



# SENATE MOTION

MR. PRESIDENT:

**I move** that Senate Bill 91 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 16-41-7.5-5.5 IS ADDED TO THE INDIANA
- 4       CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5       [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. The legislative body of**
- 6       **the municipality or the executive body of the county may impose a**
- 7       **syringe exchange ratio requirement, as determined by the**
- 8       **municipality or county, on a program that operates within the**
- 9       **jurisdiction of the municipality or county, including a requirement**
- 10      **that the program provide only one (1) sterile syringe and needle in**
- 11      **exchange for each used sterile syringe and needle.**
- 12      SECTION 2. IC 16-41-7.5-6, AS AMENDED BY P.L.112-2020,
- 13      SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14      UPON PASSAGE]: Sec. 6. A qualified entity that operates a program
- 15      under this chapter must do the following:
- 16          (1) Annually register the program in a manner prescribed by the
- 17          state department with the:
- 18              (A) state department; and
- 19              (B) local health department in the county or municipality
- 20              where services will be provided by the qualified entity if the
- 21              qualified entity is not the local health department.
- 22          (2) Have one (1) of the following licensed in Indiana provide
- 23          oversight to the qualified entity's programs:
- 24              (A) A physician.
- 25              (B) A registered nurse.
- 26              (C) A physician assistant.
- 27          (3) Store and dispose of all syringes and needles collected in a

safe and legal manner.

(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(6) Provide syringe and needle distribution and collection:

(A) without collecting or recording personally identifiable information; and

(B) if applicable, in accordance with a syringe exchange ratio required under section 5.5 of this chapter.

**(7) Accept a syringe from an individual, regardless of the individual's participation in the program, for proper disposal.**

**(8) Provide a safe syringe disposal container to a program participant and, upon request, to any other individual.**

~~(7)~~ (9) Operate in a manner consistent with public health and safety.

~~(8)~~ **(10)** Ensure the program is medically appropriate and part of a comprehensive public health response.

~~(9)~~ **(11)** Keep sufficient quantities of an overdose intervention drug (as defined in IC 16-18-2-263.9) in stock and to administer in accordance with IC 16-42-27.

~~(10)~~ **(12)** Provide testing for communicable diseases, and if an individual tests positive for a communicable disease, provide health care services or a referral to a health care provider for the services.

~~(11)~~ **(13)** Establish a referral process for program participants in need of:

(A) information or education concerning communicable diseases; or

(B) health care.

**(14) Maintain data concerning the following:**

(A) HIV and hepatitis C testing and treatment referrals.

(B) Drug treatment referrals made under subdivision (5).

SECTION 3. IC 16-41-7.5-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. A qualified entity that operates a program under this chapter may not provide chemical**

- 1 **reagents or precursors (as defined in IC 35-48-4-14.5).".**
- 2 Renumber all SECTIONS consecutively.  
(Reference is to SB 91 as printed January 9, 2026.)

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Senator CRIDER