



February 5, 2026

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## ENGROSSED SENATE BILL No. 246

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DIGEST OF SB 246 (Updated February 4, 2026 12:24 pm - DI 106)

**Citations Affected:** IC 33-41; IC 35-31.5; IC 35-32; IC 35-33.

**Synopsis:** Redaction of court records. Requires the names and specified other information of child victims, child witnesses, and certain other persons to be redacted in criminal actions. Requires the use of an anonymous designator such as "Child Witness No. 1" when redacting a name, and prohibits redaction that uses the person's initials or that describes the person in terms of a family relationship.

**Effective:** July 1, 2026.

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**Freeman, Carrasco, Pol Jr., Koch,  
Clark, Glick, Baldwin**

(HOUSE SPONSORS — BASCOM, IRELAND, ZIMMERMAN)

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January 8, 2026, read first time and referred to Committee on Corrections and Criminal Law.

January 13, 2026, reported favorably — Do Pass.

January 15, 2026, read second time, ordered engrossed. Engrossed.

January 20, 2026, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

January 28, 2026, read first time and referred to Committee on Courts and Criminal Code.

February 5, 2026, amended, reported — Do Pass.

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ES 246—LS 7110/DI 106





February 5, 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. 246

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

- 1 SECTION 1. IC 33-41-1-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) If requested to do  
3 so, an official reporter shall furnish to either party in a cause a  
4 transcript of all or any part of the proceedings required by the reporter  
5 to be taken or noted, including all documentary evidence.  
6 (b) An official reporter shall furnish a typewritten or printed  
7 transcript described in subsection (a) as soon after being requested to  
8 do so as practicable.  
9 (c) The reporter shall certify that the transcript contains all the  
10 evidence given in the cause.  
11 (d) The reporter may require payment for a transcript, or that the  
12 payment be satisfactorily secured, before the reporter proceeds to do  
13 the required work.  
14 (e) **In a criminal action (as defined by IC 35-32-4-1), the official**  
15 **reporter shall comply with the requirements for redaction under**  
16 **IC 35-32-4.**  
17 SECTION 2. IC 35-31.5-2-72.7 IS ADDED TO THE INDIANA

ES 246—LS 7110/DI 106



CODE AS A NEW SECTION TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2026]: **Sec. 72.7. "Criminal action", for purposes of IC 35-32-4, has the meaning set forth in IC 35-32-4-1.**

SECTION 3. IC 35-32-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 4. References to Child Victims and Witnesses**

**Sec. 1. (a) This chapter applies only to a criminal action.**

**(b) As used in this chapter, "criminal action" means:**

- (1) an action to prosecute a misdemeanor or a felony;**
- (2) a criminal appeal or a postconviction proceeding; or**
- (3) a document, such as a probable cause affidavit:**
  - (A) prepared by a law enforcement officer; and**
  - (B) submitted to a judicial officer;**

**as part of an investigation into the possible commission of a misdemeanor or felony, even if the investigation does not result in a prosecution.**

**Sec. 2. In any document filed or submitted in a criminal action, the following information must be redacted:**

- (1) A reference to the name of a child victim or a child witness.**
- (2) A reference to the name of a person whose name is not required to be redacted under subdivision (1), if the reference to the name could be used to identify a child whose name is required to be redacted under subdivision (1).**
- (3) Addresses (mail or electronic mail), dates of birth, and telephone numbers of natural persons who are witnesses or victims.**

**Sec. 3. The name of a person whose name is required to be redacted under this chapter must be replaced with a descriptive anonymous designator, such as "Child Witness No. 1" or "Passenger". Initials or references to familial relationships may not be used.**

**Sec. 4. If a reference to an unredacted name or other information is necessary for the resolution of the criminal action, any document containing the unredacted name or information shall be filed as a separate confidential document in accordance with Rule 5 of the Indiana Rules on Access to Court Records.**

SECTION 4. IC 35-33-7-2, AS AMENDED BY P.L.131-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2. (a) As used in this section, "affiant" means the person who submits the facts upon which an arrest has been made:**



- (1) in a probable cause affidavit; or
- (2) to a judicial officer orally, under oath.

(b) At or before the initial hearing of a person arrested without a warrant for a crime, the facts upon which the arrest was made shall be submitted to the judicial officer, ex parte, in a probable cause affidavit. ~~The affidavit must be prepared and filed in accordance with section 8 of this chapter.~~ In lieu of the affidavit or in addition to it, the facts may be submitted orally under oath to the judicial officer. If facts upon which the arrest was made are submitted orally, the proceeding shall be recorded by a court reporter, and, upon request of any party in the case or upon order of the court, the record of the proceeding shall be transcribed.

(c) In addition to the facts described in subsection (b), the affiant shall disclose any known personal, financial, or familial relationship with:

- (1) any party to the investigation; or
- (2) any other person involved in the offense described in the affidavit;

if the relationship could reasonably be perceived to affect the affiant's objectivity or impartiality.

(d) If the judicial officer determines that there is probable cause to believe that any crime was committed and that the arrested person committed it, the judicial officer shall order that the arrested person be held to answer in the proper court. If the facts submitted do not establish probable cause or if the prosecuting attorney informs the judicial officer on the record that no charge will be filed against the arrested person, the judicial officer shall order that the arrested person be released immediately.

SECTION 5. IC 35-33-7-8 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 8: A probable cause affidavit must be redacted as follows:

(1) References to the name of a child witness or victim in a case involving a sex offense allegedly committed against a child must be replaced with a descriptive anonymous designator, such as "Witness No. 1" or "Passenger". The use of initials and references to familial relationships should be avoided.

(2) References to the name of a person whose name is not required to be redacted under subdivision (1) must be redacted if the reference to the name could be used to identify a child whose name is required to be redacted under subdivision (1). The name shall be redacted in the manner described in subdivision (1).

(3) Addresses (mail or electronic mail), dates of birth, and telephone numbers of natural persons who are witnesses or



1 victims shall be excluded from the redacted version of the  
2 probable cause affidavit.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 246, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 246 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 9, Nays 0

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 246, 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 1, line 14, delete "action," and insert "**action (as defined by IC 35-32-4-1),**".

Page 1, between lines 15 and 16, begin a new paragraph and insert: "SECTION 2. IC 35-31.5-2-72.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 72.7. "Criminal action", for purposes of IC 35-32-4, has the meaning set forth in IC 35-32-4-1.**"

Page 1, delete lines 16 through 17, begin a new paragraph and insert:

"SECTION 3. IC 35-32-4 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 4. References to Child Victims and Witnesses**

**Sec. 1. (a) This chapter applies only to a criminal action.**

**(b) As used in this chapter, "criminal action" means:**

- (1) an action to prosecute a misdemeanor or a felony;**
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**(A) prepared by a law enforcement officer; and**

**(B) submitted to a judicial officer;**

**as part of an investigation into the possible commission of a misdemeanor or felony, even if the investigation does not result in a prosecution.**



**Sec. 2. In any document filed or submitted in a criminal action, the following information must be redacted:**

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- (2) A reference to the name of a person whose name is not required to be redacted under subdivision (1), if the reference to the name could be used to identify a child whose name is required to be redacted under subdivision (1).**
- (3) Addresses (mail or electronic mail), dates of birth, and telephone numbers of natural persons who are witnesses or victims.**

**Sec. 3. The name of a person whose name is required to be redacted under this chapter must be replaced with a descriptive anonymous designator, such as "Child Witness No. 1" or "Passenger". Initials or references to familial relationships may not be used.**

**Sec. 4. If a reference to an unredacted name or other information is necessary for the resolution of the criminal action, any document containing the unredacted name or information shall be filed as a separate confidential document in accordance with Rule 5 of the Indiana Rules on Access to Court Records.**

SECTION 4. IC 35-33-7-2, AS AMENDED BY P.L.131-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this section, "affiant" means the person who submits the facts upon which an arrest has been made:

- (1) in a probable cause affidavit; or
- (2) to a judicial officer orally, under oath.

(b) At or before the initial hearing of a person arrested without a warrant for a crime, the facts upon which the arrest was made shall be submitted to the judicial officer, ex parte, in a probable cause affidavit. ~~The affidavit must be prepared and filed in accordance with section 8 of this chapter.~~ In lieu of the affidavit or in addition to it, the facts may be submitted orally under oath to the judicial officer. If facts upon which the arrest was made are submitted orally, the proceeding shall be recorded by a court reporter, and, upon request of any party in the case or upon order of the court, the record of the proceeding shall be transcribed.

(c) In addition to the facts described in subsection (b), the affiant shall disclose any known personal, financial, or familial relationship with:

- (1) any party to the investigation; or
- (2) any other person involved in the offense described in the





affidavit;  
if the relationship could reasonably be perceived to affect the affiant's objectivity or impartiality.

(d) If the judicial officer determines that there is probable cause to believe that any crime was committed and that the arrested person committed it, the judicial officer shall order that the arrested person be held to answer in the proper court. If the facts submitted do not establish probable cause or if the prosecuting attorney informs the judicial officer on the record that no charge will be filed against the arrested person, the judicial officer shall order that the arrested person be released immediately.

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(2) References to the name of a person whose name is not required to be redacted under subdivision (1) must be redacted if the reference to the name could be used to identify a child whose name is required to be redacted under subdivision (1). The name shall be redacted in the manner described in subdivision (1).

(3) Addresses (mail or electronic mail), dates of birth, and telephone numbers of natural persons who are witnesses or victims shall be excluded from the redacted version of the probable cause affidavit."

Delete page 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 246 as printed January 14, 2026.)

MCNAMARA

Committee Vote: yeas 13, nays 0.

