

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

1 JULY 1, 2026]: Sec. 1. (a) A person who communicates a threat with
2 the intent:

3 (1) that another person engage in conduct against the other
4 person's will;
5 (2) that another person be placed in fear of retaliation for a prior
6 lawful act;
7 (3) of:
8 (A) causing:
9 (i) a dwelling, a building, or other structure; or
10 (ii) a vehicle;
11 to be evacuated; or
12 (B) interfering with the occupancy of:
13 (i) a dwelling, building, or other structure; or
14 (ii) a vehicle; or
15 (4) that another person be placed in fear that the threat will be
16 carried out, if the threat is a threat described in:
17 (A) subsection (e)(1) through (e)(5); (c)(1)(A) through
18 (c)(1)(E); or
19 (B) subsection (e)(7) through (e)(8); (c)(1)(G) through
20 (c)(1)(H);
21 commits intimidation, a Class A misdemeanor.

22 (b) However, the offense is a:

23 (1) Level 6 felony if:
24 (A) the threat is to commit a forcible felony;
25 (B) the subject of the threat or the person to whom the threat
26 is communicated is a witness (or the spouse or child of a
27 witness) in any pending criminal proceeding against the
28 person making the threat;
29 (C) the threat is communicated because of the occupation,
30 profession, employment status, or ownership status of a person
31 or the threat relates to or is made in connection with the
32 occupation, profession, employment status, or ownership
33 status of a person;
34 (D) the person has a prior unrelated conviction for an offense
35 under this section concerning the same victim; or
36 (E) the threat is communicated using property, including
37 electronic equipment or systems, of a school corporation or
38 other governmental entity; and
39 (2) Level 5 felony if:
40 (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 (†) (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 (θ) (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**

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.)