



Reprinted  
February 17, 2026

---

---

## ENGROSSED SENATE BILL No. 199

---

DIGEST OF SB 199 (Updated February 16, 2026 2:57 pm - DI 143)

**Citations Affected:** IC 20-26; IC 20-28; IC 20-30; IC 20-32; IC 21-18; IC 24-5; IC 24-16; noncode.

**Synopsis:** Various education matters. Makes changes to the composition of the case review panel established by an interscholastic athletic association. Requires the secretary of education, not later than December 1, 2026, to identify key metrics and activities concerning  
(Continued next page)

**Effective:** Upon passage; July 1, 2026; January 1, 2027.

---

---

### Raatz, Rogers

(HOUSE SPONSORS — BEHNING, KING, TESHKA)

---

---

January 5, 2026, read first time and referred to Committee on Education and Career Development.

January 15, 2026, amended, reported favorably — Do Pass.

January 26, 2026, read second time, amended, ordered engrossed.

January 27, 2026, engrossed. Returned to second reading.

January 28, 2026, re-read second time, amended, ordered engrossed.

January 29, 2026, re-engrossed. Read third time, passed. Yeas 46, nays 2.

#### HOUSE ACTION

February 2, 2026, read first time and referred to Committee on Education.

February 12, 2026, amended, reported — Do Pass.

February 16, 2026, read second time, amended, ordered engrossed.

---

---

ES 199—LS 6945/DI 152



## Digest Continued

civic literacy and to submit the information to the general assembly. Requires the secretary of education, not later than December 1, 2026, to identify and make certain recommendations concerning paid leave for employees following certain events and to submit the findings to the general assembly. Provides that certain requirements apply to schools in which, over the course of three consecutive years, fewer than 75% of students achieved a valid passing score on the determinant evaluation of reading skills. Requires the commission for higher education (commission), not later than December 1, 2026, to evaluate accrediting agencies of state educational institutions and to report the commission's findings and recommendations to the general assembly. Provides that state educational institutions with degree programs that meet the definition of a low earning outcome program under federal law must request approval from the commission to continue the degree program. Establishes requirements and restrictions regarding adolescent use of social media. Makes a violation of the requirements and restrictions a deceptive act.

**ES 199—LS 6945/DI 152**



Reprinted  
February 17, 2026

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.

## ENGROSSED SENATE BILL No. 199

---

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

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

- 1 SECTION 1. IC 20-26-14-6, AS AMENDED BY P.L.43-2021,  
2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 6. (a) The association must establish a case review  
4 panel that meets the following requirements:  
5 (1) The panel has nine (9) members.  
6 (2) The secretary of education or the secretary's designee is a  
7 member of the panel and is the chairperson of the panel.  
8 (3) The secretary of education appoints as members of the panel  
9 persons having the following qualifications:  
10 (A) Four (4) parents of high school students.  
11 ~~(B) Two (2) high school principals.~~  
12 ~~(C) Two (2) high school athletic directors.~~  
13 **(B) Four (4) school administrators.**  
14 (4) The secretary of education shall administer the functions of  
15 the panel.

ES 199—LS 6945/DI 152



- 1 (5) A member of the panel serves for a four (4) year term, subject  
 2 to the following:
- 3 (A) An appointee who ceases to meet the member's  
 4 qualification under subdivision (3) ceases to be a member of  
 5 the panel.
- 6 (B) The secretary of education shall appoint fifty percent  
 7 (50%) of the initial appointees under each clause in  
 8 subdivision (3) for terms of two (2) years, so that terms of the  
 9 panel are staggered.
- 10 (6) The panel must meet monthly, unless there are no cases before  
 11 the panel. The panel may meet more frequently at the call of the  
 12 chairperson. However, the chairperson must call a meeting within  
 13 five (5) business days, or as soon thereafter as a quorum can be  
 14 assembled, after the panel receives a case in which time is a factor  
 15 in relation to the scheduling of an athletic competition.
- 16 (7) A quorum of the panel is five (5) members. The affirmative  
 17 vote of the greater of the majority present or four (4) members of  
 18 the panel is required for the panel to take action.
- 19 (b) A student's parent who disagrees with a decision of the  
 20 association concerning the application or interpretation of a rule of the  
 21 association to the student shall have the right to do one (1) of the  
 22 following:
- 23 (1) Accept the decision.
- 24 (2) Refer the case to the panel. The parent must refer the case to  
 25 the panel not later than thirty (30) days after the date of the  
 26 association's decision.
- 27 (c) After a case is referred under subsection (b)(2), the panel must  
 28 do the following:
- 29 (1) Collect testimony and information on the case, including  
 30 testimony and information from both the association and the  
 31 parent.
- 32 (2) Place the case on the panel's agenda and consider the case at  
 33 a meeting of the panel.
- 34 (3) Not later than ten (10) business days after the meeting at  
 35 which the panel considers the case, issue a written decision that  
 36 does one (1) of the following:
- 37 (A) Upholds the association's decision on the case.
- 38 (B) Modifies the association's decision on the case.
- 39 (C) Nullifies the association's decision on the case.
- 40 (d) Subject to section 7 of this chapter, the association must  
 41 implement the decision of the panel on each case. However, a decision  
 42 of the panel:



- 1 (1) applies only to the case before the panel; and  
 2 (2) does not affect any rule of the association or decision under  
 3 any rule concerning any student other than the student whose  
 4 parent referred the case to the panel.

5 (e) The association shall pay all costs attributable to the operation  
 6 of the panel, including travel and a stipend of at least fifty dollars (\$50)  
 7 for each meeting for panel members.

8 SECTION 2. IC 20-28-3-1, AS AMENDED BY P.L.190-2025,  
 9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 UPON PASSAGE]: Sec. 1. (a) As used in this section, "teacher  
 11 candidate" means an individual recommended for an initial teaching  
 12 license from a teacher preparation program located in Indiana.

13 (b) As used in this section, "teacher preparation program" includes,  
 14 but is not limited to, the following:

- 15 (1) A teacher education school or department.  
 16 (2) A transition to teaching program under IC 20-28-4.  
 17 (3) Any other entity approved by the department to offer a course  
 18 of study leading to an initial teaching license.

19 (c) The department shall:

- 20 (1) arrange a statewide system of professional instruction for  
 21 teacher education;  
 22 (2) accredit and review teacher preparation programs that comply  
 23 with the rules of the department;  
 24 (3) approve content area licensure programs for particular kinds  
 25 of teachers in accredited teacher preparation programs; and  
 26 (4) specify the types of licenses for individuals who complete  
 27 programs of approved courses.

28 (d) The department shall work with teacher preparation programs to  
 29 develop a system of teacher education that ensures individuals who  
 30 complete teacher preparation programs are able to meet the highest  
 31 professional standards.

32 (e) Before July 1, 2015, the department shall establish standards for  
 33 the continuous improvement of program processes and the performance  
 34 of individuals who complete teacher preparation programs. The state  
 35 board shall adopt rules containing the standards not later than two  
 36 hundred seventy (270) days after the department finishes the standards.

37 (f) The standards established under subsection (e) must include  
 38 benchmarks for performance, including test score data for each teacher  
 39 preparation entity on content area licensure tests and test score data for  
 40 each teacher preparation entity on pedagogy licensure tests.

41 (g) Each teacher preparation program shall annually report the  
 42 program's performance on the standards and benchmarks established



1 under this section to the department. The department shall make the  
 2 information reported under this subsection available to the public on  
 3 the department's website. Each teacher preparation program shall make  
 4 the information reported under this subsection available to the public  
 5 on the teacher preparation program's website. In addition to reporting  
 6 performance, each teacher preparation program must report to the  
 7 department the following:

8 (1) The attrition, retention, and completion rates of teacher  
 9 candidates for the previous three (3) calendar years. The teacher  
 10 preparation program must also provide underlying data, as  
 11 determined by the department, used as part of calculating the  
 12 teacher preparation program's retention rates.

13 (2) The number of teacher candidates in each content area who  
 14 complete the teacher preparation program during the year,  
 15 disaggregated by ranges of cumulative grade point averages.

16 (3) The number of teacher candidates in each content area who,  
 17 during the year:

18 (A) do not pass a content area licensure examination; and

19 (B) do not retake the content area licensure examination.

20 (h) In making information available to the public on the  
 21 department's website, the department shall include in the report under  
 22 subsection (g), in addition to the matrix ratings described in subsection  
 23 (i), the following information:

24 (1) Average scaled or standard scores of teacher candidates who  
 25 complete teacher preparation programs on basic skills, content  
 26 area, and pedagogy licensure examinations.

27 (2) The average number of times teacher candidates who  
 28 complete a teacher preparation program take each licensing test  
 29 before receiving a passing score and the percentage of teacher  
 30 candidates who receive a passing score on each licensing test on  
 31 the teacher candidates' first attempts.

32 (i) Not later than July 30, 2016, the department and the commission  
 33 for higher education, in conjunction with the state board, the  
 34 Independent Colleges of Indiana, Inc., and teacher preparation  
 35 programs, shall establish a matrix rating system for teacher preparation  
 36 programs based on the performance of the programs as demonstrated  
 37 by the data collected under subsections (g) and (h). The matrix rating  
 38 system must be based on data collected for teachers who initially  
 39 receive their teaching license during the previous three (3) years. The  
 40 department shall make the matrix ratings available to the public on the  
 41 department's website.

42 (j) Each teacher preparation program shall report to the department,



1 in a manner prescribed by the department, the teacher preparation  
2 program's admission practices, in accordance with:

3 (1) the Council for the Accreditation of Educator Preparation  
4 standards, for teacher preparation programs accredited by the  
5 Council for the Accreditation of Educator Preparation;

6 (2) rigorous academic entry requirements for admission into a  
7 teacher preparatory program that are equivalent to the minimum  
8 academic requirements determined by the Council for the  
9 Accreditation of Educator Preparation, for teacher preparation  
10 programs that are not accredited by the Council for the  
11 Accreditation of Educator Preparation; ~~or~~

12 (3) the Association for Advancing Quality in Educator  
13 Preparation standards, for teacher preparation programs  
14 accredited by the Association for Advancing Quality in Educator  
15 Preparation; **or**

16 **(4) the department's admission standards for teacher  
17 preparation programs accredited by the department.**

18 The department shall include information reported to the department  
19 on the department's website.

20 (k) Not later than July 30, 2016, the department and the commission  
21 for higher education, in conjunction with the state board, the  
22 Independent Colleges of Indiana, Inc., and teacher preparation  
23 programs, shall establish a minimum rating under the matrix rating  
24 system established under subsection (i) that teacher preparation  
25 programs must achieve to avoid referral under subsection (l).

26 (l) Not later than July 1 of each year, the department shall submit a  
27 list of teacher preparation programs that do not meet the minimum  
28 rating established under subsection (k) or the requirements of section  
29 3.1 or 3.2 of this chapter to the commission for higher education and  
30 the Independent Colleges of Indiana, Inc. for one (1) of the following  
31 actions:

32 (1) In the case of a state educational institution, the commission  
33 for higher education shall place the teacher preparation program  
34 on an improvement plan with clear performance goals and a  
35 designated period in which the performance goals must be  
36 achieved.

37 (2) In the case of a proprietary postsecondary educational  
38 institution, the commission for higher education shall recommend  
39 to the teacher preparation program an improvement plan with  
40 clear performance goals and a designated period in which the  
41 performance goals should be achieved.

42 (3) In the case of a nonprofit college or university, the



1 Independent Colleges of Indiana, Inc., shall coordinate a peer  
 2 review process to make recommendations to the peer institution  
 3 in achieving the department's performance metrics.

- 4 (m) The department shall approve at least two (2) accreditors that:  
 5 (1) accredit teacher preparation programs; and  
 6 (2) are recognized by the Council for Higher Education  
 7 Accreditation;

8 to accredit teacher preparation programs for use in Indiana. **The**  
 9 **department may also serve as an accreditor in addition to the two**  
 10 **(2) accreditors approved under this subsection.**

11 (n) Not later than December 31, 2024, the department and the  
 12 commission for higher education, in conjunction with the state board,  
 13 shall partner with teacher preparation programs to receive an outside  
 14 evaluation by a nationally recognized nonprofit, nonpartisan  
 15 organization that leverages evidence based approaches on the science  
 16 of reading to evaluate teacher preparation reading instruction programs.

17 SECTION 3. IC 20-28-10-20 IS ADDED TO THE INDIANA  
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 19 [EFFECTIVE JULY 1, 2026]: **Sec. 20. (a) As used in this section,**  
 20 **"stillbirth" means a birth after twenty (20) weeks of gestation that**  
 21 **is not a live birth.**

22 **(b) Not later than December 1, 2026, the secretary of education**  
 23 **shall do the following:**

24 **(1) Identify school corporations that provide employees paid**  
 25 **leave upon any of the following events:**

26 **(A) The birth of an employee's child.**

27 **(B) The birth of a child to an employee's spouse.**

28 **(C) The placement of a child for adoption with an**  
 29 **employee.**

30 **(D) The stillbirth of an employee's child.**

31 **(2) Identify the length of paid leave school corporations**  
 32 **provide for each event under subdivision (1).**

33 **(3) Make recommendations concerning paid leave for**  
 34 **employees for each event under subdivision (1).**

35 **(4) Submit the findings and recommendations under this**  
 36 **subsection to the general assembly in an electronic format**  
 37 **under IC 5-14-6.**

38 **(c) This section expires July 1, 2027.**

39 SECTION 4. IC 20-30-5-7.4 IS ADDED TO THE INDIANA CODE  
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 41 1, 2026]: **Sec. 7.4. (a) Not later than December 1, 2026, the**  
 42 **secretary of education shall do the following:**



1           **(1) Identify key metrics and activities to be used to measure**  
 2           **civic literacy and engagement in kindergarten through grade**  
 3           **12 and postsecondary education.**

4           **(2) Submit the metrics identified under subdivision (1) to the**  
 5           **general assembly in an electronic format under IC 5-14-6.**

6           **(b) This section expires July 1, 2027.**

7           SECTION 5. IC 20-32-5.1-17, AS AMENDED BY P.L.150-2024,  
 8           SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9           JULY 1, 2026]: Sec. 17. (a) The state board shall approve two (2) or  
 10          more benchmark, formative, interim, or similar assessments to identify  
 11          students that require remediation and provide individualized instruction  
 12          in which a school corporation, charter school, state accredited  
 13          nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may  
 14          receive a grant under subsection (g).

15          (b) For a benchmark, formative, interim, or similar assessment  
 16          described in subsection (a) that is administered to students in  
 17          kindergarten through grade 2, the assessment must meet one (1) or  
 18          more of the following:

19           (1) The assessment:

20           (A) focuses on English/language arts; and

21           (B) shows alignment, verified by a third party, to Indiana's  
 22           academic standards for English/language arts domains,  
 23           specifically foundational reading skills.

24           (2) The assessment is a universal screener that:

25           (A) meets the screening requirements listed in IC 20-35.5-2-2;

26           (B) measures foundational reading skills;

27           (C) received a convincing or partially convincing rating for  
 28           accuracy, reliability, and validity by the National Center on  
 29           Intensive Intervention or a nationally recognized dyslexia  
 30           assessment expert;

31           (D) screens for early literacy skill deficits;

32           (E) provides parents and schools with data analysis guides for  
 33           interpreting results and comprehensive support for schools to  
 34           guide classroom instruction and the implementation of reading  
 35           interventions; and

36           (F) provides the department with an annual analysis of  
 37           statewide data trends to support identification of early literacy  
 38           skill deficits and guides targeted intervention efforts.

39           (3) The assessment focuses on numeracy and shows alignment,  
 40           verified by a third party, to Indiana's academic standards for  
 41           mathematical domains, specifically:

42           (A) number sense;



- 1 (B) computation and algebraic thinking; and  
 2 (C) measurement.
- 3 (c) For a benchmark, formative, interim, or similar assessment  
 4 described in subsection (a) that is administered to students in grades 3  
 5 through 7, the assessment must show alignment, verified by a third  
 6 party, to Indiana's academic standards.
- 7 (d) For a benchmark, formative, interim, or similar assessment  
 8 described in subsection (a) that is administered to students in grades 8  
 9 through 10, the assessment must show alignment, verified by a third  
 10 party, to:
- 11 (1) Indiana's academic standards; or  
 12 (2) the nationally recognized college entrance exam required to be  
 13 administered under section 7 of this chapter.
- 14 (e) This subsection does not apply to an assessment that is a  
 15 universal screener described in subsection (b)(2). The majority of the  
 16 benchmark, formative, interim, or similar assessment reporting must  
 17 indicate the degree to which students are on track for grade level  
 18 proficiency and college and career readiness. Approved assessments  
 19 must also provide predictive study results for student performance on  
 20 the statewide summative assessment under section 7 of this chapter, not  
 21 later than two (2) years after the statewide summative assessment has  
 22 been first administered.
- 23 (f) This subsection does not apply to an assessment that is a  
 24 universal screener described in subsection (b)(2). A school corporation,  
 25 charter school, state accredited nonpublic school, or eligible school (as  
 26 defined in IC 20-51-1-4.7) may elect to administer a benchmark,  
 27 formative, interim, or similar assessment described in subsection (a).  
 28 If a school corporation, charter school, state accredited nonpublic  
 29 school, or eligible school (as defined in IC 20-51-1-4.7) administers an  
 30 assessment described in subsection (a), the school corporation, charter  
 31 school, state accredited nonpublic school, or eligible school (as defined  
 32 in IC 20-51-1-4.7) may prescribe the time and the manner in which the  
 33 assessment is administered.
- 34 (g) If a school corporation, charter school, state accredited  
 35 nonpublic school, or eligible school (as defined in IC 20-51-1-4.7)  
 36 elects to administer a benchmark, formative, interim, or similar  
 37 assessment described in subsection (a), the school corporation, charter  
 38 school, state accredited nonpublic school, or eligible school (as defined  
 39 in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from  
 40 the department in an amount not to exceed the cost of the assessment.  
 41 The department shall provide grants and reimbursements to a school  
 42 corporation, charter school, state accredited nonpublic school, or



1 eligible school (as defined in IC 20-51-1-4.7) under this section from  
 2 money appropriated to the department for the purpose of carrying out  
 3 this section.

4 (h) Except as provided in subsection (j), the state board and the  
 5 department may not contract with, approve, or endorse the use of a  
 6 single vendor to provide benchmark, formative, interim, or similar  
 7 assessments for any grade level or levels of kindergarten through grade  
 8 7.

9 (i) Before the state board may approve a benchmark, formative,  
 10 interim, or similar assessment described in subsection (a), the  
 11 assessment vendor must enter into a data share agreement with the  
 12 department in the manner prescribed by the department. A vendor  
 13 providing an assessment described in subsection (b)(2) shall provide  
 14 a summary of a student's assessment results to the student and the  
 15 student's parents. The summary of the results must be in an  
 16 understandable format for parents that is easy to read.

17 (j) The department shall procure a preferred assessment that meets  
 18 the requirements specified in subsection (b)(2) for use by schools in  
 19 which, **over the course of three (3) consecutive years**, fewer than  
 20 **seventy percent (70%) an average of seventy-five percent (75%)** of  
 21 students in the school achieved a valid passing score on the  
 22 determinant evaluation of reading skills approved by the state board.

23 (k) This subsection applies to:

- 24 (1) a public school, including a charter school;
- 25 (2) a state accredited nonpublic school; and
- 26 (3) an eligible school (as defined in IC 20-51-1-4.7).

27 An elementary school shall administer an assessment described in  
 28 subsection (b)(2) to students in kindergarten through grade 2. The  
 29 department shall provide guidance as to the number of times the  
 30 assessment is required and when the administrations of the assessment  
 31 should occur.

32 SECTION 6. IC 20-32-8.5-2, AS AMENDED BY P.L.186-2025,  
 33 SECTION 291, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in  
 35 subsection (b), the plan required by this chapter must include the  
 36 following:

- 37 (1) Reading skill standards for grade 1 through grade 3.
- 38 (2) A method for making determinant evaluations by grade 3 that  
 39 remedial action is required for a student, including:
  - 40 (A) except as provided in subsections (c) and (g), beginning  
 41 with evaluations administered during the 2024-2025 school  
 42 year, retention of the student in grade 3 if the student has not



- 1 achieved a passing score on the determinant evaluation of  
 2 reading skills approved by the state board after the student has  
 3 had an opportunity to retake the determinant evaluation at least  
 4 twice in the summer; and  
 5 (B) the use of curricular materials and supplemental materials  
 6 aligned to the science of reading that are designed to address  
 7 deficiencies in reading;  
 8 after other methods of remediation have been evaluated or used,  
 9 or both, if reading skills are below the standard. Appropriate  
 10 consultation with parents or guardians must be part of the plan.  
 11 (3) A requirement that schools notify a student's parent of the  
 12 following:  
 13 (A) The student's assessment results regarding skill level in:  
 14 (i) phonemic awareness;  
 15 (ii) phonics;  
 16 (iii) fluency;  
 17 (iv) vocabulary; and  
 18 (v) comprehension.  
 19 (B) The student's assessment results on the determinant  
 20 evaluation of reading skills approved by the state board.  
 21 (C) Any intervention provided to the student or any remedial  
 22 action taken.  
 23 (4) A requirement that schools monitor the progress of students  
 24 who failed to achieve a valid passing score on the:  
 25 (A) determinant evaluation of reading skills approved by the  
 26 state board; or  
 27 (B) statewide assessment program test.  
 28 (5) A requirement that schools provide reading instruction that  
 29 includes a core reading program aligned with the science of  
 30 reading to all students in kindergarten through grade 8.  
 31 (6) A requirement for the administration of the determinant  
 32 evaluation of reading skills approved by the state board to  
 33 students in grade 2.  
 34 (7) A requirement that all students take the determinant  
 35 evaluation of reading skills approved by the state board until the  
 36 student:  
 37 (A) receives a passing score, regardless of the student's grade  
 38 level; or  
 39 (B) enters grade 7.  
 40 (8) A requirement that a school report the following to the  
 41 department:  
 42 (A) The literacy interventions that will be used for students in



- 1 grade 2 who are at risk of not being reading proficient and  
 2 students in grade 3 who do not achieve a valid passing score  
 3 on the determinant evaluation of reading skills approved by  
 4 the state board.
- 5 (B) The literacy interventions in use before the adoption of the  
 6 plan for students in grade 2 who are at risk of not being  
 7 reading proficient and students in grade 3 who do not achieve  
 8 a valid passing score on the determinant evaluation of reading  
 9 skills approved by the state board.
- 10 (C) The literacy interventions in use before the adoption of the  
 11 plan for students who do not achieve a valid passing score on  
 12 the determinant evaluation of reading skills approved by the  
 13 state board.
- 14 (D) The number of students being served by the interventions  
 15 described in clauses (B) and (C).
- 16 (E) The cost of providing the interventions described in  
 17 clauses (B) and (C).
- 18 (F) Any other information requested by the department.
- 19 (9) Requirements for a school in which, **over the course of three**  
 20 **(3) consecutive years**, fewer than **seventy an average of**  
 21 **seventy-five percent (~~70%~~) (75%)** of students of the school  
 22 achieved a valid passing score on the determinant evaluation of  
 23 reading skills approved by the state board that must include the  
 24 following:
- 25 (A) Use of curriculum that is:  
 26 (i) based on the science of reading;  
 27 (ii) age appropriate; and  
 28 (iii) approved by the department.
- 29 (B) Employment of the following:  
 30 (i) Before July 1, 2025, an instructional coach who is trained  
 31 in the science of reading, as determined by the department.  
 32 This item expires January 1, 2026.  
 33 (ii) After June 30, 2025, an instructional coach with a  
 34 literacy related endorsement who is trained in the science of  
 35 reading.
- 36 (C) Use of only benchmark, formative, interim, or similar  
 37 assessments that:  
 38 (i) show alignment with Indiana's academic standards; and  
 39 (ii) are approved by the department.
- 40 (D) Use of a screener procured under IC 20-32-5.1-17(j).
- 41 (10) The fiscal impact of each component of the plan, if any. In  
 42 determining whether a component has a fiscal impact,



- 1 consideration shall be given to whether the component will  
 2 increase costs to the state or a school corporation or require the  
 3 state or school corporation to reallocate resources.
- 4 (b) A school may receive a waiver of the requirements provided in  
 5 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative  
 6 reading plan provided by the school.
- 7 (c) Except as approved by the department under subsection (g), a  
 8 student who would otherwise be subject to retention in grade 3 under  
 9 the plan is not subject to the retention requirement only if the student  
 10 meets one (1) of the following criteria:
- 11 (1) The student was subject to retention and has been retained in  
 12 grade 3 for one (1) school year.
- 13 (2) The student has an intellectual disability or the student's  
 14 individualized education program specifies that retention is not  
 15 appropriate, and the student's case conference committee has  
 16 determined that promotion to another grade is appropriate.
- 17 (3) The student is an English learner who has received services  
 18 for fewer than two (2) years and a committee consisting of:
- 19 (A) the student's parent;  
 20 (B) a building level administrator or designee;  
 21 (C) a classroom teacher of service;  
 22 (D) an English learner teacher of record, if one exists; and  
 23 (E) an English learner district administrator, if one exists;  
 24 determines that promotion is appropriate based on the  
 25 implementation of research based instructional practices outlined  
 26 in the student's individual learning plan.
- 27 (4) The student received a score of proficient or above proficient  
 28 in grade 3 math on the statewide summative assessment.
- 29 (5) The student:
- 30 (A) has received intensive intervention as determined by the  
 31 department in reading for two (2) or more years; and  
 32 (B) was retained more than one (1) time throughout  
 33 kindergarten, grade 1, or grade 2.
- 34 (d) A student who is not subject to the retention requirement as  
 35 provided under subsection (c) must be provided with additional reading  
 36 instruction that is aligned with the science of reading until the student  
 37 achieves a passing score on the determinant evaluation of reading skills  
 38 approved by the state board.
- 39 (e) Before October 1 of each school year, the department shall:
- 40 (1) identify each incoming student (as defined in section 0.7 of  
 41 this chapter) enrolled in kindergarten in a school in Indiana; and  
 42 (2) notify the parent or guardian of the student of the retention



1 requirement under this chapter for grade 3 students who do not  
 2 achieve a passing score on the Indiana reading evaluation and  
 3 determination (IRead3).

4 (f) The department shall establish a standard reporting process and  
 5 reporting window for schools to report students who qualify for an  
 6 exemption under subsection (c).

7 (g) The department shall establish a registration process for schools  
 8 to exempt an English language learner who:

9 (1) does not achieve a passing score on the determinant  
 10 evaluation of reading skills approved by the state board; and

11 (2) attends a school that has a student population comprised of at  
 12 least fifty percent (50%) of English language learners in grade 3,  
 13 as determined by the department;

14 from compliance with the requirements under subsection (a)(2)(A)  
 15 until the beginning of the 2027-2028 school year. This subsection  
 16 expires July 1, 2028.

17 SECTION 7. IC 20-32-8.5-5, AS ADDED BY P.L.199-2025,  
 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2026]: Sec. 5. (a) As used in this section, "Indiana literacy  
 20 cadre" refers to the department's collaborative professional  
 21 development initiative for educators that is aligned with the science of  
 22 reading.

23 (b) Subject to available funding, a school in which, **over the course**  
 24 **of three (3) consecutive years**, fewer than ~~seventy percent (70%)~~ **an**  
 25 **average of seventy-five percent (75%)** of students of the school  
 26 achieved a valid passing score on the determinant evaluation of reading  
 27 approved by the state board must participate in the Indiana literacy  
 28 cadre.

29 SECTION 8. IC 21-18-6-10 IS ADDED TO THE INDIANA CODE  
 30 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
 31 1, 2026]: **Sec. 10. (a) Not later than December 1, 2026, the**  
 32 **commission shall do the following:**

33 (1) **Evaluate accrediting agencies or associations that**  
 34 **currently accredit:**

35 (A) **state educational institutions; or**

36 (B) **degree programs offered by state educational**  
 37 **institutions.**

38 (2) **Identify and evaluate innovative accrediting agencies or**  
 39 **associations, including those not yet recognized by the United**  
 40 **States Department of Education, that do not currently**  
 41 **accredit state educational institutions.**

42 (3) **Identify potential alternative agencies, associations, or**



1 methods to accredit degree programs offered by state  
2 educational institutions.

3 **(4) Provide a report in an electronic format under IC 5-14-6**  
4 **to the general assembly that includes:**

5 **(A) the commission's findings under subdivisions (1)**  
6 **through (3); and**

7 **(B) recommendations concerning accrediting agencies or**  
8 **associations identified in subdivisions (2) and (3) that may**  
9 **be best suited to serve as an accreditor for state**  
10 **educational institutions or degree programs.**

11 **(b) This section expires July 1, 2027.**

12 SECTION 9. IC 21-18-9-10.7, AS ADDED BY P.L.213-2025,  
13 SECTION 248, IS AMENDED TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2026]: Sec. 10.7. (a) For each state educational  
15 institution degree program, if: ~~the~~:

16 (1) ~~the~~:

17 **(A) average number of students who graduate over the**  
18 **immediately preceding three (3) years is fewer than:**

19 ~~(A) (i) ten (10) students for a particular associate degree~~  
20 ~~program;~~

21 ~~(B) (ii) fifteen (15) students for a particular bachelor's~~  
22 ~~degree program;~~

23 ~~(C) (iii) seven (7) students for a particular master's degree~~  
24 ~~program;~~

25 ~~(D) (iv) three (3) students for a particular education~~  
26 ~~specialist program; or~~

27 ~~(E) (v) three (3) students for a particular doctorate degree~~  
28 ~~program; and or~~

29 **(B) degree program meets the definition of a low earning**  
30 **outcome program under the Higher Education Act (20**  
31 **U.S.C. 1087d); and**

32 (2) ~~the~~ state educational institution would like to continue a  
33 degree program described in subdivision (1);

34 the state educational institution must request approval from the  
35 commission to continue the degree program.

36 (b) If the commission does not grant approval under subsection (a),  
37 the state educational institution must eliminate:

38 (1) the degree program; and

39 (2) any costs associated with the degree program.

40 SECTION 10. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024,  
41 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JANUARY 1, 2027]: Sec. 3. (a) A supplier may not commit an unfair,



1 abusive, or deceptive act, omission, or practice in connection with a  
 2 consumer transaction. Such an act, omission, or practice by a supplier  
 3 is a violation of this chapter whether it occurs before, during, or after  
 4 the transaction. An act, omission, or practice prohibited by this section  
 5 includes both implicit and explicit misrepresentations.

6 (b) Without limiting the scope of subsection (a), the following acts,  
 7 and the following representations as to the subject matter of a  
 8 consumer transaction, made orally, in writing, or by electronic  
 9 communication, by a supplier, are deceptive acts:

10 (1) That such subject of a consumer transaction has sponsorship,  
 11 approval, performance, characteristics, accessories, uses, or  
 12 benefits it does not have which the supplier knows or should  
 13 reasonably know it does not have.

14 (2) That such subject of a consumer transaction is of a particular  
 15 standard, quality, grade, style, or model, if it is not and if the  
 16 supplier knows or should reasonably know that it is not.

17 (3) That such subject of a consumer transaction is new or unused,  
 18 if it is not and if the supplier knows or should reasonably know  
 19 that it is not.

20 (4) That such subject of a consumer transaction will be supplied  
 21 to the public in greater quantity than the supplier intends or  
 22 reasonably expects.

23 (5) That replacement or repair constituting the subject of a  
 24 consumer transaction is needed, if it is not and if the supplier  
 25 knows or should reasonably know that it is not.

26 (6) That a specific price advantage exists as to such subject of a  
 27 consumer transaction, if it does not and if the supplier knows or  
 28 should reasonably know that it does not.

29 (7) That the supplier has a sponsorship, approval, or affiliation in  
 30 such consumer transaction the supplier does not have, and which  
 31 the supplier knows or should reasonably know that the supplier  
 32 does not have.

33 (8) That such consumer transaction involves or does not involve  
 34 a warranty, a disclaimer of warranties, or other rights, remedies,  
 35 or obligations, if the representation is false and if the supplier  
 36 knows or should reasonably know that the representation is false.

37 (9) That the consumer will receive a rebate, discount, or other  
 38 benefit as an inducement for entering into a sale or lease in return  
 39 for giving the supplier the names of prospective consumers or  
 40 otherwise helping the supplier to enter into other consumer  
 41 transactions, if earning the benefit, rebate, or discount is  
 42 contingent upon the occurrence of an event subsequent to the time



- 1 the consumer agrees to the purchase or lease.
- 2 (10) That the supplier is able to deliver or complete the subject of
- 3 the consumer transaction within a stated period of time, when the
- 4 supplier knows or should reasonably know the supplier could not.
- 5 If no time period has been stated by the supplier, there is a
- 6 presumption that the supplier has represented that the supplier
- 7 will deliver or complete the subject of the consumer transaction
- 8 within a reasonable time, according to the course of dealing or the
- 9 usage of the trade.
- 10 (11) That the consumer will be able to purchase the subject of the
- 11 consumer transaction as advertised by the supplier, if the supplier
- 12 does not intend to sell it.
- 13 (12) That the replacement or repair constituting the subject of a
- 14 consumer transaction can be made by the supplier for the estimate
- 15 the supplier gives a customer for the replacement or repair, if the
- 16 specified work is completed and:
- 17 (A) the cost exceeds the estimate by an amount equal to or
- 18 greater than ten percent (10%) of the estimate;
- 19 (B) the supplier did not obtain written permission from the
- 20 customer to authorize the supplier to complete the work even
- 21 if the cost would exceed the amounts specified in clause (A);
- 22 (C) the total cost for services and parts for a single transaction
- 23 is more than seven hundred fifty dollars (\$750); and
- 24 (D) the supplier knew or reasonably should have known that
- 25 the cost would exceed the estimate in the amounts specified in
- 26 clause (A).
- 27 (13) That the replacement or repair constituting the subject of a
- 28 consumer transaction is needed, and that the supplier disposes of
- 29 the part repaired or replaced earlier than seventy-two (72) hours
- 30 after both:
- 31 (A) the customer has been notified that the work has been
- 32 completed; and
- 33 (B) the part repaired or replaced has been made available for
- 34 examination upon the request of the customer.
- 35 (14) Engaging in the replacement or repair of the subject of a
- 36 consumer transaction if the consumer has not authorized the
- 37 replacement or repair, and if the supplier knows or should
- 38 reasonably know that it is not authorized.
- 39 (15) The act of misrepresenting the geographic location of the
- 40 supplier by listing an alternate business name or an assumed
- 41 business name (as described in IC 23-0.5-3-4) in a local telephone
- 42 directory if:



- 1 (A) the name misrepresents the supplier's geographic location;  
 2 (B) the listing fails to identify the locality and state of the  
 3 supplier's business;  
 4 (C) calls to the local telephone number are routinely forwarded  
 5 or otherwise transferred to a supplier's business location that  
 6 is outside the calling area covered by the local telephone  
 7 directory; and  
 8 (D) the supplier's business location is located in a county that  
 9 is not contiguous to a county in the calling area covered by the  
 10 local telephone directory.
- 11 (16) The act of listing an alternate business name or assumed  
 12 business name (as described in IC 23-0.5-3-4) in a directory  
 13 assistance data base if:  
 14 (A) the name misrepresents the supplier's geographic location;  
 15 (B) calls to the local telephone number are routinely forwarded  
 16 or otherwise transferred to a supplier's business location that  
 17 is outside the local calling area; and  
 18 (C) the supplier's business location is located in a county that  
 19 is not contiguous to a county in the local calling area.
- 20 (17) The violation by a supplier of IC 24-3-4 concerning  
 21 cigarettes for import or export.
- 22 (18) The act of a supplier in knowingly selling or reselling a  
 23 product to a consumer if the product has been recalled, whether  
 24 by the order of a court or a regulatory body, or voluntarily by the  
 25 manufacturer, distributor, or retailer, unless the product has been  
 26 repaired or modified to correct the defect that was the subject of  
 27 the recall.
- 28 (19) The violation by a supplier of 47 U.S.C. 227, including any  
 29 rules or regulations issued under 47 U.S.C. 227.
- 30 (20) The violation by a supplier of the federal Fair Debt  
 31 Collection Practices Act (15 U.S.C. 1692 et seq.), including any  
 32 rules or regulations issued under the federal Fair Debt Collection  
 33 Practices Act (15 U.S.C. 1692 et seq.).
- 34 (21) A violation of IC 24-5-7 (concerning health spa services), as  
 35 set forth in IC 24-5-7-17.
- 36 (22) A violation of IC 24-5-8 (concerning business opportunity  
 37 transactions), as set forth in IC 24-5-8-20.
- 38 (23) A violation of IC 24-5-10 (concerning home consumer  
 39 transactions), as set forth in IC 24-5-10-18.
- 40 (24) A violation of IC 24-5-11 (concerning real property  
 41 improvement contracts), as set forth in IC 24-5-11-14.
- 42 (25) A violation of IC 24-5-12 (concerning telephone



- 1 solicitations), as set forth in IC 24-5-12-23.  
 2 (26) A violation of IC 24-5-13.5 (concerning buyback motor  
 3 vehicles), as set forth in IC 24-5-13.5-14.  
 4 (27) A violation of IC 24-5-14 (concerning automatic  
 5 dialing-announcing devices), as set forth in IC 24-5-14-13.  
 6 (28) A violation of IC 24-5-15 (concerning credit services  
 7 organizations), as set forth in IC 24-5-15-11.  
 8 (29) A violation of IC 24-5-16 (concerning unlawful motor  
 9 vehicle subleasing), as set forth in IC 24-5-16-18.  
 10 (30) A violation of IC 24-5-17 (concerning environmental  
 11 marketing claims), as set forth in IC 24-5-17-14.  
 12 (31) A violation of IC 24-5-19 (concerning deceptive commercial  
 13 solicitation), as set forth in IC 24-5-19-11.  
 14 (32) A violation of IC 24-5-21 (concerning prescription drug  
 15 discount cards), as set forth in IC 24-5-21-7.  
 16 (33) A violation of IC 24-5-23.5-7 (concerning real estate  
 17 appraisals), as set forth in IC 24-5-23.5-9.  
 18 (34) A violation of IC 24-5-26 (concerning identity theft), as set  
 19 forth in IC 24-5-26-3.  
 20 (35) A violation of IC 24-5.5 (concerning mortgage rescue fraud),  
 21 as set forth in IC 24-5.5-6-1.  
 22 (36) A violation of IC 24-8 (concerning promotional gifts and  
 23 contests), as set forth in IC 24-8-6-3.  
 24 (37) A violation of IC 21-18.5-6 (concerning representations  
 25 made by a postsecondary credit bearing proprietary educational  
 26 institution), as set forth in IC 21-18.5-6-22.5.  
 27 (38) A violation of IC 24-5-15.5 (concerning collection actions of  
 28 a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.  
 29 (39) A violation of IC 24-14 (concerning towing services), as set  
 30 forth in IC 24-14-10-1.  
 31 (40) A violation of IC 24-5-14.5 (concerning misleading or  
 32 inaccurate caller identification information), as set forth in  
 33 IC 24-5-14.5-12.  
 34 (41) A violation of IC 24-5-27 (concerning intrastate inmate  
 35 calling services), as set forth in IC 24-5-27-27.  
 36 (42) A violation of IC 15-21 (concerning sales of dogs by retail  
 37 pet stores), as set forth in IC 15-21-7-4.  
 38 (43) A violation of IC 24-4-23 (concerning the security of  
 39 information collected and transmitted by an adult oriented website  
 40 operator), as set forth in IC 24-4-23-14.  
 41 **(44) A violation of IC 24-16 (concerning social media**  
 42 **providers), as set forth in IC 24-16-6-1.**



1 (c) Any representations on or within a product or its packaging or  
 2 in advertising or promotional materials which would constitute a  
 3 deceptive act shall be the deceptive act both of the supplier who places  
 4 such representation thereon or therein, or who authored such materials,  
 5 and such other suppliers who shall state orally or in writing that such  
 6 representation is true if such other supplier shall know or have reason  
 7 to know that such representation was false.

8 (d) If a supplier shows by a preponderance of the evidence that an  
 9 act resulted from a bona fide error notwithstanding the maintenance of  
 10 procedures reasonably adopted to avoid the error, such act shall not be  
 11 deceptive within the meaning of this chapter.

12 (e) It shall be a defense to any action brought under this chapter that  
 13 the representation constituting an alleged deceptive act was one made  
 14 in good faith by the supplier without knowledge of its falsity and in  
 15 reliance upon the oral or written representations of the manufacturer,  
 16 the person from whom the supplier acquired the product, any testing  
 17 organization, or any other person provided that the source thereof is  
 18 disclosed to the consumer.

19 (f) For purposes of subsection (b)(12), a supplier that provides  
 20 estimates before performing repair or replacement work for a customer  
 21 shall give the customer a written estimate itemizing as closely as  
 22 possible the price for labor and parts necessary for the specific job  
 23 before commencing the work.

24 (g) For purposes of subsection (b)(15) and (b)(16), a telephone  
 25 company or other provider of a telephone directory or directory  
 26 assistance service or its officer or agent is immune from liability for  
 27 publishing the listing of an alternate business name or assumed  
 28 business name of a supplier in its directory or directory assistance data  
 29 base unless the telephone company or other provider of a telephone  
 30 directory or directory assistance service is the same person as the  
 31 supplier who has committed the deceptive act.

32 (h) For purposes of subsection (b)(18), it is an affirmative defense  
 33 to any action brought under this chapter that the product has been  
 34 altered by a person other than the defendant to render the product  
 35 completely incapable of serving its original purpose.

36 SECTION 11. IC 24-16 IS ADDED TO THE INDIANA CODE AS  
 37 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE  
 38 JANUARY 1, 2027]:

39 **ARTICLE 16. SOCIAL MEDIA PROVIDERS**

40 **Chapter 1. Applicability**

41 **Sec. 1. This article does not apply to an adolescent who is legally**  
 42 **emancipated.**



- 1           **Chapter 2. Definitions**
- 2           **Sec. 1. The definitions in this chapter apply throughout this**
- 3 **article.**
- 4           **Sec. 2. "Adolescent" means an individual who is less than**
- 5 **seventeen (17) years of age.**
- 6           **Sec. 3. "Daily active users" means the unique users in the**
- 7 **United States who:**
- 8           **(1) used a particular online forum, website, or application at**
- 9 **least eighty percent (80%) of the days during the previous**
- 10 **twelve (12) months; or**
- 11 **(2) if the online forum, website, or application did not exist**
- 12 **during all of the previous twelve (12) months, used the**
- 13 **particular online forum, website, or application at least eighty**
- 14 **percent (80%) of the days during the previous month.**
- 15           **Sec. 4. "Linked account", with respect to a user's account with**
- 16 **a social media provider, means another account with the social**
- 17 **media provider that the user has designated, through a means**
- 18 **provided by the social media provider, as an account:**
- 19           **(1) from which the user wishes to receive content;**
- 20           **(2) from which the user wishes the social media provider to**
- 21 **include in recommendations for content provided to the user**
- 22 **by the social media provider; or**
- 23           **(3) with which the user wishes to associate the user's account.**
- 24           **Sec. 5. (a) "Social media provider" means an online forum,**
- 25 **website, or application that satisfies the following criteria:**
- 26           **(1) Functions primarily to enable registered users to upload**
- 27 **content, or access content uploaded or shared by other**
- 28 **registered users, through the online forum, website, or**
- 29 **application.**
- 30           **(2) Has a user base in which ten percent (10%) or more of the**
- 31 **daily active users who are less than seventeen (17) years of age**
- 32 **spent an average of two (2) hours per day or longer on the**
- 33 **online forum, website, or application when using the online**
- 34 **forum, website, or application during:**
- 35           **(A) the previous twelve (12) months; or**
- 36           **(B) if the online forum, website, or application did not exist**
- 37 **during all of the previous twelve (12) months, the previous**
- 38 **month.**
- 39           **(3) Employs algorithms that analyze user data or information**
- 40 **on users to select content for users.**
- 41           **(4) Has any of the following addictive features:**
- 42           **(A) Continuously loading content, or content that loads as**



- 1 the user scrolls down the page without the need to open a  
 2 separate page.
- 3 (B) Seamless content, or the use of pages with no visible or  
 4 apparent end or page breaks.
- 5 (C) Display of personal interactive metrics that indicate  
 6 the number of times other users have clicked a button to  
 7 indicate their reaction to content or have shared or  
 8 reposted the content.
- 9 (D) Autoplay video or video that begins to play without the  
 10 user first clicking on the video or on a play button for the  
 11 video.
- 12 (E) Live streaming or a function that allows a user or  
 13 advertiser to broadcast live video content in real time.
- 14 (5) Is owned or operated by a person that collectively with any  
 15 parent, subsidiary, or affiliate of the person, generated at least  
 16 one billion dollars (\$1,000,000,000) in gross revenues,  
 17 worldwide, in one (1) or more of the immediately preceding  
 18 three (3) years.
- 19 (b) The term does not include the following:
- 20 (1) An online service, website, or application where the  
 21 exclusive function provides registered users of the service only  
 22 with the ability to send and receive electronic mail or direct  
 23 messaging consisting of text, photographs, pictures, images, or  
 24 videos shared only between the sender and the recipients,  
 25 without displaying or posting the material publicly or to  
 26 others not identified as the recipient by the sender.
- 27 (2) A device manufacturer or application store.
- 28 (3) A communications service provider (as defined in  
 29 IC 8-1-2.6-13(b)).
- 30 Sec. 6. "Transactional data" means a sequence of information  
 31 that documents an exchange, agreement, or transfer between an  
 32 individual, commercial entity, or third party used for the purpose  
 33 of satisfying a request or event. The term includes records that  
 34 relate to a mortgage, education, or employment.
- 35 Sec. 7. "Verifiable parental consent" means verifiable parental  
 36 consent as defined by 15 U.S.C. 6501(9) that is obtained in  
 37 conformance with 16 CFR 312.5.
- 38 Chapter 3. Adolescent Use of Social Media
- 39 Sec. 1. A social media provider that receives a request from an  
 40 Indiana resident for creation of an account with the social media  
 41 provider shall comply with the following:
- 42 (1) The social media provider shall use commercially



1 reasonable means, such as a neutral age screen mechanism, to  
 2 determine the age and state of residence of the individual  
 3 requesting creation of the account.

4 (2) If the social media provider determines under subdivision  
 5 (1) that the individual requesting creation of the account is an  
 6 adolescent, the social media provider may create the account  
 7 only if the social media provider receives verifiable parental  
 8 consent to creation of the account from a parent or legal  
 9 guardian of the adolescent.

10 **Sec. 2. (a) A social media provider shall configure the account**  
 11 **as described in subsection (c) of a registered user that the social**  
 12 **media provider knows or has reason to know is an:**

13 (1) adolescent; and

14 (2) Indiana resident.

15 (b) A social media provider may not allow an adolescent to  
 16 change or bypass an account configuration described in subsection  
 17 (c).

18 (c) A social media provider shall configure the account of a  
 19 registered user described in subsection (a) such that the account  
 20 does not use or provide, and such that the account holder may not  
 21 activate or access, the following features or functionality of the  
 22 social media platform:

23 (1) Functionality to receive direct communications other than  
 24 direct communications from an account that the user has  
 25 designated as a linked account.

26 (2) Functionality to appear in the results of a search  
 27 conducted by a person through the social media provider's  
 28 search utility unless the person holds an account that the user  
 29 has designated as a linked account.

30 (3) Dissemination of:

31 (A) content;

32 (B) recommendations for content; or

33 (C) advertising;

34 based on patterns of the adolescent's use of the social media  
 35 provider.

36 (4) Addictive features described under IC 24-16-2-5(a)(4).

37 (d) The social media provider shall provide the adolescent's  
 38 parent or legal guardian who provides verifiable parental consent  
 39 to the creation of the account with the option to receive a separate  
 40 password for the account that allows the parent or legal guardian  
 41 to:

42 (1) monitor the amount of time the adolescent spends using



1           the social media platform;

2           (2) set daily and weekly time limits on the adolescent's use of  
3           the social media platform;

4           (3) set limits on the times of day during which the adolescent  
5           can access the social media platform; and

6           (4) access the adolescent's account at any time.

7           **Chapter 4. Continuing Age Estimation**

8           **Sec. 1. (a) Beginning January 1, 2027, not later than fourteen**  
9           **(14) days after the first date on which an Indiana account holder**  
10          **has spent at least twenty-five (25) hours in a single six (6) month**  
11          **period using a social media provider's social media platform, the**  
12          **social media provider shall:**

13           (1) make reasonable efforts; and

14           (2) use reasonable means, taking into consideration the  
15           technology and data available to the social media provider;  
16          to determine the age of the Indiana account holder.

17          **(b) Subject to subsection (d):**

18           (1) if a social media provider knows or has reason to know  
19           that an Indiana account holder is seventeen (17) years of age  
20           or older, the social media provider may consider the Indiana  
21           account holder to not be an adolescent for purposes of this  
22           article; and

23           (2) if the social media provider knows or has reason to know  
24           that the Indiana account holder is not seventeen (17) years of  
25           age or older, the social media provider shall consider the  
26           Indiana account holder to be an adolescent for purposes of  
27           this article.

28          **(c) Not later than fourteen (14) days after the first date on which**  
29          **an Indiana account holder has spent at least fifty (50) hours in a**  
30          **single six (6) month period using a social media provider's social**  
31          **media platform, the social media provider shall determine the age**  
32          **of the Indiana account holder as described under subsection (a) for**  
33          **the purpose of verifying the social media provider's determination**  
34          **of the Indiana account holder's age under subsection (a).**

35          **(d) Subject to subsection (f):**

36           (1) if a social media provider knows or has reason to know  
37           that an Indiana account holder is seventeen (17) years of age  
38           or older, the social media provider may continue to consider  
39           the Indiana account holder to not be an adolescent for  
40           purposes of this article; and

41           (2) if the social media provider knows or has reason to know  
42           that the Indiana account holder is not seventeen (17) years of



1           age or older, the social media provider shall consider the  
2           Indiana account holder to be an adolescent for purposes of  
3           this article.

4           (e) Subject to subsection (g), a social media provider shall  
5           determine the age of an Indiana account holder with the social  
6           media provider's social media platform as described under  
7           subsection (a) for the purpose of verifying the social media  
8           provider's most recent determination of the Indiana account  
9           holder's age:

10           (1) when the Indiana account holder has spent an additional  
11           one hundred (100) hours using the social media platform  
12           following the date on which the social media provider  
13           determines the Indiana account holder's age under subsection  
14           (c) and each time the Indiana account holder spends an  
15           additional one hundred (100) hours using the social media  
16           platform thereafter; and

17           (2) each time the social media provider collects demographic  
18           information of any kind regarding the Indiana account  
19           holder.

20           (f) Subject to subsection (g):

21           (1) if a social media provider knows or has reason to know  
22           that an Indiana account holder is seventeen (17) years of age  
23           or older, the social media provider may continue to consider  
24           the Indiana account holder to not be an adolescent for  
25           purposes of this article; and

26           (2) if the social media provider knows or has reason to know  
27           that the Indiana account holder is not seventeen (17) years of  
28           age or older, the social media provider shall consider the  
29           Indiana account holder to be an adolescent for purposes of  
30           this article.

31           (g) Once an Indiana account holder has held an account with a  
32           social media provider's social media platform continuously for ten  
33           (10) consecutive years, the social media provider may, for purposes  
34           of the requirements to be met by a social media provider under this  
35           article, consider the Indiana account holder to not be an adolescent  
36           without determining the age of the Indiana account holder under  
37           this section.

38           Sec. 2. (a) This section applies if:

39           (1) a social media provider:

40           (A) determines under section 1 of this chapter; or

41           (B) receives information based on which the social media  
42           provider knows or has reason to know;



1           that an Indiana account holder is an adolescent; and  
 2           (2) the social media provider did not receive verifiable  
 3           parental consent under IC 24-16-3-1 for creation of the  
 4           account.

5           (b) Not later than seven (7) days after the first date on which  
 6           this section applies to the account of an Indiana account holder  
 7           under subsection (a), the social media provider shall transmit to  
 8           the Indiana account holder notice that the account is subject to  
 9           termination due to the account's noncompliance with this article.

10          The notice must include:

11           (1) the requirement under this article with which the account  
 12           is noncompliant;

13           (2) notice that the Indiana account holder has thirty (30) days  
 14           within which to dispute the social media provider's  
 15           determination that the account is noncompliant; and

16           (3) instructions regarding the means under subsection (c) by  
 17           which the Indiana account holder may dispute the social  
 18           media provider's determination that the account is  
 19           noncompliant.

20          (c) A social media provider that provides notice to an Indiana  
 21          account holder under subsection (b) shall allow the Indiana  
 22          account holder thirty (30) days after the transmission date of the  
 23          notice to dispute the social media provider's determination  
 24          through:

25           (1) provision of verifiable parental consent from a parent or  
 26           legal guardian of the Indiana account holder to the  
 27           continuation of the account; or

28           (2) any commercially reasonable method that relies on public  
 29           or private transactional data to verify the age of the account  
 30           holder.

31          (d) If, not later than thirty (30) days after the transmission date  
 32          of a notice transmitted to an Indiana account holder under  
 33          subsection (b):

34           (1) a parent or legal guardian of the Indiana account holder  
 35           provides the social media provider with verifiable parental  
 36           consent to the continuation of the account under subsection  
 37           (c)(1); or

38           (2) the Indiana account holder completes an age estimation  
 39           process under subsection (c)(2) that results in a determination  
 40           by the social media provider that the Indiana account holder  
 41           is not an adolescent;

42          the social media provider shall not terminate the account based on



1 the social media provider's determination under subsection  
2 (a)(1)(A) or the information under subsection (a)(1)(B).

3 (e) If, not later than thirty (30) days after the transmission date  
4 of a notice transmitted to an Indiana account holder under  
5 subsection (b):

6 (1) a parent or legal guardian of the Indiana account holder  
7 does not provide the social media provider with verifiable  
8 parental consent to the continuation of the account under  
9 subsection (c)(1); or

10 (2) the Indiana account holder does not complete an age  
11 estimation process under subsection (c)(2);

12 the social media provider shall terminate the account at the  
13 conclusion of the thirty (30) day period.

14 (f) If:

15 (1) an Indiana account holder who receives a notice under  
16 subsection (b) completes an age estimation process under  
17 subsection (c)(2) not later than thirty (30) days after the  
18 transmission date of the notice; and

19 (2) the age estimation results in a determination by the social  
20 media provider that the Indiana account holder is an  
21 adolescent;

22 the social media provider shall terminate the account not later than  
23 seven (7) days after receiving the results of the age estimation.

24 (g) A social media provider shall make a determination  
25 regarding the results of an Indiana account holder's age estimation  
26 under subsection (c)(2) not later than thirty (30) days after the date  
27 on which the Indiana account holder completes the age estimation  
28 process.

29 (h) A social media provider that receives verifiable parental  
30 consent for the continuation of an account under this section shall  
31 provide the parent or legal guardian with the option to receive a  
32 separate password for the account as described under  
33 IC 24-16-3-2(d).

#### 34 Chapter 5. Use and Retention of Information

35 Sec. 1. A social media provider that receives information from  
36 an individual for the purpose of the individual's provision of  
37 verifiable parental consent to the social media provider:

38 (1) may not use the information for any purpose other than  
39 registering the individual's provision of verifiable parental  
40 consent; and

41 (2) shall, except as necessary to comply with any other  
42 applicable state or federal law or regulation, delete the



1           **information immediately after registering the individual's**  
2           **provision of verifiable parental consent.**  
3           **Chapter 6. Enforcement**  
4           **Sec. 1. An owner or operator of a social media provider that**  
5           **violates this article commits a deceptive act that is actionable by**  
6           **the attorney general under IC 24-5-0.5 and that is subject to the**  
7           **penalties and remedies available to the attorney general under**  
8           **IC 24-5-0.5.**  
9           SECTION 12. [EFFECTIVE UPON PASSAGE] (a) 511  
10          IAC 13-1-1(b)(6) is void. The publisher of the Indiana  
11          Administrative Code and Indiana Register shall remove this  
12          provision from the Indiana Administrative Code.  
13          (b) This SECTION expires July 1, 2027.  
14          SECTION 13. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 10, delete lines 34 through 42.

Page 11, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 7. IC 21-18-6-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 10. (a) Not later than December 1, 2026, the commission shall do the following:**

**(1) Evaluate accrediting agencies or associations that currently accredit:**

**(A) state educational institutions; or**

**(B) degree programs offered by state educational institutions.**

**(2) Identify and evaluate innovative accrediting agencies or associations, including those not yet recognized by the United States Department of Education, that do not currently accredit state educational institutions.**

**(3) Identify potential alternative agencies, associations, or methods to accredit degree programs offered by state educational institutions.**

**(4) Provide a report in an electronic format under IC 5-14-6 to the general assembly that includes:**

**(A) the commission's findings under subdivisions (1) through (3); and**

**(B) recommendations concerning accrediting agencies or associations identified in subdivisions (2) and (3) that may be best suited to serve as an accreditor for state educational institutions or degree programs.**

**(b) This section expires July 1, 2027."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 199 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 9, Nays 2.

ES 199—LS 6945/DI 152



## SENATE MOTION

Mr. President: I move that Senate Bill 199 be amended to read as follows:

Page 17, between lines 2 and 3, begin a new paragraph and insert:  
**"Chapter 0.5. Legislative Findings**

**Sec. 1. In enacting this article, the general assembly finds and declares that it is the policy of the state to recognize the unique and evolving risks to the health, safety, and well-being of children who have unrestricted access to social media. Suicide is the leading cause of death for children between fourteen (14) and fifteen (15) years of age and the second leading cause of death for other teens. Further, twenty percent (20%) of children between twelve (12) and seventeen (17) years of age suffer from depression. Many experts have identified a strong correlation between the use of social media and the increase in suicide and depression among children. Accordingly, the general assembly finds that it has a compelling governmental interest to appropriately regulate a child's access to social media while also recognizing the fundamental rights of free speech and of a parent to make decisions about the upbringing of the parent's child."**

Page 18, line 7, delete "sixteen (16) years of age or younger" and insert **"less than eighteen (18) years of age"**.

Page 18, between lines 37 and 38, begin a new paragraph and insert:  
**"(c) The term does not include a device manufacturer or application store."**

Page 20, delete lines 27 through 30.

Page 21, delete lines 16 through 20, begin a new paragraph and insert:

**"Sec. 3. (a) An owner or operator of a social media service that knowingly and intentionally violates section 1 or 2 of this chapter commits a deceptive act.**

**(b) Except as provided in subsection (c), the attorney general may bring an action against a social media operator under IC 24-5-0.5 that is subject to the penalties and remedies available to the attorney general under IC 24-5-0.5 if the social media operator violates section 1 or 2 of this chapter.**

**(c) If the attorney general has not previously:**

- (1) brought an action against; or**
- (2) sent a notice of violation to;**

**A social media operator under this section, the attorney general shall send a notice of violation. The notice sent under this subsection must describe the violation of section 1 or 2 of this**



**chapter. The social media operator then has thirty (30) days from the date on the notice to cure the violation and provide documentation to prove that the violation has been remedied.**

**(d) If the social media operator does not remedy the violation described in the notice required under subsection (c), the attorney general may bring an action under IC 24-5-0.5 that is subject to the penalties and remedies available to the attorney general under IC 24-5-0.5."**

Page 22, line 7, delete "by a court" and insert "**to comply with this article;**".

Page 22, delete line 8.

Page 22, between lines 24 and 25, begin a new paragraph and insert: "**Sec. 6. The provisions of this article are severable in the manner provided by IC 1-1-1-8(b).**".

(Reference is to SB 199 as printed January 16, 2026.)

RAATZ

---

SENATE MOTION

Mr. President: I move that Senate Bill 199 be amended to read as follows:

Page 17, line 7, delete "fourteen (14)" and insert "**thirteen (13)**".

Page 17, line 8, delete "fourteen" and insert "**thirteen**".

Page 17, line 9, delete "(14)" and insert "**(13)**".

(Reference is to SB 199 as printed January 16, 2026.)

RAATZ

---

SENATE MOTION

Mr. President: I move that Engrossed Senate Bill 199, which is eligible for third reading, be returned to second reading for purposes of amendment.

RAATZ



## SENATE MOTION

Mr. President: I move that Senate Bill 199 be amended to read as follows:

Page 12, delete lines 3 through 42.  
 Delete pages 13 through 22.  
 Page 23, delete lines 1 through 15.  
 Renumber all SECTIONS consecutively.

(Reference is to SB 199 as reprinted January 27, 2026.)

RAATZ

---

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 199, 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:

Page 7, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 5. IC 20-32-5.1-17, AS AMENDED BY P.L.150-2024, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (g).

(b) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in kindergarten through grade 2, the assessment must meet one (1) or more of the following:

- (1) The assessment:
  - (A) focuses on English/language arts; and
  - (B) shows alignment, verified by a third party, to Indiana's academic standards for English/language arts domains, specifically foundational reading skills.
- (2) The assessment is a universal screener that:
  - (A) meets the screening requirements listed in IC 20-35.5-2-2;
  - (B) measures foundational reading skills;
  - (C) received a convincing or partially convincing rating for accuracy, reliability, and validity by the National Center on

ES 199—LS 6945/DI 152



Intensive Intervention or a nationally recognized dyslexia assessment expert;

(D) screens for early literacy skill deficits;

(E) provides parents and schools with data analysis guides for interpreting results and comprehensive support for schools to guide classroom instruction and the implementation of reading interventions; and

(F) provides the department with an annual analysis of statewide data trends to support identification of early literacy skill deficits and guides targeted intervention efforts.

(3) The assessment focuses on numeracy and shows alignment, verified by a third party, to Indiana's academic standards for mathematical domains, specifically:

(A) number sense;

(B) computation and algebraic thinking; and

(C) measurement.

(c) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in grades 3 through 7, the assessment must show alignment, verified by a third party, to Indiana's academic standards.

(d) For a benchmark, formative, interim, or similar assessment described in subsection (a) that is administered to students in grades 8 through 10, the assessment must show alignment, verified by a third party, to:

(1) Indiana's academic standards; or

(2) the nationally recognized college entrance exam required to be administered under section 7 of this chapter.

(e) This subsection does not apply to an assessment that is a universal screener described in subsection (b)(2). The majority of the benchmark, formative, interim, or similar assessment reporting must indicate the degree to which students are on track for grade level proficiency and college and career readiness. Approved assessments must also provide predictive study results for student performance on the statewide summative assessment under section 7 of this chapter, not later than two (2) years after the statewide summative assessment has been first administered.

(f) This subsection does not apply to an assessment that is a universal screener described in subsection (b)(2). A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic



school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(g) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(h) Except as provided in subsection (j), the state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

(i) Before the state board may approve a benchmark, formative, interim, or similar assessment described in subsection (a), the assessment vendor must enter into a data share agreement with the department in the manner prescribed by the department. A vendor providing an assessment described in subsection (b)(2) shall provide a summary of a student's assessment results to the student and the student's parents. The summary of the results must be in an understandable format for parents that is easy to read.

(j) The department shall procure a preferred assessment that meets the requirements specified in subsection (b)(2) for use by schools in which, **over the course of three (3) consecutive years**, fewer than ~~seventy percent (70%)~~ **an average of seventy-five percent (75%)** of students in the school achieved a valid passing score on the determinant evaluation of reading skills approved by the state board.

(k) This subsection applies to:

- (1) a public school, including a charter school;
- (2) a state accredited nonpublic school; and
- (3) an eligible school (as defined in IC 20-51-1-4.7).

An elementary school shall administer an assessment described in subsection (b)(2) to students in kindergarten through grade 2. The



department shall provide guidance as to the number of times the assessment is required and when the administrations of the assessment should occur."

Page 10, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 7. IC 20-32-8.5-5, AS ADDED BY P.L.199-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this section, "Indiana literacy cadre" refers to the department's collaborative professional development initiative for educators that is aligned with the science of reading.

(b) Subject to available funding, a school in which, **over the course of three (3) consecutive years**, fewer than ~~seventy percent (70%)~~ **an average of seventy-five percent (75%)** of students of the school achieved a valid passing score on the determinant evaluation of reading approved by the state board must participate in the Indiana literacy cadre."

Page 12, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 10. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

- (1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.
- (2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not.
- (3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.
- (4) That such subject of a consumer transaction will be supplied to the public in greater quantity than the supplier intends or reasonably expects.



- (5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.
- (6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.
- (7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.
- (8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.
- (9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.
- (10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.
- (11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.
- (12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:
- (A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;
  - (B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);
  - (C) the total cost for services and parts for a single transaction



is more than seven hundred fifty dollars (\$750); and  
 (D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

(A) the name misrepresents the supplier's geographic location;

(B) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a



product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.

(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

(24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.

(25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.

(26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.

(27) A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.

(28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and



contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

(40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

(42) A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

(43) A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.

**(44) A violation of IC 24-16 (concerning social media providers), as set forth in IC 24-16-6-1.**

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job



before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose.

SECTION 11. IC 24-16 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2027]:

**ARTICLE 16. SOCIAL MEDIA PROVIDERS**

**Chapter 1. Applicability**

**Sec. 1. This article does not apply to an adolescent who is legally emancipated.**

**Chapter 2. Definitions**

**Sec. 1. The definitions in this chapter apply throughout this article.**

**Sec. 2. "Adolescent" means an individual who is less than sixteen (16) years of age.**

**Sec. 3. "Daily active users" means the unique users in the United States who:**

- (1) used a particular online forum, website, or application at least eighty percent (80%) of the days during the previous twelve (12) months; or**
- (2) if the online forum, website, or application did not exist during all of the previous twelve (12) months, used the particular online forum, website, or application at least eighty percent (80%) of the days during the previous month.**

**Sec. 4. "Linked account", with respect to a user's account with a social media provider, means another account with the social media provider that the user has designated, through a means provided by the social media provider, as an account:**

- (1) from which the user wishes to receive content;**
- (2) from which the user wishes the social media provider to include in recommendations for content provided to the user by the social media provider; or**



(3) with which the user wishes to associate the user's account.

**Sec. 5. (a) "Social media provider" means an online forum, website, or application that satisfies the following criteria:**

**(1) Allows users to upload content or view the content or activity of other users.**

**(2) Has a user base in which ten percent (10%) or more of the daily active users who are less than sixteen (16) years of age spent an average of two (2) hours per day or longer on the online forum, website, or application when using the online forum, website, or application during:**

**(A) the previous twelve (12) months; or**

**(B) if the online forum, website, or application did not exist during all of the previous twelve (12) months, the previous month.**

**(3) Employs algorithms that analyze user data or information on users to select content for users.**

**(4) Has any of the following addictive features:**

**(A) Continuously loading content, or content that loads as the user scrolls down the page without the need to open a separate page.**

**(B) Seamless content, or the use of pages with no visible or apparent end or page breaks.**

**(C) Display of personal interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted the content.**

**(D) Autoplay video or video that begins to play without the user first clicking on the video or on a play button for the video.**

**(E) Live streaming or a function that allows a user or advertiser to broadcast live video content in real time.**

**(5) Is owned or operated by a person that collectively with any parent, subsidiary, or affiliate of the person, generated at least one billion dollars (\$1,000,000,000) in gross revenues, worldwide, in one (1) or more of the immediately preceding three (3) years.**

**(b) The term does not include the following:**

**(1) An online service, website, or application where the exclusive function provides registered users of the service only with the ability to send and receive electronic mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients,**



without displaying or posting the material publicly or to others not identified as the recipient by the sender.

(2) A device manufacturer or application store.

(3) An online service, website, or application in which the primary service is on demand audio streaming.

(4) A communications service provider (as defined in IC 8-1-2.6-13).

**Sec. 6. "Transactional data"** means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records that relate to a mortgage, education, or employment.

**Sec. 7. "Verifiable parental consent"** means verifiable parental consent as defined by 15 U.S.C. 6501(9) that is obtained in conformance with 16 CFR 312.5.

### **Chapter 3. Adolescent Use of Social Media**

**Sec. 1.** A social media provider that receives a request from an Indiana resident for creation of an account with the social media provider shall comply with the following:

(1) The social media provider shall use commercially reasonable means, such as a neutral age screen mechanism, to determine the age and state of residence of the individual requesting creation of the account.

(2) If the social media provider determines under subdivision (1) that the individual requesting creation of the account is an adolescent, the social media provider may create the account only if the social media provider receives verifiable parental consent to creation of the account from a parent or legal guardian of the adolescent.

**Sec. 2. (a)** A social media provider shall configure the account as described in subsection (c) of a registered user that the social media provider knows or has reason to know is an:

(1) adolescent; and

(2) Indiana resident.

(b) A social media provider may not allow an adolescent to change or bypass an account configuration described in subsection (c).

(c) A social media provider shall configure the account of a registered user described in subsection (a) such that the account does not use or provide, and such that the account holder may not activate or access, the following features or functionality of the social media platform:



(1) **Functionality to receive direct communications other than direct communications from an account that the user has designated as a linked account.**

(2) **Functionality to appear in the results of a search conducted by a person through the social media provider's search utility unless the person holds an account that the user has designated as a linked account.**

(3) **Dissemination of:**

(A) **content;**

(B) **recommendations for content; or**

(C) **advertising;**

**based on patterns of the adolescent's use of the social media provider.**

(4) **Addictive features described under IC 24-16-2-5(a)(4).**

(d) **The social media provider shall provide the adolescent's parent or legal guardian who provides verifiable parental consent to the creation of the account with the option to receive a separate password for the account that allows the parent or legal guardian to:**

(1) **monitor the amount of time the adolescent spends using the social media platform;**

(2) **set daily and weekly time limits on the adolescent's use of the social media platform;**

(3) **set limits on the times of day during which the adolescent can access the social media platform; and**

(4) **access the adolescent's account at any time.**

#### **Chapter 4. Continuing Age Estimation**

**Sec. 1. (a) Beginning January 1, 2027, not later than fourteen (14) days after the first date on which an Indiana account holder has spent at least twenty-five (25) hours in a single six (6) month period using a social media provider's social media platform, the social media provider shall:**

(1) **make reasonable efforts; and**

(2) **use reasonable means, taking into consideration the technology and data available to the social media provider;**

**to determine the age of the Indiana account holder.**

**(b) Subject to subsection (d):**

(1) **if a social media provider knows or has reason to know that an Indiana account holder is sixteen (16) years of age or older, the social media provider may consider the Indiana account holder to not be an adolescent for purposes of this article; and**



(2) if the social media provider knows or has reason to know that the Indiana account holder is not sixteen (16) years of age or older, the social media provider shall consider the Indiana account holder to be an adolescent for purposes of this article.

(c) Not later than fourteen (14) days after the first date on which an Indiana account holder has spent at least fifty (50) hours in a single six (6) month period using a social media provider's social media platform, the social media provider shall determine the age of the Indiana account holder as described under subsection (a) for the purpose of verifying the social media provider's determination of the Indiana account holder's age under subsection (a).

(d) Subject to subsection (f):

(1) if a social media provider knows or has reason to know that an Indiana account holder is sixteen (16) years of age or older, the social media provider may continue to consider the Indiana account holder to not be an adolescent for purposes of this article; and

(2) if the social media provider knows or has reason to know that the Indiana account holder is not sixteen (16) years of age or older, the social media provider shall consider the Indiana account holder to be an adolescent for purposes of this article.

(e) Subject to subsection (g), a social media provider shall determine the age of an Indiana account holder with the social media provider's social media platform as described under subsection (a) for the purpose of verifying the social media provider's most recent determination of the Indiana account holder's age:

(1) when the Indiana account holder has spent an additional one hundred (100) hours using the social media platform following the date on which the social media provider determines the Indiana account holder's age under subsection (c) and each time the Indiana account holder spends an additional one hundred (100) hours using the social media platform thereafter; and

(2) each time the social media provider collects demographic information of any kind regarding the Indiana account holder.

(f) Subject to subsection (g):

(1) if a social media provider knows or has reason to know that an Indiana account holder is sixteen (16) years of age or older, the social media provider may continue to consider the Indiana account holder to not be an adolescent for purposes



of this article; and

(2) if the social media provider knows or has reason to know that the Indiana account holder is not sixteen (16) years of age or older, the social media provider shall consider the Indiana account holder to be an adolescent for purposes of this article.

(g) Once an Indiana account holder has held an account with a social media provider's social media platform continuously for ten (10) consecutive years, the social media provider may, for purposes of the requirements to be met by a social media provider under this article, consider the Indiana account holder to not be an adolescent without determining the age of the Indiana account holder under this section.

Sec. 2. (a) This section applies if:

(1) a social media provider:

(A) determines under section 1 of this chapter; or

(B) receives information based on which the social media provider knows or has reason to know;

that an Indiana account holder is an adolescent; and

(2) the social media provider did not receive verifiable parental consent under IC 24-16-3-1 for creation of the account.

(b) Not later than seven (7) days after the first date on which this section applies to the account of an Indiana account holder under subsection (a), the social media provider shall transmit to the Indiana account holder notice that the account is subject to termination due to the account's noncompliance with this article.

The notice must include:

(1) the requirement under this article with which the account is noncompliant;

(2) notice that the Indiana account holder has thirty (30) days within which to dispute the social media provider's determination that the account is noncompliant; and

(3) instructions regarding the means under subsection (c) by which the Indiana account holder may dispute the social media provider's determination that the account is noncompliant.

(c) A social media provider that provides notice to an Indiana account holder under subsection (b) shall allow the Indiana account holder thirty (30) days after the transmission date of the notice to dispute the social media provider's determination through:

(1) provision of verifiable parental consent from a parent or



legal guardian of the Indiana account holder to the continuation of the account; or

(2) any commercially reasonable method that relies on public or private transactional data to verify the age of the account holder.

(d) If, not later than thirty (30) days after the transmission date of a notice transmitted to an Indiana account holder under subsection (b):

(1) a parent or legal guardian of the Indiana account holder provides the social media provider with verifiable parental consent to the continuation of the account under subsection (c)(1); or

(2) the Indiana account holder completes an age estimation process under subsection (c)(2) that results in a determination by the social media provider that the Indiana account holder is not an adolescent;

the social media provider shall not terminate the account based on the social media provider's determination under subsection (a)(1)(A) or the information under subsection (a)(1)(B).

(e) If, not later than thirty (30) days after the transmission date of a notice transmitted to an Indiana account holder under subsection (b):

(1) a parent or legal guardian of the Indiana account holder does not provide the social media provider with verifiable parental consent to the continuation of the account under subsection (c)(1); or

(2) the Indiana account holder does not complete an age estimation process under subsection (c)(2);

the social media provider shall terminate the account at the conclusion of the thirty (30) day period.

(f) If:

(1) an Indiana account holder who receives a notice under subsection (b) completes an age estimation process under subsection (c)(2) not later than thirty (30) days after the transmission date of the notice; and

(2) the age estimation results in a determination by the social media provider that the Indiana account holder is an adolescent;

the social media provider shall terminate the account not later than seven (7) days after receiving the results of the age estimation.

(g) A social media provider shall make a determination regarding the results of an Indiana account holder's age estimation



under subsection (c)(2) not later than thirty (30) days after the date on which the Indiana account holder completes the age estimation process.

(h) A social media provider that receives verifiable parental consent for the continuation of an account under this section shall provide the parent or legal guardian with the option to receive a separate password for the account as described under IC 24-16-3-2(d).

**Chapter 5. Use and Retention of Information**

**Sec. 1.** A social media provider that receives information from an individual for the purpose of the individual's provision of verifiable parental consent to the social media provider:

- (1) may not use the information for any purpose other than registering the individual's provision of verifiable parental consent; and
- (2) shall, except as necessary to comply with any other applicable state or federal law or regulation, delete the information immediately after registering the individual's provision of verifiable parental consent.

**Chapter 6. Enforcement**

**Sec. 1.** An owner or operator of a social media provider that violates this article commits a deceptive act that is actionable by the attorney general under IC 24-5-0.5 and that is subject to the penalties and remedies available to the attorney general under IC 24-5-0.5."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 199 as reprinted January 29, 2026.)

BEHNING

Committee Vote: yeas 7, nays 4.

---

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 199 be amended to read as follows:

Page 20, line 5, delete "sixteen (16)" and insert "**seventeen (17)**".

Page 20, line 29, delete "sixteen (16)" and insert "**seventeen (17)**".

ES 199—LS 6945/DI 152



Page 23, line 19, delete "sixteen (16)" and insert "**seventeen (17)**".  
Page 23, line 24, delete "sixteen (16)" and insert "**seventeen (17)**".  
Page 23, line 36, delete "sixteen (16)" and insert "**seventeen (17)**".  
Page 23, line 41, delete "sixteen (16)" and insert "**seventeen (17)**".  
Page 24, line 20, delete "sixteen (16)" and insert "**seventeen (17)**".  
Page 24, line 25, delete "sixteen (16)" and insert "**seventeen (17)**".

(Reference is to ESB 199 as printed February 12, 2026.)

DELANEY

---

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 199 be amended to read as follows:

Page 20, delete lines 26 through 27, begin a new line block indented and insert:

**"(1) Functions primarily to enable registered users to upload content, or access content uploaded or shared by other registered users, through the online forum, website, or application."**

Page 21, delete lines 26 through 27.

Page 21, line 28, delete "(4)" and insert "(3)".

Page 21, line 29, delete "IC 8-1-2.6-13)." and insert "**IC 8-1-2.6-13(b)**".

(Reference is to ESB 199 as printed February 12, 2026.)

BEHNING

