



February 12, 2026

ENGROSSED SENATE BILL No. 140

DIGEST OF SB 140 (Updated February 11, 2026 1:26 pm - DI 106)

Citations Affected: IC 8-3; IC 35-31.5; IC 35-45.

Synopsis: Public safety. Amends the definition of "threat" in the intimidation statute to include posting a person's personal information on a social media platform with the intent to cause: (1) bodily injury to the person; (2) damage to the person's property; or (3) the commission of a crime against the person. Increases the penalty for intimidation if committed against a legislator. Prohibits the release of personally identifying information concerning a railroad crew in a public report concerning a railroad fatality. Provides that certain uses of a drone constitute remote aerial harassment.

Effective: July 1, 2026.

**Becker, Freeman, Glick, Leising,
Goode, Charbonneau, Deery,
Walker G, Walker K**

(HOUSE SPONSORS — ZIMMERMAN, BASCOM)

January 5, 2026, read first time and referred to Committee on Corrections and Criminal Law.

January 13, 2026, amended, reported favorably — Do Pass.

January 22, 2026, read second time, amended, ordered engrossed.

January 23, 2026, engrossed.

January 26, 2026, read third time, passed. Yeas 44, nays 0.

HOUSE ACTION

January 28, 2026, read first time and referred to Committee on Courts and Criminal Code.

February 12, 2026, amended, reported — Do Pass.

ES 140—LS 6315/DI 92



February 12, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 140

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 8-3-1-20.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 20.5. (a) As used in this section, "personally**
4 **identifying information" means the following information that**
5 **identifies an individual:**
6 **(1) Name.**
7 **(2) Driver's license number.**
8 **(3) Address (other than the ZIP code).**
9 **(4) Date of birth.**
10 **(5) Electronic mail address.**
11 **(6) Telephone number.**
12 **The term does not include information about vehicular accidents,**
13 **driving or equipment related violations, and driver's license or**
14 **registration status.**
15 **(b) Personally identifying information of railroad crew**
16 **members must be redacted from any public report involving a**
17 **railroad fatality.**

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1 (c) Any law enforcement agency or other person who possesses
2 a report involving a railroad fatality shall maintain the report in
3 a manner that ensures the confidentiality of the railroad crew's
4 personally identifying information.

5 (d) An unredacted copy of a report involving a railroad fatality
6 must be accessible at all reasonable times:

7 (1) to the host or employing railroad;

8 (2) by a court order;

9 (3) to a person specifically authorized by a court order to
10 obtain the information if access to the information is
11 necessary in the performance of the duties of the person; and

12 (4) to:

13 (A) law enforcement officers;

14 (B) the attorney general;

15 (C) the attorney general's deputies and assistants;

16 (D) the department; and

17 (E) the department's staff;

18 if access to the information is necessary in the performance of
19 the duties of a person described in clauses (A) through (E).

20 SECTION 2. IC 35-31.5-2-234.5 IS ADDED TO THE INDIANA
21 CODE AS A NEW SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: **Sec. 234.5. (a) "Personal information"**
23 **means information or a combination of information, regardless of**
24 **whether the information is publicly available, that consists of two**
25 **(2) or more of the following:**

26 (1) The individual's name.

27 (2) The individual's Social Security number.

28 (3) The address of the individual's residence or any other real
29 property owned by the individual.

30 (4) A legal name previously used by the individual.

31 (5) The individual's telephone number.

32 (6) The name or address of the individual's employer.

33 (7) The name or address of a location that the individual:

34 (A) has frequently visited in the past; and

35 (B) is likely to visit in the future.

36 (b) The term does not include the address of real property
37 provided on a real estate or mapping platform if the address is not
38 displayed or disclosed in connection with any information
39 identifying the owner or occupant of the real property.

40 SECTION 3. IC 35-31.5-2-239.5 IS ADDED TO THE INDIANA
41 CODE AS A NEW SECTION TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2026]: **Sec. 239.5. "Post" means to deliver,**



1 disseminate, or transmit information, regardless of whether the
 2 information transmitted is an audio file, a video, an image, or in a
 3 text format, to more than one (1) person through a social media
 4 platform.

5 SECTION 4. IC 35-31.5-2-306.8 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2026]: **Sec. 306.8. "Social media platform"**
 8 **means a website or application that:**

- 9 (1) is open to the public;
 10 (2) allows users to create accounts;
 11 (3) enables users to communicate or interact with other users;
 12 (4) permits users to create or post content, messages,
 13 information, or images that are viewable by other users; and
 14 (5) permits users to comment on or message other users
 15 regarding such content, messages, information, or images.

16 SECTION 5. IC 35-45-2-1, AS AMENDED BY P.L.5-2022,
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2026]: Sec. 1. (a) A person who communicates a threat with
 19 the intent:

- 20 (1) that another person engage in conduct against the other
 21 person's will;
 22 (2) that another person be placed in fear of retaliation for a prior
 23 lawful act;
 24 (3) of:
 25 (A) causing:
 26 (i) a dwelling, a building, or other structure; or
 27 (ii) a vehicle;
 28 to be evacuated; or
 29 (B) interfering with the occupancy of:
 30 (i) a dwelling, building, or other structure; or
 31 (ii) a vehicle; or
 32 (4) that another person be placed in fear that the threat will be
 33 carried out, if the threat is a threat described in:
 34 (A) subsection ~~(c)(1)~~ through ~~(c)(5)~~; **(c)(1)(A) through**
 35 **(c)(1)(E)**; or
 36 (B) subsection ~~(c)(7)~~ through ~~(c)(8)~~; **(c)(1)(G) through**
 37 **(c)(1)(H)**;

38 commits intimidation, a Class A misdemeanor.

39 (b) However, the offense is a:

- 40 (1) Level 6 felony if:
 41 (A) the threat is to commit a forcible felony;
 42 (B) the subject of the threat or the person to whom the threat



- 1 is communicated is a witness (or the spouse or child of a
 2 witness) in any pending criminal proceeding against the
 3 person making the threat;
 4 (C) the threat is communicated because of the occupation,
 5 profession, employment status, or ownership status of a person
 6 or the threat relates to or is made in connection with the
 7 occupation, profession, employment status, or ownership
 8 status of a person;
 9 (D) the person has a prior unrelated conviction for an offense
 10 under this section concerning the same victim; or
 11 (E) the threat is communicated using property, including
 12 electronic equipment or systems, of a school corporation or
 13 other governmental entity; and
 14 (2) Level 5 felony if:
 15 (A) while committing it, the person draws or uses a deadly
 16 weapon;
 17 (B) the subject of the threat or the person to whom the threat
 18 is communicated:
 19 (i) is a judicial officer or bailiff of any court; ~~or~~
 20 (ii) is a prosecuting attorney or a deputy prosecuting
 21 attorney; ~~or~~
 22 **(iii) is a member of the general assembly;**
 23 and the threat relates to the person's status as a judicial officer,
 24 bailiff, prosecuting attorney, ~~or~~ deputy prosecuting attorney, ~~or~~
 25 **member of the general assembly**, or is made in connection
 26 with the official duties of the judicial officer, bailiff,
 27 prosecuting attorney, ~~or~~ deputy prosecuting attorney, ~~or~~
 28 **member of the general assembly;** or
 29 (C) the threat is:
 30 (i) to commit terrorism; or
 31 (ii) made in furtherance of an act of terrorism.
 32 (c) "Threat" means:
 33 (1) an expression, by words or action, of an intention to:
 34 ~~(1)~~ (A) unlawfully injure the person threatened or another
 35 person, or damage property;
 36 ~~(2)~~ (B) unlawfully subject a person to physical confinement or
 37 restraint;
 38 ~~(3)~~ (C) commit a crime;
 39 ~~(4)~~ (D) unlawfully withhold official action, or cause such
 40 withholding;
 41 ~~(5)~~ (E) unlawfully withhold testimony or information with
 42 respect to another person's legal claim or defense, except for



- 1 a reasonable claim for witness fees or expenses;
 2 ~~(6)~~ **(F)** expose the person threatened to hatred, contempt,
 3 disgrace, or ridicule;
 4 ~~(7)~~ **(G)** falsely harm the credit or business reputation of a
 5 person; or
 6 ~~(8)~~ **(H)** cause the evacuation of a dwelling, a building, another
 7 structure, or a vehicle. For purposes of this subdivision, the
 8 term includes an expression that would cause a reasonable
 9 person to consider the evacuation of a dwelling, a building,
 10 another structure, or a vehicle, even if the dwelling, building,
 11 structure, or vehicle is not evacuated; **or**
 12 **(2) posting personal information of a person with the intent**
 13 **that the posting of the personal information will result in:**
 14 **(A) bodily injury to the person;**
 15 **(B) damage to the person's property; or**
 16 **(C) the commission of a crime against the person.**
 17 SECTION 6. IC 35-45-10-6, AS ADDED BY P.L.107-2017,
 18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 6. **(a)** A person who:
 20 **(1)** operates an unmanned aerial vehicle in a manner that is
 21 intended to subject another person to harassment;
 22 **(2) operates an unmanned aerial vehicle over the property of**
 23 **another person:**
 24 **(A) without the consent of the other person; and**
 25 **(B) with the intent to harass, disturb, or injure a vertebrate**
 26 **animal on the other person's property;**
 27 **(3) knowingly or intentionally disperses any substance from**
 28 **an unmanned aerial vehicle onto the property of another**
 29 **person without the consent of the other person;**
 30 **(4) recklessly, knowingly, or intentionally flies an unmanned**
 31 **aerial vehicle into a building located on the property of**
 32 **another person without the consent of the other person; or**
 33 **(5) recklessly, knowingly, or intentionally operates an**
 34 **unmanned aerial vehicle:**
 35 **(A) over the property of another person; and**
 36 **(B) without the consent of the other person;**
 37 **in a manner that interferes with or endangers another**
 38 **aircraft or unmanned aerial vehicle;**
 39 commits remote aerial harassment, a Class A misdemeanor. However,
 40 the offense is a Level 6 felony if the person has a prior unrelated
 41 conviction under this section.
 42 **(b) It is a defense to a prosecution under this section that the**



- 1 **prohibited act was:**
- 2 **(1) the result of a mechanical or electronic failure; or**
- 3 **(2) necessary to avoid a greater harm.**
- 4 **(c) It is a defense to a prosecution under subsection (a)(3) that:**
- 5 **(1) the substance came onto the property of a person owning**
- 6 **or occupying adjacent property as the result of unintentional**
- 7 **overspray; and**
- 8 **(2) the person took reasonable good faith precautions to**
- 9 **minimize the amount of overspray.**



COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 140, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete line 1.

Page 2, line 5, delete "an individual's name and".

Page 2, delete lines 7 through 15, begin a new line block indented, and insert:

"(1) The individual's name.

(2) The individual's Social Security number.

(3) The address of the individual's residence or any other real property owned by the individual.

(4) A legal name previously used by the individual.

(5) The individual's telephone number.

(6) The name or address of the individual's employer.

(7) The name or address of a location that the individual:

(A) has frequently visited in the past; and

(B) is likely to visit in the future."

and when so amended that said bill do pass.

(Reference is to SB 140 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 6, Nays 1.

 SENATE MOTION

Mr. President: I move that Senate Bill 140 be amended to read as follows:

Page 1, line 5, delete "7" and insert "4".

Page 1, delete lines 7 through 17.

Page 2, line 1, delete "Sec. 3." and insert "**Sec. 2.**".

Page 2, line 19, delete "Sec. 4." and insert "**Sec. 3.**".

Page 2, line 22, delete "platform, electronic mail, or" and insert "**platform.**".

Page 2, delete line 23.

Page 2, line 24, delete "Sec. 5." and insert "**Sec. 4.**".

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Page 2, delete lines 33 through 42, begin a new paragraph and insert:

"Sec. 5. (a) A person who:

- (1) with the intent to place an individual in fear of bodily injury or damage to the individual's property; or**
- (2) with the intent to aid, induce, or cause another person to:**
 - (A) cause bodily injury to the individual;**
 - (B) damage the individual's property; or**
 - (C) commit a crime against the individual;**

posts personal information of the individual commits doxxing, a Class A misdemeanor, except as provided in subsection (b).

(b) An offense under subsection (a) is a:

- (1) Level 6 felony if the posting of the personal information results in the individual suffering serious bodily injury; and**
- (2) Level 5 felony if the posting of the personal information results in the individual suffering a catastrophic injury or death."**

Delete page 3.

(Reference is to SB 140 as printed January 14, 2026.)

FREEMAN

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 140, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 1. IC 8-3-1-20.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20.5. (a) As used in this section, "personally identifying information" means the following information that identifies an individual:

- (1) Name.**
- (2) Driver's license number.**
- (3) Address (other than the ZIP code).**
- (4) Date of birth.**
- (5) Electronic mail address.**
- (6) Telephone number.**

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The term does not include information about vehicular accidents, driving or equipment related violations, and driver's license or registration status.

(b) Personally identifying information of railroad crew members must be redacted from any public report involving a railroad fatality.

(c) Any law enforcement agency or other person who possesses a report involving a railroad fatality shall maintain the report in a manner that ensures the confidentiality of the railroad crew's personally identifying information.

(d) An unredacted copy of a report involving a railroad fatality must be accessible at all reasonable times:

- (1) to the host or employing railroad;
- (2) by a court order;
- (3) to a person specifically authorized by a court order to obtain the information if access to the information is necessary in the performance of the duties of the person; and
- (4) to:
 - (A) law enforcement officers;
 - (B) the attorney general;
 - (C) the attorney general's deputies and assistants;
 - (D) the department; and
 - (E) the department's staff;

if access to the information is necessary in the performance of the duties of a person described in clauses (A) through (E).

SECTION 2. IC 35-31.5-2-234.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 234.5. (a) "Personal information" means information or a combination of information, regardless of whether the information is publicly available, that consists of two (2) or more of the following:"**

Page 2, delete lines 8 through 35, begin a new paragraph and insert:

"SECTION 3. IC 35-31.5-2-239.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 239.5. "Post" means to deliver, disseminate, or transmit information, regardless of whether the information transmitted is an audio file, a video, an image, or in a text format, to more than one (1) person through a social media platform.**

SECTION 4. IC 35-31.5-2-306.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 306.8. "Social media platform"**



means a website or application that:

- (1) is open to the public;
- (2) allows users to create accounts;
- (3) enables users to communicate or interact with other users;
- (4) permits users to create or post content, messages, information, or images that are viewable by other users; and
- (5) permits users to comment on or message other users regarding such content, messages, information, or images.

SECTION 5. IC 35-45-2-1, AS AMENDED BY P.L.5-2022, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person who communicates a threat with the intent:

- (1) that another person engage in conduct against the other person's will;
- (2) that another person be placed in fear of retaliation for a prior lawful act;
- (3) of:
 - (A) causing:
 - (i) a dwelling, a building, or other structure; or
 - (ii) a vehicle;
 to be evacuated; or
 - (B) interfering with the occupancy of:
 - (i) a dwelling, building, or other structure; or
 - (ii) a vehicle; or
- (4) that another person be placed in fear that the threat will be carried out, if the threat is a threat described in:
 - (A) subsection ~~(c)(1)~~ through ~~(c)(5)~~; **(c)(1)(A) through (c)(1)(E)**; or
 - (B) subsection ~~(c)(7)~~ through ~~(c)(8)~~; **(c)(1)(G) through (c)(1)(H)**;

commits intimidation, a Class A misdemeanor.

(b) However, the offense is a:

- (1) Level 6 felony if:
 - (A) the threat is to commit a forcible felony;
 - (B) the subject of the threat or the person to whom the threat is communicated is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;
 - (C) the threat is communicated because of the occupation, profession, employment status, or ownership status of a person or the threat relates to or is made in connection with the occupation, profession, employment status, or ownership



status of a person;

(D) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or

(E) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and

(2) Level 5 felony if:

(A) while committing it, the person draws or uses a deadly weapon;

(B) the subject of the threat or the person to whom the threat is communicated:

(i) is a judicial officer or bailiff of any court; ~~or~~

(ii) is a prosecuting attorney or a deputy prosecuting attorney; **or**

(iii) is a member of the general assembly;

and the threat relates to the person's status as a judicial officer, bailiff, prosecuting attorney, ~~or~~ deputy prosecuting attorney, **or member of the general assembly**, or is made in connection with the official duties of the judicial officer, bailiff, prosecuting attorney, ~~or~~ deputy prosecuting attorney, **or member of the general assembly**; or

(C) the threat is:

(i) to commit terrorism; or

(ii) made in furtherance of an act of terrorism.

(c) "Threat" means:

(1) an expression, by words or action, of an intention to:

~~(1)~~ (A) unlawfully injure the person threatened or another person, or damage property;

~~(2)~~ (B) unlawfully subject a person to physical confinement or restraint;

~~(3)~~ (C) commit a crime;

~~(4)~~ (D) unlawfully withhold official action, or cause such withholding;

~~(5)~~ (E) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses;

~~(6)~~ (F) expose the person threatened to hatred, contempt, disgrace, or ridicule;

~~(7)~~ (G) falsely harm the credit or business reputation of a person; or

~~(8)~~ (H) cause the evacuation of a dwelling, a building, another structure, or a vehicle. For purposes of this subdivision, the



term includes an expression that would cause a reasonable person to consider the evacuation of a dwelling, a building, another structure, or a vehicle, even if the dwelling, building, structure, or vehicle is not evacuated; **or**

(2) posting personal information of a person with the intent that the posting of the personal information will result in:

(A) bodily injury to the person;

(B) damage to the person's property; or

(C) the commission of a crime against the person.

SECTION 6. IC 35-45-10-6, AS ADDED BY P.L.107-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. **(a)** A person who:

(1) operates an unmanned aerial vehicle in a manner that is intended to subject another person to harassment;

(2) operates an unmanned aerial vehicle over the property of another person:

(A) without the consent of the other person; and

(B) with the intent to harass, disturb, or injure a vertebrate animal on the other person's property;

(3) knowingly or intentionally disperses any substance from an unmanned aerial vehicle onto the property of another person without the consent of the other person;

(4) recklessly, knowingly, or intentionally flies an unmanned aerial vehicle into a building located on the property of another person without the consent of the other person; or

(5) recklessly, knowingly, or intentionally operates an unmanned aerial vehicle:

(A) over the property of another person; and

(B) without the consent of the other person;

in a manner that interferes with or endangers another aircraft or unmanned aerial vehicle;

commits remote aerial harassment, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction under this section.

(b) It is a defense to a prosecution under this section that the prohibited act was:

(1) the result of a mechanical or electronic failure; or

(2) necessary to avoid a greater harm.

(c) It is a defense to a prosecution under subsection (a)(3) that:

(1) the substance came onto the property of a person owning or occupying adjacent property as the result of unintentional overspray; and



(2) the person took reasonable good faith precautions to minimize the amount of overspray."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 140 as reprinted January 23, 2026.)

MCNAMARA

Committee Vote: yeas 13, nays 0.

