

PROPOSED AMENDMENT

SB 140 # 8

DIGEST

Intimidation and legislators. 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. Provides that "personal information" means disclosing two or more items of information. Increases the penalty for intimidation if committed against a legislator. Deletes the separate doxxing statute.

1 Page 1, delete lines 1 through 10, begin a new paragraph and insert:
2 "SECTION 1. IC 35-31.5-2-234.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: **Sec. 234.5. (a) "Personal information"**
5 **means information or a combination of information, regardless of**
6 **whether the information is publicly available, that consists of two**
7 **(2) or more of the following:"**.

8 Page 2, delete lines 8 through 35, begin a new paragraph and insert:
9 "SECTION 2. IC 35-31.5-2-239.5 IS ADDED TO THE INDIANA
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: **Sec. 239.5. "Post" means to deliver,**
12 **disseminate, or transmit information, regardless of whether the**
13 **information transmitted is an audio file, a video, an image, or in a**
14 **text format, to more than one (1) person through a social media**
15 **platform.**

16 SECTION 3. IC 35-31.5-2-306.8 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2026]: **Sec. 306.8. "Social media platform"**
19 **means a website or application that:**

20 **(1) is open to the public;**
21 **(2) allows users to create accounts;**
22 **(3) enables users to communicate or interact with other users;**
23 **(4) permits users to create or post content, messages,**
24 **information, or images that are viewable by other users; and**

1 **(5) permits users to comment on or message other users**
 2 **regarding such content, messages, information, or images.**

3 SECTION 4. IC 35-45-2-1, AS AMENDED BY P.L.5-2022,
 4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 1. (a) A person who communicates a threat with
 6 the intent:

7 (1) that another person engage in conduct against the other
 8 person's will;

9 (2) that another person be placed in fear of retaliation for a prior
 10 lawful act;

11 (3) of:

12 (A) causing:

13 (i) a dwelling, a building, or other structure; or

14 (ii) a vehicle;

15 to be evacuated; or

16 (B) interfering with the occupancy of:

17 (i) a dwelling, building, or other structure; or

18 (ii) a vehicle; or

19 (4) that another person be placed in fear that the threat will be
 20 carried out, if the threat is a threat described in:

21 (A) subsection ~~(c)(1)~~ through ~~(c)(5)~~; **(c)(1)(A) through**
 22 **(c)(1)(E);** or

23 (B) subsection ~~(c)(7)~~ through ~~(c)(8)~~; **(c)(1)(G) through**
 24 **(c)(1)(H);**

25 commits intimidation, a Class A misdemeanor.

26 (b) However, the offense is a:

27 (1) Level 6 felony if:

28 (A) the threat is to commit a forcible felony;

29 (B) the subject of the threat or the person to whom the threat
 30 is communicated is a witness (or the spouse or child of a
 31 witness) in any pending criminal proceeding against the
 32 person making the threat;

33 (C) the threat is communicated because of the occupation,
 34 profession, employment status, or ownership status of a person
 35 or the threat relates to or is made in connection with the
 36 occupation, profession, employment status, or ownership
 37 status of a person;

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

40 (E) the threat is communicated using property, including

- 1 electronic equipment or systems, of a school corporation or
 2 other governmental entity; and
- 3 (2) Level 5 felony if:
- 4 (A) while committing it, the person draws or uses a deadly
 5 weapon;
- 6 (B) the subject of the threat or the person to whom the threat
 7 is communicated:
- 8 (i) is a judicial officer or bailiff of any court; ~~or~~
 9 (ii) is a prosecuting attorney or a deputy prosecuting
 10 attorney; **or**
 11 **(iii) is a member of the general assembly;**
- 12 and the threat relates to the person's status as a judicial officer,
 13 bailiff, prosecuting attorney, ~~or~~ deputy prosecuting attorney, **or**
 14 **member of the general assembly**, or is made in connection
 15 with the official duties of the judicial officer, bailiff,
 16 prosecuting attorney, ~~or~~ deputy prosecuting attorney, **or**
 17 **member of the general assembly;** or
- 18 (C) the threat is:
- 19 (i) to commit terrorism; or
 20 (ii) made in furtherance of an act of terrorism.
- 21 (c) "Threat" means:
- 22 (1) an expression, by words or action, of an intention to:
- 23 ~~(1)~~ (A) unlawfully injure the person threatened or another
 24 person, or damage property;
- 25 ~~(2)~~ (B) unlawfully subject a person to physical confinement or
 26 restraint;
- 27 ~~(3)~~ (C) commit a crime;
- 28 ~~(4)~~ (D) unlawfully withhold official action, or cause such
 29 withholding;
- 30 ~~(5)~~ (E) unlawfully withhold testimony or information with
 31 respect to another person's legal claim or defense, except for
 32 a reasonable claim for witness fees or expenses;
- 33 ~~(6)~~ (F) expose the person threatened to hatred, contempt,
 34 disgrace, or ridicule;
- 35 ~~(7)~~ (G) falsely harm the credit or business reputation of a
 36 person; or
- 37 ~~(8)~~ (H) cause the evacuation of a dwelling, a building, another
 38 structure, or a vehicle. For purposes of this subdivision, the
 39 term includes an expression that would cause a reasonable

1 person to consider the evacuation of a dwelling, a building,
2 another structure, or a vehicle, even if the dwelling, building,
3 structure, or vehicle is not evacuated; **or**
4 **(2) posting personal information of a person with the intent**
5 **that the posting of the personal information will result in:**
6 **(A) bodily injury to the person;**
7 **(B) damage to the person's property; or**
8 **(C) the commission of a crime against the person."**

9 Renumber all SECTIONS consecutively.

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