



Adopted	Rejected
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COMMITTEE REPORT

YES:	13
NO:	0

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:*

- 1 Page 1, delete lines 1 through 10, begin a new paragraph and insert:
- 2 "SECTION 1. IC 8-3-1-20.5 IS ADDED TO THE INDIANA CODE
- 3 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
- 4 **1, 2026]: Sec. 20.5. (a) As used in this section, "personally**
- 5 **identifying information" means the following information that**
- 6 **identifies an individual:**
- 7 **(1) Name.**
- 8 **(2) Driver's license number.**
- 9 **(3) Address (other than the ZIP code).**
- 10 **(4) Date of birth.**
- 11 **(5) Electronic mail address.**
- 12 **(6) Telephone number.**
- 13 **The term does not include information about vehicular accidents,**
- 14 **driving or equipment related violations, and driver's license or**

1 registration status.

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

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

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

11 (1) to the host or employing railroad;
12 (2) by a court order;
13 (3) to a person specifically authorized by a court order to
14 obtain the information if access to the information is
15 necessary in the performance of the duties of the person; and
16 (4) to:

17 (A) law enforcement officers;
18 (B) the attorney general;
19 (C) the attorney general's deputies and assistants;
20 (D) the department; and
21 (E) the department's staff;

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

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

30 Page 2, delete lines 8 through 35, begin a new paragraph and insert:
31 "SECTION 3. IC 35-31.5-2-239.5 IS ADDED TO THE INDIANA
32 CODE AS A NEW SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2026]: **Sec. 239.5. "Post" means to deliver,**
34 **disseminate, or transmit information, regardless of whether the**
35 **information transmitted is an audio file, a video, an image, or in a**
36 **text format, to more than one (1) person through a social media**
37 **platform.**

38 SECTION 4. IC 35-31.5-2-306.8 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2026]: **Sec. 306.8. "Social media platform"**
 3 **means a website or application that:**

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

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

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

33 commits intimidation, a Class A misdemeanor.

34 (b) However, the offense is a:

- 35 (1) Level 6 felony if:
 36 (A) the threat is to commit a forcible felony;
 37 (B) the subject of the threat or the person to whom the threat
 38 is communicated is a witness (or the spouse or child of a

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

- 1 withholding;
- 2 ~~(5)~~ **(E)** unlawfully withhold testimony or information with
- 3 respect to another person's legal claim or defense, except for
- 4 a reasonable claim for witness fees or expenses;
- 5 ~~(6)~~ **(F)** expose the person threatened to hatred, contempt,
- 6 disgrace, or ridicule;
- 7 ~~(7)~~ **(G)** falsely harm the credit or business reputation of a
- 8 person; or
- 9 ~~(8)~~ **(H)** cause the evacuation of a dwelling, a building, another
- 10 structure, or a vehicle. For purposes of this subdivision, the
- 11 term includes an expression that would cause a reasonable
- 12 person to consider the evacuation of a dwelling, a building,
- 13 another structure, or a vehicle, even if the dwelling, building,
- 14 structure, or vehicle is not evacuated; or

- 15 **(2) posting personal information of a person with the intent**
- 16 **that the posting of the personal information will result in:**
- 17 **(A) bodily injury to the person;**
- 18 **(B) damage to the person's property; or**
- 19 **(C) the commission of a crime against the person.**

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

- 23 **(1)** operates an unmanned aerial vehicle in a manner that is
- 24 intended to subject another person to harassment;
- 25 **(2) operates an unmanned aerial vehicle over the property of**
- 26 **another person:**
- 27 **(A) without the consent of the other person; and**
- 28 **(B) with the intent to harass, disturb, or injure a vertebrate**
- 29 **animal on the other person's property;**
- 30 **(3) knowingly or intentionally disperses any substance from**
- 31 **an unmanned aerial vehicle onto the property of another**
- 32 **person without the consent of the other person;**
- 33 **(4) recklessly, knowingly, or intentionally flies an unmanned**
- 34 **aerial vehicle into a building located on the property of**
- 35 **another person without the consent of the other person; or**
- 36 **(5) recklessly, knowingly, or intentionally operates an**
- 37 **unmanned aerial vehicle:**
- 38 **(A) over the property of another person; and**

1 **(B) without the consent of the other person;**
 2 **in a manner that interferes with or endangers another**
 3 **aircraft or unmanned aerial vehicle;**

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

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

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

10 **(2) necessary to avoid a greater harm.**

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

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

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

17 Renumber all SECTIONS consecutively.

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

and when so amended that said bill do pass.

Representative McNamara