

SENATE BILL No. 182

AM018203 has been incorporated into introduced printing.

Synopsis: Gender issues.

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2026

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Introduced

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 BILL No. 182

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.238-2025,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. (a) The following definitions apply to the
4 construction of all Indiana statutes, unless the construction is plainly
5 repugnant to the intent of the general assembly or of the context of the
6 statute:
7 (1) "Adult", "of full age", and "person in his majority" mean a
8 person at least eighteen (18) years of age.
9 (2) "Attorney" includes a counselor or other person authorized
10 to appear and represent a party in an action or special
11 proceeding.
12 (3) "Autism" means a neurological condition as described in the
13 most recent edition of the Diagnostic and Statistical Manual of
14 Mental Disorders of the American Psychiatric Association.
15 (4) "Bond" does not necessarily imply a seal.

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(5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.

(6) "Female", when referencing the human species, means an individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

(7) "Gender" is a synonym for sex and has the meaning set forth in subdivision (25).

(8) (9) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.

(7) (9) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.

(8) (10) "Infant" or "minor" means a person less than eighteen (18) years of age.

(9) (11) "Inhabitant" may be construed to mean a resident in any place.

(10) (12) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.

(11) (13) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.

(14) "Male", when referencing the human species, means an individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

(12) (15) "Mentally incompetent" means of unsound mind.

(13) (16) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.

(14) (17) "Month" means a calendar month, unless otherwise expressed.

(15) (18) "Noncode statute" means a statute that is not codified as part of the Indiana Code.

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(b) This subsection applies to the definitions of "Hoosier veteran" and "veteran" when used in reference to state programs for veterans. The term "veteran" includes "Hoosier veteran", and applies to the construction of all Indiana statutes, unless the construction is expressly excluded by the terms of the statute, is plainly repugnant to the intent of the general assembly or of the context of the statute, or is inconsistent with federal law. "Hoosier veteran" means an individual who meets the following criteria:

17 The definitions set forth in this subsection may not be construed to
18 affect a Hoosier veteran's eligibility for any state program that is based
19 upon a particular aspect of the Hoosier veteran's service such as a
20 disability or a wartime service requirement.

21 SECTION 2. IC 11-10-1-3 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Upon completion
23 of the evaluation prescribed in section 2 of this chapter and before
24 assigning **him an offender** to a facility or program, the department
25 shall determine the appropriate degree of security (maximum, medium,
26 or minimum) for each offender as described in IC 35-38-3-6. In making
27 that determination the department shall, in addition to other relevant
28 information, consider:

29 (1) the results of the evaluation prescribed in section 2 of this
30 chapter;
31 (2) the recommendations of the sentencing court; and
32 (3) the degree and kind of custodial control necessary for the
33 protection of the public, staff, other confined persons, and the
34 individual being considered.

35 (b) After determining the offender's security classification, the
36 department shall assign **him the offender** to a facility or program;
37 make an initial employment, education, training, or other assignment
38 within that facility or program; and order medical, psychiatric,
39 psychological, or other services. In making the assignment, the
40 department shall, in addition to other relevant information, consider:

41 (1) the results of the evaluation prescribed in section 2 of this

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1 chapter;

2 (2) the offender's security classification;

3 (3) the offender's need for special therapy or programs, including

4 employment, education, or training available only in specific

5 facilities or programs;

6 (4) the likelihood of the offender's reintegration into the

7 community in which the facility or program is located;

8 (5) the desirability of keeping the offender in a facility or

9 program near the area in which **he the offender** resided before

10 commitment;

11 (6) the desires of the offender;

12 (7) the current population levels of the facilities or programs

13 considered appropriate for the offender; and

14 (8) the length of the offender's sentence.

15 (c) If the department determines that a committed offender is
16 mentally or physically incapacitated to such an extent that proper
17 custody, care, and control cannot be provided by the department, it
18 shall make arrangements for placement outside the department.

19 (d) Before assigning an offender to a facility or program, the
20 department shall give ~~him~~ **the offender** an opportunity to present
21 pertinent information; discuss with ~~him~~ **the offender** all aspects of the
22 evaluation, classification, and assignment process; and work with ~~him~~
23 **the offender** to determine a fair and appropriate assignment.

27 (e) (f) If an offender is sentenced to a term of imprisonment of one
28 (1) year or less, the department may make an assignment under this
29 section without making the evaluation prescribed in section 2 of this
30 chapter. In determining the length of an offender's term, consecutive
31 terms of imprisonment shall be added together.

32 **(f)(g)** This section does not prohibit the temporary assignment of
33 an offender pending evaluation and classification.

34 SECTION 3. IC 11-10-2-5 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Upon completion
36 of the evaluation prescribed in section 4 of this chapter, the department
37 shall assign the offender to a facility or program; make an initial
38 education, training, employment, or other assignment within that
39 facility or program; and order medical, psychiatric, psychological, or
40 other services it considers appropriate. In making the assignment, the
41 department shall, among other relevant information, consider:

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(1) the results of the evaluation prescribed in section 4 of this chapter;

(2) the recommendations of the committing court;

(3) the offender's need for special therapy or programs, including education, training, or employment available only in specific facilities or programs;

(4) the degree and type of custodial control necessary for the protection of the public, staff, other committed offenders, and the individual being considered;

(5) the likelihood of the offender's reintegration into the community in which the facility or program is located;

(6) the desirability of keeping the offender in a facility or program near the area in which ~~he~~ **the offender** resided before commitment;

(7) the desires of the offender and ~~his~~ **the offender's** parents, guardian, or custodian;

(8) the current population levels of the facilities or programs considered appropriate for the offender; and

(9) the probable length of commitment.

(b) If the department determines that a committed offender is mentally or physically incapacitated to such an extent that proper custody, care, and control cannot be provided by the department, it shall make arrangements for placement outside the department.

(c) If an offender is found to be pregnant, the department may return her to the committing court for further disposition.

(d) Before assigning an offender to a facility or program, the department shall give ~~him~~ **the offender** an opportunity to present pertinent information, discuss with ~~him~~ **the offender** all aspects of the evaluation and assignment process, and work with ~~him~~ **the offender** to determine a fair and appropriate assignment.

(e) The department shall assign an offender to a facility or program that is based on the offender's sex, as defined by IC 1-1-4-5(a)(25), at birth.

(f) The department shall, by certified mail, return receipt requested, notify the parent, guardian, custodian, or nearest relative of any committed offender of ~~his~~ **the offender's physical location and any change in that location.**

(g) This section does not preclude the temporary assignment of an offender pending evaluation.

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1 JULY 1, 2026]: Sec. 9. (a) The local health officer shall make a
2 permanent record of the following from a birth certificate:

- 3 (1) Name.
- 4 (2) Sex, **as defined by IC 1-1-4-5(a)(25), either male or**
5 **female.**
- 6 (3) Date of birth.
- 7 (4) Place of birth.
- 8 (5) Name of the parents.
- 9 (6) Birthplace of the parents.
- 10 (7) The date of filing of the certificate of birth.
- 11 (8) The person in attendance at the birth.
- 12 (9) Location of the birth, including whether the birth occurred at
13 a hospital, licensed health care facility, home, or other
14 non-health care facility.

15 (b) Except as provided in subsection (c), the permanent record
16 shall be open to public inspection. Upon request by an individual, a
17 paper copy of the permanent record in subsection (a) must be provided
18 by the local health officer.

19 (c) The birth record of an adopted child remains subject to the
20 confidentiality provisions of IC 31-19 regarding the release of adoption
21 information.

22 (d) The permanent record of the information required under this
23 section may be maintained in the Indiana birth registration system
24 (IBRS).

25 SECTION 5. IC 16-37-2-10 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) As used in this
27 section, "DNA test" means an identification process in which the
28 unique genetic code of an individual that is carried by the individual's
29 deoxyribonucleic acid (DNA) is compared with the genetic codes of
30 another individual.

31 (b) The state department may make additions to or corrections in
32 a certificate of birth on receipt of adequate documentary evidence,
33 **including based on either** the results of a DNA test under subsection
34 (c) or a paternity affidavit executed under section 2.1 of this chapter.

35 (c) The state department may make an addition to a birth
36 certificate, **for purposes of paternity**, based on the results of a DNA
37 test only if:

- 38 (1) a father is not named on the birth certificate; and
- 39 (2) a citation to this subsection as the authority for the addition
40 is noted on the birth certificate.

41 (d) **The sex designation on a birth certificate may not be**



1 amended, except for either of the following:

2 (1) A medically verifiable genetic or physiological disorder
3 of sex development, including the following:

4 (A) External sex characteristics that are irresolvably
5 ambiguous.

6 (B) Forty-six (46) XX chromosomes with virilization.

7 (C) Forty-six (46) XY chromosomes with
8 undervirilization.

9 (D) Both ovarian and testicular tissues.

10 (2) Except as provided in subsection (e), a correction of a
11 birth certificate that was previously amended to record a sex
12 other than the sex designation of the individual.

13 (e) An individual applying for a corrected birth certificate
14 under subsection (d)(2) must present a state vital record, federal
15 record, or other documentation bearing the correct sex or attesting
16 to the change.

17 SECTION 6. IC 24-15-2-14, AS ADDED BY P.L.94-2023,
18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2026]: Sec. 14. "Health record" has the meaning set forth in
20 ~~IC 1-1-4-5(a)(6)~~. IC 1-1-4-5(a)(8).

