

PROPOSED AMENDMENT

SB 140 # 4

DIGEST

Intimidation. 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. Deletes the separate doxxing statute.

- 1 Page 1, delete lines 1 through 8, 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. "Personal information"**
- 5 **means information or a combination of".**
- 6 Page 2, delete lines 8 through 35, begin a new paragraph and insert:
- 7 "SECTION 2. IC 35-31.5-2-239.5 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2026]: **Sec. 239.5. "Post" means to deliver,**
- 10 **disseminate, or transmit information, regardless of whether the**
- 11 **information transmitted is an audio file, a video, an image, or in a**
- 12 **text format, to more than one (1) person through a social media**
- 13 **platform.**
- 14 SECTION 3. IC 35-31.5-2-306.8 IS ADDED TO THE INDIANA
- 15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2026]: **Sec. 306.8. "Social media platform"**
- 17 **means a website or application that:**
- 18 **(1) is open to the public;**
- 19 **(2) allows users to create accounts;**
- 20 **(3) enables users to communicate or interact with other users;**
- 21 **(4) permits users to create or post content, messages,**
- 22 **information, or images that are viewable by other users; and**
- 23 **(5) permits users to comment on or message other users**
- 24 **regarding such content, messages, information, or images.**
- 25 SECTION 4. IC 35-45-2-1, AS AMENDED BY P.L.5-2022,
- 26 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

- 1 weapon;
- 2 (B) the subject of the threat or the person to whom the threat
- 3 is communicated:
- 4 (i) is a judicial officer or bailiff of any court; or
- 5 (ii) is a prosecuting attorney or a deputy prosecuting
- 6 attorney;
- 7 and the threat relates to the person's status as a judicial officer,
- 8 bailiff, prosecuting attorney, or deputy prosecuting attorney, or
- 9 is made in connection with the official duties of the judicial
- 10 officer, bailiff, prosecuting attorney, or deputy prosecuting
- 11 attorney; or
- 12 (C) the threat is:
- 13 (i) to commit terrorism; or
- 14 (ii) made in furtherance of an act of terrorism.
- 15 (c) "Threat" means:
- 16 (1) an expression, by words or action, of an intention to:
- 17 ~~(1)~~ (A) unlawfully injure the person threatened or another
- 18 person, or damage property;
- 19 ~~(2)~~ (B) unlawfully subject a person to physical confinement or
- 20 restraint;
- 21 ~~(3)~~ (C) commit a crime;
- 22 ~~(4)~~ (D) unlawfully withhold official action, or cause such
- 23 withholding;
- 24 ~~(5)~~ (E) unlawfully withhold testimony or information with
- 25 respect to another person's legal claim or defense, except for
- 26 a reasonable claim for witness fees or expenses;
- 27 ~~(6)~~ (F) expose the person threatened to hatred, contempt,
- 28 disgrace, or ridicule;
- 29 ~~(7)~~ (G) falsely harm the credit or business reputation of a
- 30 person; or
- 31 ~~(8)~~ (H) cause the evacuation of a dwelling, a building, another
- 32 structure, or a vehicle. For purposes of this subdivision, the
- 33 term includes an expression that would cause a reasonable
- 34 person to consider the evacuation of a dwelling, a building,
- 35 another structure, or a vehicle, even if the dwelling, building,
- 36 structure, or vehicle is not evacuated; **or**
- 37 **(2) posting personal information of a person with the intent**
- 38 **that the posting of the personal information will result in:**
- 39 **(A) bodily injury to the person;**
- 40 **(B) damage to the person's property; or**

- 1 **(C) the commission of a crime against the person."**
(Reference is to SB 140 as reprinted January 23, 2026.)