after:

9 (1) a defendant's admission to a state institution (as defined in
 10 ~~IC 12-7-2-184~~; IC 12-7-2.1-318); or

11 (2) the initiation of competency restoration services to a
 12 defendant by a third party contractor;

13 the superintendent of the state institution (as defined in ~~IC 12-7-2-184~~)
 14 IC 12-7-2.1-318) or the director or medical director of the third party
 15 contractor, if the division of mental health and addiction has entered
 16 into a contract for the provision of competency restoration services by
 17 a third party, shall certify to the proper court whether the defendant has
 18 a substantial probability of attaining the ability to understand the
 19 proceedings and assist in the preparation of the defendant's defense
 20 within the foreseeable future.

21 (b) If a party files a motion to dismiss, the court may dismiss the
 22 charges against the defendant without prejudice if the:

23 (1) defendant has been diagnosed with:

24 (A) dementia;

25 (B) Alzheimer's disease; or

26 (C) a traumatic brain injury;

27 (2) defendant's diagnosis substantially impacts the defendant's
 28 ability to understand the proceedings and assist in the
 29 preparation of the defendant's defense within the foreseeable
 30 future; and

31 (3) defendant is charged with a misdemeanor or a Level 6 felony.

32 (c) If a defendant's charges are not dismissed under subsection (b)
 33 and a substantial probability does not exist, the state institution (as
 34 defined in ~~IC 12-7-2-184~~) IC 12-7-2.1-318) or the third party contractor
 35 shall initiate regular commitment proceedings under IC 12-26. If a
 36 substantial probability does exist, the state institution (as defined in
 37 ~~IC 12-7-2-184~~) IC 12-7-2.1-318) or third party contractor shall retain
 38 the defendant:

39 (1) until the defendant attains the ability to understand the
 40 proceedings and assist in the preparation of the defendant's
 41 defense and is returned to the proper court for trial; or

42 (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

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1 fluid or waste placed on another person was infected with
 2 hepatitis, tuberculosis, or human immunodeficiency virus; and
 3 (2) the person placed the bodily fluid or waste on a public safety
 4 official, unless the offense is committed by a person detained or
 5 committed under IC 12-26.

6 (i) The offense described in subsection (c)(1) or (c)(2) is a Level
 7 4 felony if it results in serious bodily injury to an endangered adult (as
 8 defined in IC 12-10-3-2).

9 (j) The offense described in subsection (c)(1) or (c)(2) is a Level
 10 3 felony if it results in serious bodily injury to a person less than
 11 fourteen (14) years of age if the offense is committed by a person at
 12 least eighteen (18) years of age.

13 (k) The offense described in subsection (c)(1) or (c)(2) is a Level
 14 2 felony if it results in the death of one (1) or more of the following:

15 (1) A person less than fourteen (14) years of age if the offense is
 16 committed by a person at least eighteen (18) years of age.

17 (2) An endangered adult (as defined in IC 12-10-3-2).

18 SECTION 236. IC 35-42-4-7, AS AMENDED BY P.L.238-2025,
 19 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2026]: Sec. 7. (a) As used in this section, "adoptive parent"
 21 has the meaning set forth in ~~IC 31-9-2-6~~ IC 31-9-2.1-13.

22 (b) As used in this section, "adoptive grandparent" means the
 23 parent of an adoptive parent.

24 (c) As used in this section, "charter school" has the meaning set
 25 forth in IC 20-18-2-2.5.

26 (d) As used in this section, "child care worker" means a person
 27 who:

28 (1) provides care, supervision, or instruction to a child within the
 29 scope of the person's employment in a shelter care facility;

30 (2) is employed by a:

31 (A) school corporation;

32 (B) charter school;

33 (C) nonpublic school; or

34 (D) special education cooperative;

35 attended by a child who is the victim of a crime under this
 36 chapter; or

37 (3) is:

38 (A) affiliated with a:

39 (i) school corporation;

40 (ii) charter school;

41 (iii) nonpublic school; or

42 (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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1 subdivisions (1) through (5); or
 2 (8) the Indiana National Guard;
 3 whose primary job function, classification, or specialty is recruiting
 4 individuals to enlist with an entity listed in subdivisions (1) through
 5 (8).

6 (i) As used in this section, "nonpublic school" has the meaning set
 7 forth in IC 20-18-2-12.

8 (j) For purposes of this section, a person has a "professional
 9 relationship" with a child if:

10 (1) the person:

11 (A) has a license issued by the state or a political
 12 subdivision on the basis of the person's training and
 13 experience that authorizes the person to carry out a
 14 particular occupation; or

15 (B) is employed in a position in which counseling,
 16 supervising, instructing, or recruiting children forms a
 17 significant part of the employment; and

18 (2) the person has a relationship with a child that is based on the
 19 person's employment or licensed status as described in
 20 subdivision (1).

21 The term includes a relationship between a child and a mental health
 22 professional or military recruiter. The term does not include a coworker
 23 relationship between a child and a person described in subdivision
 24 (1)(B).

25 (k) As used in this section, "school corporation" has the meaning
 26 set forth in IC 20-18-2-16.

27 (l) As used in this section, "special education cooperative" has the
 28 meaning set forth in IC 20-35-5-1.

29 (m) As used in this section, "stepparent" means an individual who
 30 is married to a child's custodial or noncustodial parent and is not the
 31 child's adoptive parent.

32 (n) As used in this section, "workplace supervisor" means an
 33 individual who has authority over a child while the child is employed
 34 at the child's place of employment. The term includes a person who is
 35 responsible for determining the child's wages (including whether the
 36 child will receive a raise) or who otherwise has the authority to take an
 37 adverse employment action against the child.

38 (o) As used in this section, "youth sports organization" means an
 39 athletic or recreational program that is organized for:

40 (1) competition against another team, club, or entity; or

41 (2) athletic instruction;

42 predominantly for children less than eighteen (18) years of age.

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- 1 (p) If a person who:
 2 (1) is at least eighteen (18) years of age; and
 3 (2) is the:
 4 (A) guardian, adoptive parent, adoptive grandparent,
 5 custodian, or stepparent of;
 6 (B) child care worker for; or
 7 (C) coach of;
 8 a child less than eighteen (18) years of age;
 9 engages with the child in sexual intercourse, other sexual conduct (as
 10 defined in IC 35-31.5-2-221.5), or any fondling or touching with the
 11 intent to arouse or satisfy the sexual desires of either the child or the
 12 adult, the person commits child seduction.
- 13 (q) A person who:
 14 (1) has or had a professional relationship with a child less than
 15 eighteen (18) years of age whom the person knows to be less
 16 than eighteen (18) years of age;
 17 (2) may exert undue influence on the child because of the
 18 person's current or previous professional relationship with the
 19 child; and
 20 (3) uses or exerts the person's professional relationship to engage
 21 in sexual intercourse, other sexual conduct (as defined in
 22 IC 35-31.5-2-221.5), or any fondling or touching with the child
 23 with the intent to arouse or satisfy the sexual desires of the child
 24 or the person;
 25 commits child seduction.
- 26 (r) A law enforcement officer who:
 27 (1) is at least four (4) years older than a child who is less than
 28 eighteen (18) years of age;
 29 (2) has contact with the child while acting within the scope of
 30 the law enforcement officer's official duties with respect to the
 31 child; and
 32 (3) uses or exerts the law enforcement officer's professional
 33 relationship with the child to engage with the child in:
 34 (A) sexual intercourse;
 35 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
 36 or
 37 (C) any fondling or touching with the child with the intent
 38 to arouse or satisfy the sexual desires of the child or the law
 39 enforcement officer;
 40 commits child seduction.
- 41 (s) In determining whether a person used or exerted the person's
 42 professional relationship with the child to engage in sexual intercourse,

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1 other sexual conduct (as defined in IC 35-31.5-2-221.5), or any
2 fondling or touching with the intent to arouse or satisfy the sexual
3 desires of the child or the person under this section, the trier of fact
4 may consider one (1) or more of the following:

- 5 (1) The age difference between the person and the child.
- 6 (2) Whether the person was in a position of trust with respect to
7 the child.
- 8 (3) Whether the person's conduct with the child violated any
9 ethical obligations of the person's profession or occupation.
- 10 (4) The authority that the person had over the child.
- 11 (5) Whether the person exploited any particular vulnerability of
12 the child.
- 13 (6) Any other evidence relevant to the person's ability to exert
14 undue influence over the child.

15 (t) This subsection does not apply to a workplace supervisor who
16 had a dating relationship with the child before the child was employed
17 at the place of employment. A workplace supervisor who:

- 18 (1) is at least four (4) years older than a child who is less than
19 eighteen (18) years of age;
- 20 (2) supervises the child at the child's place of employment; and
- 21 (3) uses or exerts the workplace supervisor's supervisory
22 relationship with the child to engage with the child in:
 - 23 (A) sexual intercourse;
 - 24 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
 - 25 or
 - 26 (C) any fondling or touching with the child with the intent
27 to arouse or satisfy the sexual desires of the child or the
28 workplace supervisor;

29 commits child seduction.

30 (u) In determining whether a workplace supervisor used or exerted
31 the workplace supervisor's relationship with the child to engage in
32 sexual intercourse, other sexual conduct (as defined in
33 IC 35-31.5-2-221.5), or any fondling or touching with the intent to
34 arouse or satisfy the sexual desires of the child or the workplace
35 supervisor, the trier of fact may consider one (1) or more of the
36 following:

- 37 (1) The age difference between the workplace supervisor and the
38 child.
- 39 (2) Whether the workplace supervisor was in a position of trust
40 with respect to the child.
- 41 (3) Whether the workplace supervisor suggested to the child that
42 engaging or not engaging in sexual activity with the workplace

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- 1 supervisor would or could affect the child at the child's place of
 2 employment.
 3 (4) The authority that the workplace supervisor had over the
 4 child.
 5 (5) Whether the workplace supervisor exploited any particular
 6 vulnerability of the child.
 7 (6) Any other evidence relevant to the workplace supervisor's
 8 ability to exert undue influence over the child.
 9 (v) Child seduction under this section is:
 10 (1) a Level 6 felony if the child is at least sixteen (16) years of
 11 age but less than eighteen (18) years of age and the person or law
 12 enforcement officer engaged in any fondling or touching with the
 13 intent to arouse or satisfy the sexual desires of:
 14 (A) the child; or
 15 (B) the person or law enforcement officer;
 16 (2) a Level 5 felony if the child is at least sixteen (16) years of
 17 age but less than eighteen (18) years of age and the person or law
 18 enforcement officer engaged in sexual intercourse or other
 19 sexual conduct (as defined in IC 35-31.5-2-221.5) with the child;
 20 (3) a Level 5 felony if the child is at least fourteen (14) years of
 21 age but less than sixteen (16) years of age and the person or law
 22 enforcement officer engaged in any fondling or touching with the
 23 intent to arouse or satisfy the sexual desires of:
 24 (A) the child; or
 25 (B) the person or law enforcement officer;
 26 (4) a Level 4 felony if the child is at least fourteen (14) years of
 27 age but less than sixteen (16) years of age and the person or law
 28 enforcement officer engaged in sexual intercourse or other
 29 sexual conduct (as defined in IC 35-31.5-2-221.5) with the child;
 30 (5) a Level 3 felony if the child is thirteen (13) years of age or
 31 under and the person or law enforcement officer engaged in any
 32 fondling or touching with the intent to arouse or satisfy the
 33 sexual desires of:
 34 (A) the child; or
 35 (B) the person or law enforcement officer; and
 36 (6) a Level 2 felony if the child is thirteen (13) years of age or
 37 under and the person or law enforcement officer engaged in
 38 sexual intercourse or other sexual conduct (as defined in
 39 IC 35-31.5-2-221.5) with the child.
 40 SECTION 237. IC 35-44.1-1-4, AS AMENDED BY
 41 P.L.158-2013, SECTION 499, IS AMENDED TO READ AS
 42 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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- 1 (4) The public servant:
 2 (A) acts in only an advisory capacity for a state supported
 3 college or university; and
 4 (B) does not have authority to act on behalf of the college or
 5 university in a matter involving a contract or purchase.
 6 (5) A public servant under the jurisdiction of the state ethics
 7 commission (as provided in IC 4-2-6-2.5) obtains from the state
 8 ethics commission, following full and truthful disclosure, written
 9 approval that the public servant will not or does not have a
 10 conflict of interest in connection with the contract or purchase
 11 under IC 4-2-6 and this section. The approval required under this
 12 subdivision must be:
 13 (A) granted to the public servant before action is taken in
 14 connection with the contract or purchase by the
 15 governmental entity served; or
 16 (B) sought by the public servant as soon as possible after
 17 the contract is executed or the purchase is made and the
 18 public servant becomes aware of the facts that give rise to
 19 a question of conflict of interest.
 20 (6) A public servant makes a disclosure that meets the
 21 requirements of subsection (d) or (e) and is:
 22 (A) not a member or on the staff of the governing body
 23 empowered to contract or purchase on behalf of the
 24 governmental entity, and functions and performs duties for
 25 the governmental entity unrelated to the contract or
 26 purchase;
 27 (B) appointed by an elected public servant;
 28 (C) employed by the governing body of a school corporation
 29 and the contract or purchase involves the employment of a
 30 dependent or the payment of fees to a dependent;
 31 (D) elected; or
 32 (E) a member of, or a person appointed by, the board of
 33 trustees of a state supported college or university.
 34 (7) The public servant is a member of the governing board of, or
 35 is a physician employed or contracted by, a hospital organized or
 36 operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1.
 37 (d) A disclosure must:
 38 (1) be in writing;
 39 (2) describe the contract or purchase to be made by the
 40 governmental entity;
 41 (3) describe the pecuniary interest that the public servant has in
 42 the contract or purchase;

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1 (4) be affirmed under penalty of perjury;
 2 (5) be submitted to the governmental entity and be accepted by
 3 the governmental entity in a public meeting of the governmental
 4 entity before final action on the contract or purchase;

5 (6) be filed within fifteen (15) days after final action on the
 6 contract or purchase with:

7 (A) the state board of accounts; and

8 (B) if the governmental entity is a governmental entity other
 9 than the state or a state supported college or university, the
 10 clerk of the circuit court in the county where the
 11 governmental entity takes final action on the contract or
 12 purchase; and

13 (7) contain, if the public servant is appointed, the written
 14 approval of the elected public servant (if any) or the board of
 15 trustees of a state supported college or university (if any) that
 16 appointed the public servant.

17 (e) This subsection applies only to a person who is a member of,
 18 or a person appointed by, the board of trustees of a state supported
 19 college or university. A person to whom this subsection applies
 20 complies with the disclosure requirements of this chapter with respect
 21 to the person's pecuniary interest in a particular type of contract or
 22 purchase which is made on a regular basis from a particular vendor if
 23 the individual files with the state board of accounts and the board of
 24 trustees a statement of pecuniary interest in that particular type of
 25 contract or purchase made with that particular vendor. The statement
 26 required by this subsection must be made on an annual basis.

27 SECTION 238. IC 35-44.1-2-3, AS AMENDED BY
 28 P.L.129-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this section,
 30 "consumer product" has the meaning set forth in IC 35-45-8-1.

31 (b) As used in this section, "misconduct" means a violation of a
 32 departmental rule or procedure of a law enforcement agency.

33 (c) A person who reports that:

34 (1) the person or another person has placed or intends to place an
 35 explosive, a destructive device, or other destructive substance in
 36 a building or transportation facility;

37 (2) there has been or there will be tampering with a consumer
 38 product introduced into commerce; or

39 (3) there has been or will be placed or introduced a weapon of
 40 mass destruction in a building or a place of assembly;

41 knowing the report to be false, commits false reporting, a Level 6
 42 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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1 has not demonstrated a pattern of voluntarily and
 2 consistently taking the individual's medication while not
 3 under supervision; or

4 (B) is the subject of documented evidence that would give
 5 rise to a reasonable belief that the individual has a
 6 propensity for violent or suicidal conduct.

7 (b) The fact that an individual has been released from a mental
 8 health facility or has a mental illness that is currently controlled by
 9 medication does not establish that the individual is dangerous for the
 10 purposes of this chapter.

11 SECTION 243. IC 35-48-1.1-18, AS ADDED BY P.L.186-2025,
 12 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: Sec. 18. "Enhancing circumstance"
 14 means one (1) or more of the following:

15 (1) The person has a prior conviction for dealing in a controlled
 16 substance that is not marijuana, hashish, hash oil, or salvia
 17 divinorum.

18 (2) The person committed the offense while in possession of a
 19 firearm.

20 (3) The person committed the offense:

21 (A) on a school bus; or

22 (B) in, on, or within five hundred (500) feet of:

23 (i) school property while a person under eighteen (18)
 24 years of age was reasonably expected to be present; or

25 (ii) a public park while a person under eighteen (18)
 26 years of age was reasonably expected to be present.

27 (4) The person delivered or financed the delivery of the drug to
 28 a person under eighteen (18) years of age at least three (3) years
 29 junior to the person.

30 (5) The person manufactured or financed the manufacture of the
 31 drug.

32 (6) The person committed the offense in the physical presence
 33 of a child less than eighteen (18) years of age, knowing that the
 34 child was present and might be able to see or hear the offense.

35 (7) The person committed the offense on the property of a:

36 (A) penal facility; or

37 (B) juvenile facility (as defined in IC 35-44.1-3-5).

38 (8) The person knowingly committed the offense in, on, or
 39 within one hundred (100) feet of a facility. For purposes of this
 40 subdivision, "facility" means a place that is:

41 (A) created and funded under IC 12-23-14 or IC 33-23-16;

42 (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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- 1 (C) collect and distribute assessments on property;
 2 located within the residential development.
- 3 (5) The corporation acts in accordance with the articles, bylaws,
 4 or other documents governing the corporation to:
- 5 (A) adopt and enforce rules and regulations necessary for
 6 the enjoyment of common areas, recreation facilities, and
 7 other amenities located within the residential development;
 8 and
- 9 (B) exercise the corporation's power to:
- 10 (i) levy assessments on property within the residential
 11 development; and
- 12 (ii) collect assessments on property located within the
 13 residential development by enforcing the corporation's
 14 lien and foreclosure rights.
- 15 (b) As used in this section, "municipality" means:
- 16 (1) a third class city; or
- 17 (2) a town having a population of more than thirty thousand
 18 (30,000) located in a county having a population of more than
 19 one hundred seventy-four thousand (174,000) and less than one
 20 hundred eighty thousand (180,000).
- 21 (c) As used in this section, "residential development" means a
 22 parcel of land that is subdivided or will be subdivided upon collection
 23 of the annexation into:
- 24 (1) lots, parcels, tracts, units, or interests that:
- 25 (A) include an existing Class 2 structure (as defined in
 26 IC 22-12-1-5); or
- 27 (B) are designated for the construction of a Class 2
 28 structure;
- 29 each of which is encumbered by substantively identical
 30 restrictive covenants concerning one (1) or more servient estates
 31 located within the boundaries of the original undivided parcel,
 32 or other governing document of record;
- 33 (2) lots, parcels, tracts, units, or interests that:
- 34 (A) include an existing Class 1 structure (as defined in
 35 IC 22-12-1-4); or
- 36 (B) are designated for the construction of a Class 1
 37 structure; and
- 38 (3) a common area.
- 39 (d) In addition to annexing territory under section 3, 4, 5, or 5.1 of
 40 this chapter, a third class city may annex a residential development and
 41 a public highway right-of-way that connects the residential
 42 development to the corporate limits of the third class city. A town

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1 described in subsection (b)(2) may annex a residential development.
 2 An annexation by a third class city or a town under this section must
 3 satisfy the following:

4 (1) This subdivision applies only to an annexation by a
 5 municipality. The residential development is governed by a
 6 homeowners association.

7 (2) The residential development has at least any combination of:

8 (A) three hundred (300) proposed or existing, or both,
 9 single family lots within the proposed or existing residential
 10 developments, in the case of an annexation by a third class
 11 city; or

12 (B) five hundred (500) proposed or existing, or both, single
 13 family lots within the proposed or existing residential
 14 developments, in the case of an annexation by a town
 15 described in subsection (b)(2).

16 (3) This subdivision applies only to an annexation by a
 17 municipality. The residential development is located in its
 18 entirety not more than four and five-tenths (4.5) miles outside
 19 the municipality's corporate boundaries.

20 (4) This subdivision applies only to an annexation by a third
 21 class city. The residential development dwellings are or will be
 22 upon construction connected to the third class city's sewer or
 23 water service.

24 (5) This subdivision applies only to an annexation by a
 25 municipality. The residential development includes a
 26 commercial area containing or proposed to contain buildings
 27 intended to be used and operated for commercial purposes.

28 (6) This subdivision applies only to an annexation by a third
 29 class city. The residential development is adjacent to the public
 30 highway right-of-way.

31 (7) This subdivision applies only to an annexation by a third
 32 class city. The public highway that connects the residential
 33 development to the corporate limits of the city is part of the state
 34 highway system (as defined in ~~IC 8-23-1-40~~; IC 8-23-1.1-39).

35 (8) This subdivision applies only to an annexation by a third
 36 class city. The city's annexation territory includes only the public
 37 highway right-of-way and the residential development.

38 (9) The aggregate external boundary of the annexation territory
 39 that coincides with the boundary of the third class city is greater
 40 than zero (0).

41 (10) This subdivision applies only to an annexation by a town
 42 described in subsection (b)(2). An existing sewer line extends

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1 from the residential development to the corporate limits of the
 2 town. The residential development is or will be upon
 3 construction connected to the town's sewer and water service.

4 (11) This subdivision applies only to an annexation by a town
 5 described in subsection (b)(2). The cost of construction of the
 6 residential development is at least five hundred million dollars
 7 (\$500,000,000).

8 (12) The aggregate external boundary of the annexation territory
 9 that coincides with the boundary of the town described in
 10 subsection (b)(2) is zero (0).

11 (e) Unless the articles, bylaws, or other governing documents of
 12 the homeowners association expressly provide otherwise, the board of
 13 directors of the homeowners association may file a petition with the
 14 legislative body of the municipality requesting the municipality to
 15 annex all property within the residential development. The annexation
 16 may proceed only if the municipality adopts a resolution approving the
 17 initiation of the annexation process not more than sixty (60) days after
 18 the petition is filed. If the municipality does not adopt a resolution
 19 within the sixty (60) day period, the petition is void.

20 (f) If the legislative body of the municipality adopts a resolution
 21 approving initiation of the annexation, the municipality shall prepare
 22 a written preliminary fiscal plan that must be made available to the
 23 public at each of the outreach program meetings under section 1.7 of
 24 this chapter.

25 (g) Upon completion of the outreach program meetings and before
 26 mailing the notification to landowners under section 2.2 of this chapter,
 27 the legislative body of the municipality shall adopt a written fiscal plan
 28 by resolution that incorporates any revisions to the preliminary fiscal
 29 plan.

30 (h) The municipality shall hold a public hearing not earlier than
 31 thirty (30) days after the date the annexation ordinance is introduced.
 32 All interested parties must have the opportunity to testify as to the
 33 proposed annexation. Notice of the hearing shall be:

- 34 (1) published in accordance with IC 5-3-1 except that the notice
 35 shall be published at least thirty (30) days before the hearing;
 36 and
 37 (2) mailed as set forth in section 2.2 of this chapter.

38 A municipality may adopt an ordinance not earlier than thirty (30) days
 39 or not later than sixty (60) days after the legislative body of the
 40 municipality has held the public hearing under this subsection.

41 (i) A landowner may file a remonstrance against the annexation as
 42 provided in section 11 of this chapter.

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1 (j) Territory annexed under this section may not be considered a
 2 part of the third class city for purposes of annexing additional territory
 3 under section 3 or 4 of this chapter. However, territory annexed under
 4 this chapter shall be considered a part of the third class city for
 5 purposes of annexing additional territory under section 5 or 5.1 of this
 6 chapter.

7 (k) For purposes of an annexation by a third class city under this
 8 section:

9 (1) section 1.5 of this chapter does not apply; and

10 (2) the landowner of the public highway right-of-way that is part
 11 of the state highway system (as defined in ~~IC 8-23-1-40~~)
 12 IC 8-23-1.1-39) is considered to be the state of Indiana.

13 (l) The redevelopment commission of a town described in
 14 subsection (b)(2) may only enact a housing tax increment financing
 15 district in Liberty Township in Hendricks County if the housing tax
 16 increment financing district is approved by a resolution passed by the
 17 Mill Creek School Corporation.

18 (m) The following apply only to an annexation by a town
 19 described in subsection (b)(2):

20 (1) Any territory that is annexed under this section may not be
 21 considered a part of the town for purposes of annexing additional
 22 territory under section 3 or 4 of this chapter. However, any part
 23 of the unincorporated area (including any property occupied by
 24 the sewer line under subsection (d)(10)) that:

25 (A) adjoins the boundaries of the annexation territory; and
 26 (B) extends one-half (1/2) mile from the boundaries of the
 27 annexation territory;

28 may only be annexed by the town if the annexation is under
 29 section 5.1 of this chapter.

30 (2) Any part of the unincorporated area (including any property
 31 occupied by the sewer line under subsection (d)(10)) that
 32 extends:

33 (A) outside the one-half (1/2) mile area described in
 34 subdivision (1); and
 35 (B) to the corporate limits of the town;

36 is not a part of the annexation territory or the town for purposes
 37 of annexing additional territory under this chapter.

38 SECTION 247. IC 36-7-4-1107 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1107. (a) This section
 40 applies to a children's home providing residential care for eleven (11)
 41 or more children that is operating in a residential area on January 1,
 42 1992.

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1 (b) As used in this section, "children's home" has the meaning set
2 forth in ~~IC 12-7-2-29(1)~~. IC 12-7-2.1-60(1).

3 (c) A zoning ordinance may not prevent improvements to a
4 children's home on the grounds that:

5 (1) the children's home is a business; or

6 (2) the persons residing in the children's home are not related.

7 (d) Except as provided in subsection (c), a children's home must
8 meet the same:

9 (1) zoning requirements;

10 (2) developmental standards; and

11 (3) building codes;

12 that apply to the improvement of residential structures in the same
13 residential district or classification as the children's home.

14 (e) As used in this subsection, "tract" has the meaning set forth in
15 IC 6-1.1-1-22.5. A children's home must comply with a restriction,
16 reservation, condition, exception, or covenant in a subdivision plat,
17 deed, or other instrument of, or pertaining to, the transfer, sale, lease,
18 or use of property that:

19 (1) applies to the tract on which the children's home is located;
20 and

21 (2) is in existence for that tract before the children's home
22 acquires ownership or use of the tract.

23 SECTION 248. IC 36-7-4-1108, AS AMENDED BY
24 P.L.134-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2026]: Sec. 1108. (a) This section applies only
26 to a child care home that is used as the primary residence of the person
27 who operates the child care home regardless of whether the child care
28 home meets the definition set forth in ~~IC 12-7-2-28.6~~. IC 12-7-2.1-57.

29 (b) A zoning ordinance may not do any of the following:

30 (1) Exclude a child care home from a residential area solely
31 because the child care home is a business.

32 (2) Impose limits on the number of children that may be served
33 by a child care home at any one (1) time that vary from the limits
34 set forth in ~~IC 12-7-2-33.7~~. IC 12-7-2.1-68 and ~~IC 12-7-2-33.8~~.
35 IC 12-7-2.1-69.

36 (3) Impose requirements or restrictions upon child care homes
37 that vary from the requirements and restrictions imposed upon
38 child care homes by rules adopted by the division of family
39 resources or the fire prevention and building safety commission.

40 (c) Notwithstanding subsection (b), a child care home may be
41 required to meet the same:

42 (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 (1) reflect the essential functions of the job;
 2 (2) be consistent with business necessity; and
 3 (3) be evaluated by the system board one (1) time before January
 4 1, 2015, and every five (5) years thereafter.
- 5 The purpose of the baseline statewide mental examination is to
 6 determine if the police officer or firefighter is mentally suitable to be
 7 a member of the department. The local board may designate a
 8 community mental health center or a managed care provider (as
 9 defined in ~~IC 12-7-2-127(b)~~, IC 12-7-2.1-219), a hospital, a licensed
 10 physician, or a licensed psychologist to administer the examination.
 11 However, the results of a baseline statewide mental examination shall
 12 be interpreted by a licensed physician or a licensed psychologist.
- 13 (d) The employer shall pay for no less than one-half (1/2) the cost
 14 of the examinations.
- 15 (e) Each local board shall name the physicians who will conduct
 16 the examinations under this section.
- 17 (f) If a local board determines that a candidate passes the local
 18 physical and mental standards, if any, established under IC 36-8-3.2-6,
 19 the baseline statewide physical examination described in subsection
 20 (a), and the baseline statewide mental examination described in
 21 subsection (c), the local board shall send the following to the Indiana
 22 public retirement system:
- 23 (1) Copies and certification of the results of the baseline
 24 statewide physical examination described in subsection (a).
 25 (2) Certification of the results of the physical agility examination
 26 required under IC 36-8-3.2-3 or IC 36-8-3.2-3.5.
 27 (3) Certification of the results of the baseline statewide mental
 28 examination described in subsection (c).
- 29 (g) The system board or the system board's designee shall then
 30 determine whether the candidate passes the baseline statewide physical
 31 standards adopted under subsection (b). If the candidate passes the
 32 baseline statewide standards, the system board or the system board's
 33 designee shall also determine whether the candidate has a Class 3
 34 excludable condition under section 13.6 of this chapter. The system
 35 board or the system board's designee shall retain the results of the
 36 examinations and all documents related to the examination until the
 37 police officer or firefighter retires or separates from the department.
- 38 (h) To the extent required by the federal Americans with
 39 Disabilities Act, the system board shall do the following:
- 40 (1) Treat the medical transcripts, reports, records, and other
 41 material compiled under this section as confidential medical
 42 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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