

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.

SENATE ENROLLED ACT No. 140

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

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

SECTION 1. 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:**

- (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.**

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



SECTION 2. 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 3. 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 4. 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)~~ **(A)** unlawfully injure the person threatened or another person, or damage property;
 - (2) ~~(B)~~ **(B)** unlawfully subject a person to physical confinement or restraint;
 - (3) ~~(C)~~ **(C)** commit a crime;
 - (4) ~~(D)~~ **(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.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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