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# SENATE BILL No. 251

Proposed Changes to introduced printing by AM025102

## DIGEST OF PROPOSED AMENDMENT

Refusal. Reinstates language permitting license suspension for refusal to take a chemical test.

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 7.1-1-3-13.5, AS AMENDED BY P.L.142-2020,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 13.5. "Conviction for operating while intoxicated"  
4 means a conviction (as defined in IC 9-13-2-38) for a crime under  
5 IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6 (**before its repeal**), or  
6 IC 14-15-8 (before its repeal).  
7 SECTION 2. IC 9-13-2-130, AS AMENDED BY P.L.142-2020,  
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2026]: Sec. 130. "Previous conviction of operating while  
10 intoxicated" means a previous conviction for:  
11 (1) an alcohol related or drug related crime under Acts 1939,  
12 c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1,  
13 1983), or IC 9-11-2 (repealed July 1, 1991); **or**  
14 (2) a crime under IC 9-30-5-1 through IC 9-30-5-9; **or**  
15 (3) a crime under IC 35-46-9 (**before its repeal**), IC 14-1-5  
16 (**before its repeal**), or IC 14-15-8-8 (**before its repeal**).  
17 SECTION 3. IC 9-13-2-196, AS AMENDED BY P.L.164-2020,  
18 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2026]: Sec. 196. (a) "Vehicle" means, except as otherwise  
20 provided in this section, a device in, upon, or by which a person or  
21 property is, or may be, transported or drawn upon a highway. The term

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1       does not include the following:

2           (1) A device moved by human power.  
 3           (2) A device that runs only on rails or tracks.  
 4           (3) A wheelchair.  
 5           (4) An electric foot scooter.

6       (b) For purposes of IC 9-17, the term includes the following:

7           (1) Off-road vehicles.  
 8           (2) Manufactured homes or mobile homes that are:  
 9               (A) personal property not held for resale; and  
 10              (B) not attached to real estate by a permanent foundation.  
 11              (3) Watercraft.

12       (c) For purposes of IC 9-22 (except IC 9-22-6) and IC 9-32, the  
 13       term refers to a vehicle or watercraft of a type that must be registered  
 14       under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an  
 15       off-road vehicle or a snowmobile under IC 9-18-2.5 (before its  
 16       expiration) or IC 9-18.1-14.

17       (d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and  
 18       IC 9-30-9, the term means a device for transportation by land, ~~or~~ air, ~~or~~  
 19       **water**. The term does not include an electric personal assistive mobility  
 20       device.

21       SECTION 4. IC 9-30-5-15, AS AMENDED BY P.L.217-2017,  
 22       SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23       JULY 1, 2026]: Sec. 15. (a) ~~In addition to any criminal penalty  
 24       imposed for an offense under this chapter, the court shall: If a person  
 25       has one (1) previous conviction of operating while intoxicated, the  
 26       court shall:~~

27           (1) order:

28               (A) that the person be imprisoned for at least ~~five (5)~~ **ten**  
 29               ~~(10)~~ days; or  
 30               (B) the person to perform at least two hundred forty (240)  
 31               hours of community restitution or service; and

32           (2) order the person to receive an assessment of the person's  
 33           degree of alcohol and drug abuse and, if appropriate, to  
 34           successfully complete an alcohol or drug abuse treatment  
 35           program, including an alcohol deterrent program if the person  
 36           suffers from alcohol abuse.

37       ~~if the person has one (1) previous conviction of operating while  
 38       intoxicated:~~

39       (b) ~~In addition to any criminal penalty imposed for an offense  
 40       under this chapter, the court shall: If a person has at least two (2)  
 41       previous convictions of operating while intoxicated, the court shall:~~

42           (1) order:



10 if the person has at least two (2) previous convictions of operating  
11 while intoxicated.

17 (1) at least forty-eight (48) hours of the sentence must be served  
18 consecutively; and

19 (2) the entire sentence must be served within six (6) months after  
20 the date of sentencing.

21 (d) Notwithstanding IC 35-50-6, A person does not earn good time  
22 credit (as defined in IC 35-50-6-0.5) while serving a sentence imposed  
23 under this section.

26 SECTION 5. IC 9-30-6-6, AS AMENDED BY P.L.174-2021,  
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2026]: Sec. 6. (a) A physician, a person trained in retrieving  
29 contraband or obtaining bodily substance samples and acting under the  
30 direction of or under a protocol prepared by a physician, or a licensed  
31 health care professional acting within the professional's scope of  
32 practice and under the direction of or under a protocol prepared by a  
33 physician, who:

34 (1) obtains a blood, urine, or other bodily substance sample from  
35 a person, regardless of whether the sample is taken for diagnostic  
36 purposes or at the request of a law enforcement officer under this  
37 section:

37 section;  
38 (2) performs a chemical test on blood, urine, or other bodily  
39 substance obtained from a person; or

39 substance obtained from a person, or  
40 (3) searches for or retrieves contraband from the body cavity of  
41 an individual;

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1 to a law enforcement officer who requests the sample, contraband, or  
2 results as a part of a criminal investigation. Samples, contraband, and  
3 test results shall be provided to a law enforcement officer even if the  
4 person has not consented to or otherwise authorized their release.

5 (b) A physician, a licensed health care professional, a hospital, or  
6 an agent of a physician or hospital is not civilly or criminally liable for  
7 any of the following:

8 (1) Disclosing test results in accordance with this section.  
9 (2) Delivering contraband, or a blood, urine, or other bodily  
10 substance sample in accordance with this section.

11 (3) Searching for or retrieving contraband or obtaining a blood,  
12 urine, or other bodily substance sample in accordance with this  
13 section.

14 (4) Disclosing to the prosecuting attorney or the deputy  
15 prosecuting attorney for use at or testifying at the criminal trial  
16 of the person as to facts observed or opinions formed.

17 (5) Failing to treat a person from whom contraband is retrieved  
18 or a blood, urine, or other bodily substance sample is obtained at  
19 the request of a law enforcement officer if the person declines  
20 treatment.

21 (6) Injury to a person arising from the performance of duties in  
22 good faith under this section. However, immunity does not apply  
23 if the physician, licensed health care professional, hospital, or  
24 agent of a physician or hospital acts with gross negligence or  
25 willful or wanton misconduct.

26 (c) For the purposes of a criminal proceeding:

27 (1) the privileges arising from a patient-physician relationship do  
28 not apply to the contraband, samples, test results, or testimony  
29 described in this section; and

30 (2) contraband, samples, test results, and testimony may be  
31 admitted in a proceeding in accordance with the applicable rules  
32 of evidence.

33 (d) The exceptions to the patient-physician relationship specified  
34 in subsection (c) do not affect those relationships in a proceeding that  
35 is not a criminal proceeding.

36 (e) The contraband, test results, and samples obtained by a law  
37 enforcement officer under subsection (a) may be disclosed only to a  
38 prosecuting attorney or a deputy prosecuting attorney for use as  
39 evidence in a criminal proceeding.

40 (f) This section does not require a physician or a person under the  
41 direction of a physician to perform a chemical test or to retrieve  
42 contraband.



1 (g) If the person:

2 (1) from whom the contraband is to be retrieved or the bodily  
3 substance sample is to be obtained under this section does not  
4 consent; and

5 (2) resists the retrieval of the contraband or the taking of a  
6 sample;

7 the law enforcement officer may use reasonable force to assist an  
8 individual, who must be authorized under this section to retrieve  
9 contraband or obtain a sample, in the retrieval of the contraband or the  
10 taking of the sample.

22 (1) A physician holding an unlimited license to practice  
23 medicine or osteopathy.

24 (2) A registered nurse.

25 (3) A licensed practical nurse.

26 (4) An advanced emergency medical technician (as defined in  
27 IC 16-18-2-6.5).

28 (5) A paramedic (as defined in IC 16-18-2-266).

29 (6) Except as provided in subsections (j) through (k), any other  
30 person qualified through training, experience, or education to  
31 retrieve contraband or obtain a bodily substance sample.

32 (j) A law enforcement officer may not retrieve contraband or  
33 obtain a bodily substance sample under this section if the contraband  
34 is to be retrieved or the sample is to be obtained from another law  
35 enforcement officer as a result of the other law enforcement officer's  
36 involvement in an accident or alleged crime.

(k) A law enforcement officer who is otherwise qualified to obtain a bodily substance sample under this section may obtain a bodily substance sample from a person involved in an accident or alleged crime who is not a law enforcement officer only if:

41 (1) the officer obtained a bodily substance sample from an  
42 individual as part of the officer's official duties as a law

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1 enforcement officer; and  
 2 (2) the:  
 3     (A) person consents to the officer obtaining a bodily  
 4         substance sample; or  
 5         (B) obtaining of the bodily substance sample is authorized  
 6         by a search warrant.  
 7     (l) A physician or a person trained in obtaining bodily samples  
 8         who is acting under the direction of or under a protocol prepared by a  
 9         physician shall obtain a blood sample if the following conditions are  
 10        satisfied:  
 11         (1) A law enforcement officer requests that the sample be  
 12         obtained.  
 13         (2) The law enforcement officer has certified in writing the  
 14         following:  
 15             (A) That the officer has probable cause to believe the  
 16                 person from whom the sample is to be obtained has violated  
 17                 IC 9-30-5-4, IC 9-30-5-5, IC 35-46-9-6(b)(2) **(before its**  
 18                 **repeal)**, or IC 35-46-9-6(c) **(before its repeal)**.  
 19             (B) That the offense resulting in a criminal investigation  
 20                 described in subsection (a) occurred not more than three (3)  
 21                 hours before the time the sample is requested.  
 22             (C) That exigent circumstances exist that create pressing  
 23                 health, safety, or law enforcement needs that would take  
 24                 priority over a warrant application.  
 25         (3) Not more than the use of reasonable force is necessary to  
 26         obtain the sample.  
 27     ~~← SECTION 6. IC 9-30-6-7, AS AMENDED BY P.L.85-2013,  
 28     SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29     JULY 1, 2026]: Sec. 7. (a) If a person refuses to submit to a chemical  
 30     test, the arresting officer shall inform the person that refusal will result  
 31     in the suspension of the person's driving privileges.  
 32     (b) If a person refuses to submit to a chemical test after having  
 33     been advised that the refusal will result in the suspension of driving  
 34     privileges or submits to a chemical test that results in prima facie  
 35     evidence of intoxication, the arresting officer shall do the following:~~  
 36         (1) Obtain the person's driver's license or permit if the person is  
 37         in possession of the document and issue a receipt valid until the  
 38         initial hearing of the matter held under IC 35-33-7-1.  
 39         (2) Submit a probable cause affidavit to the prosecuting attorney  
 40         of the county in which the alleged offense occurred.  
 41     > SECTION ~~↔[6]~~. IC 9-30-6-8, AS AMENDED BY  
 42     P.L.111-2021, SECTION 88, IS AMENDED TO READ AS

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1       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as  
 2       provided in IC 9-30-16-1(g), whenever a judicial officer has  
 3       determined that there was probable cause to believe that a person has  
 4       violated IC 9-30-5, IC 35-46-9 (**before its repeal**), or IC 14-15-8  
 5       (before its repeal), the clerk of the court shall forward, in a form and  
 6       manner prescribed by the bureau:

7       (1) a paper copy of the affidavit, or an electronic substitute; or  
 8       (2) a bureau certificate as described in section 16 of this chapter;  
 9       to the bureau at the conclusion of the initial hearing **held under [**  
 10      ~~subsection (e)~~ **IC 35-33-7-1, or if the initial hearing was waived,**  
 11      **upon notice of waiver of the initial hearing.**

12      (b) The probable cause affidavit required under section ~~7(b)(2)~~  
 13      ~~7(2)~~ of this chapter must do the following:

14       (1) Set forth the grounds for the arresting officer's belief that  
 15       there was probable cause that the arrested person was operating  
 16       a vehicle in violation of IC 9-30-5 or a motorboat in violation of  
 17       IC 35-46-9 (**before its repeal**) or IC 14-15-8 (before its repeal).  
 18       (2) State that the person was arrested for a violation of IC 9-30-5  
 19       or operating a motorboat in violation of IC 35-46-9 (**before its**  
 20       **repeal**) or IC 14-15-8 (before its repeal).  
 21       (3) State whether the person:

22           (A) refused to submit to a chemical test when offered; or  
 23           (B) submitted to a chemical test that resulted in prima facie  
 24           evidence that the person was intoxicated.

25       (4) Be sworn to by the arresting officer.

26       (c) Except as provided in subsection (d), if it is determined under  
 27       subsection (a) that there was probable cause to believe that a person  
 28       has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at  
 29       the initial hearing of the matter held under IC 35-33-7-1 the court shall  
 30       recommend immediate suspension of the person's driving privileges to  
 31       take effect on the date the order is entered, and forward to the bureau  
 32       a copy of the order recommending immediate suspension of driving  
 33       privileges.

34       (d) (c) If it is determined under subsection (a) that there is  
 35       probable cause to believe that a person violated IC 9-30-5  
 36       IC 9-30-5-1(a) or IC 9-30-5-1(b), the court may as an alternative to any  
 37       suspension of the person's driving privileges under subsection (e), issue  
 38       an order recommending that the person be prohibited from operating  
 39       a motor vehicle unless the motor vehicle is equipped with a functioning  
 40       certified ignition interlock device under IC 9-30-8. This subsection  
 41       applies even if the probable cause affidavit in subsection (b) states that  
 42       the person:

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1 (1) refused to submit to a chemical test; **or**  
2 (2) submitted to a chemical test that resulted in *prima facie*  
3 evidence that the person was intoxicated; **or**  
4 **(3) was also charged under 9-30-5-2.**

5 The order remains in effect until the bureau is notified by a court that  
6 the criminal charges against the person have been resolved. When the  
7 court issues an order under this subsection, no administrative  
8 suspension is imposed by the bureau and no suspension is noted on the  
9 person's driving record.

10 (e) (d) A person commits a Class B infraction if the person:

11 (1) operates a motor vehicle without a functioning certified

12 ignition interlock device; and

13 (2) is prohibited from operating a motor vehicle unless the motor

14 vehicle is equipped with a functioning certified ignition interlock

15 device under subsection (d). (c).

16            (e) A person commits a Class B misdemeanor if the person:

17            (1) operates a motor vehicle without a functioning certified

18            ignition interlock device; and

19            (2) knows the person is prohibited from operating a motor

20            vehicle unless the motor vehicle is equipped with a functioning

21            certified ignition interlock device under subsection (d). (c).

22 SECTION ~~8~~[7]. IC 9-30-6-8.5, AS AMENDED BY  
23 P.L.141-2024, SECTION 46, IS AMENDED TO READ AS  
24 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. If the bureau  
25 receives an order recommending use of an ignition interlock device  
26 under section ~~8(d)~~8(c) of this chapter, the bureau shall immediately do  
27 the following:

(1) Mail notice to the person's address contained in the records of the bureau, or send notice electronically if the person has indicated a preference for receiving notices from the bureau electronically, stating that the person may not operate a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8 commencing:

33 certified ignition interlock device under IC 9-30-6 commencing.  
34 (A) five (5) days after the date of the notice; or  
35 (B) on the date the court enters an order recommending use  
36 of an ignition interlock device;

36 of an ignition into  
37 whichever occurs first

37 whichever occurs first.  
38 (2) Notify the person of the right to a judicial review under  
39 section 10 of this chapter

40 SECTION 9. IC 9-30-6-9[\[L, AS AMENDED BY P.L.141-2024\]](#),  
41 SECTION 47, IS ~~REPEALED~~[AMENDED TO READ AS  
42 FOLLOWS] [EFFECTIVE JULY 1, 2026]↔[: ]Sec. <9. <(a)



1        ◦This ◦section ◦does ◦not ◦apply ◦if ◦an ◦ignition  
 2        ◦interlock ◦device ◦order ◦is ◦issued ◦under ◦section  
 3        ◦8(d) ◦of ◦this ◦chapter.  
 4        ◦(b) ◦If ◦the ◦affidavit ◦under ◦section ◦8(b) ◦of  
 5        ◦this ◦chapter ◦states ◦that ◦a ◦person ◦refused ◦to  
 6        ◦submit ◦to ◦a ◦chemical ◦test, ◦the ◦bureau ◦shall  
 7        ◦suspend ◦the ◦driving ◦privileges ◦of ◦the ◦person:  
 8        ◦(1) ◦for:  
 9            ◦(A) ◦one ◦(1) ◦year; ◦or  
 10           ◦(B) ◦if ◦the ◦person ◦has ◦at ◦least ◦one  
 11           ◦(1) ◦previous ◦conviction ◦for ◦operating ◦while  
 12           ◦intoxicated, ◦two ◦(2) ◦years; ◦or  
 13           ◦(2) ◦until ◦the ◦suspension ◦is ◦ordered ◦terminated  
 14           ◦under ~~IC 9-30-5~~ [ IC 9-30-5].

15        (c) If the affidavit under section 8(b) of this chapter states that a  
 16        chemical test resulted in *prima facie* evidence that a person was  
 17        intoxicated, the bureau shall suspend the driving privileges of the  
 18        person:

19            (1) for one hundred eighty (180) days; or  
 20            (2) until the bureau is notified by a court that the charges have  
 21            been disposed of;

22        whichever occurs first:

23        (d) ◦(c) Whenever ◦the ◦bureau ◦is ◦required ◦to  
 24        ◦suspend ◦a ◦person's ◦driving ◦privileges ◦under ◦this  
 25        ◦section, ◦the ◦bureau ◦shall ◦immediately ◦do ◦the  
 26        ◦following:

27            ◦(1) ◦Mail ~~notice to the person's address contained in the~~  
 28            ~~records of the bureau, or send the notice electronically if the~~  
 29            ~~person has indicated a preference for receiving notices from the~~  
 30            ~~bureau electronically, stating that the person's driving privileges~~  
 31            ~~will be suspended for a specified period, commencing:~~

32            ~~(A) seven (7) days after the date of the notice; or~~  
 33            ~~(B) on the date the court enters an order recommending~~  
 34            ~~suspension of the person's driving privileges under section~~  
 35            ~~8(c) of this chapter;~~

36            ~~whichever occurs first:~~

37            ~~(2) Notify the person of the right to a judicial review under~~  
 38            ~~section 10 of this chapter.~~

39        ~~SECTION 10. IC 9-30-6-10, AS AMENDED BY P.L.2-2005,~~  
 40        ~~SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 41        ~~JULY 1, 2026]: Sec. 10. (a) A person against whom an ignition~~  
 42        ~~interlock device order has been issued under section 8.5 of this chapter~~



1 or whose driving privileges have been suspended under section 9 of  
 2 this chapter is entitled to a prompt judicial hearing. The person may file  
 3 a petition that requests a hearing:  
 4 (1) in the court where the charges with respect to [notice] to the  
 5 person's ~~operation of a vehicle are pending, or~~  
 6 (2) if charges with respect to the person's operation of a vehicle  
 7 have not been filed, in any court of the county where the alleged  
 8 offense or refusal occurred that has jurisdiction over crimes  
 9 committed in violation of IC 9-30-5.

10 (b) The petition for review must:  
 11 (1) be in writing;  
 12 (2) be verified by the person seeking review; and  
 13 (3) allege specific facts that contradict the facts alleged in the  
 14 probable cause affidavit.

15 (c) The hearing under this section shall be limited to the following  
 16 issues:  
 17 (1) Whether the arresting law enforcement officer had probable  
 18 cause to believe [address contained in the records of the bureau,  
 19 or send the notice electronically if the person has indicated a  
 20 preference for receiving notices from the bureau electronically,  
 21 stating] that the ~~person was operating a vehicle in violation of~~  
 22 IC 9-30-5.  
 23 (2) Whether the person refused to submit to a chemical test  
 24 offered by a law enforcement officer.

25 (d) If the court finds  
 26 (1) that there was no probable cause or  
 27 (2) that the person's driving privileges were suspended under  
 28 section 9(b) of this chapter and that the person did not refuse to  
 29 submit to a chemical test;  
 30 the court shall order the bureau to rescind the ignition interlock device  
 31 requirement, or reinstate the person's driving privileges.

32 (e) The prosecuting attorney of the county in which a petition has  
 33 been filed under this chapter shall represent the state on relation of the  
 34 bureau with respect to the petition.

35 (f) The petitioner has the burden of proof by a preponderance of  
 36 the evidence.

37 (g) The court's order is a final judgment appealable in the manner  
 38 of civil actions by either party. The attorney general shall represent the  
 39 state on relation of the bureau with respect to the appeal.

40 SECTION 11. IC 9-30-6-11 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2026]: See. 11. (a) Notwithstanding  
 42 any other provision [person's driving privileges will be suspended for



1        a specified period, commencing:

2        (A) seven (7) days after the date of the notice; or

3        (B) on the date the court enters an order recommending

4        suspension of the person's driving privileges under section

5        8(c)] of this chapter~~, IC 9-30-5, or IC 9-30-9, the court~~

6        ~~shall order the bureau to rescind an ignition interlock device~~

7        ~~requirement or reinstate the driving privileges of a person~~

8        ~~if:~~

9        ~~(1) all of the charges under IC 9-30-5 have been dismissed and~~

10        ~~the prosecuting attorney states on the record that no charges will~~

11        ~~be refiled against the person;~~

12        ~~(2) the court finds the allegations in a petition filed by a~~

13        ~~defendant>[;~~

14        ~~whichever occurs first.~~

15        (2) Notify the person of the right to a judicial review] under

16        section 1~~<8>[0]~~ of this chapter~~are true; or~~

17        (3) the person:

18        ~~(A) did not refuse to submit to a chemical test offered as a~~

19        ~~result of a law enforcement officer having probable cause to~~

20        ~~believe the person committed the offense charged; and~~

21        ~~(B) has been found not guilty of all charges by a court or by~~

22        ~~a jury.~~

23        ~~(b) The court's order must contain findings of fact establishing that~~

24        ~~the requirements for reinstatement described in subsection (a) have~~

25        ~~been met.~~

26        ~~(c) A person whose driving privileges are reinstated under this~~

27        ~~section is not required to pay a reinstatement fee.~~

28        ~~SECTION 12>[.~~

29        SECTION 8]. IC 9-30-6-12, AS AMENDED BY P.L.149-2015,

30        SECTION 105, IS AMENDED TO READ AS FOLLOWS

31        [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) If a court recommends

32        suspension of driving privileges under ~~<>this <>chapter, IC 9-30-5[.]~~

33        or IC 9-30-9, the bureau shall fix the period of suspension in

34        accordance with the recommendation of the court. If the court fails to

35        recommend a fixed period of suspension, or recommends a fixed term

36        that is less than the minimum term required by statute, the bureau shall

37        impose the minimum period of suspension required by statute.

38        (b) Except as provided in subsection (c), during the three (3) years

39        following the termination of the suspension the person's driving

40        privileges remain suspended until the person provides proof of future

41        financial responsibility in force under IC 9-25.

42        (c) If a court recommends suspension of a person's driving



1       privileges for a conviction under IC 9-30-5, during the three (3) years  
 2       following the termination of the suspension the person's driving  
 3       privileges remain suspended until the person provides proof of future  
 4       financial responsibility in force under IC 9-25. However, if a court  
 5       recommends suspension of the driving privileges under IC 9-30-5 of a  
 6       person who is arrested for or charged with an offense committed under  
 7       IC 9-30-5, the person is not required to provide proof of future  
 8       financial responsibility under IC 9-25 unless and until the person is  
 9       convicted under IC 9-30-5.

10      (d) If at any time during the three (3) years following the  
 11       termination of the suspension imposed under subsection (a) a person  
 12       who has provided proof of future financial responsibility under IC 9-25  
 13       fails to maintain the proof, the bureau shall suspend the person's  
 14       driving privileges until the person again provides proof of future  
 15       financial responsibility under IC 9-25.

16      SECTION ~~13~~<sup>[9]</sup>. IC 9-30-6-13<sup>[.5]</sup>, AS AMENDED BY  
 17       P.L.~~125-2012~~<sup>[110-2020]</sup>, SECTION ~~14~~<sup>[5]</sup>, IS AMENDED TO  
 18       READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.~~If a~~  
 19       ~~court orders the bureau to rescind an ignition interlock device~~  
 20       ~~requirement or reinstate a person's driving privileges under this article,~~  
 21       ~~the bureau shall comply with the order. Unless the order for~~  
 22       ~~reinstatement is issued under section 11(a)(2) of this chapter, The~~  
 23       ~~bureau shall also do the following:~~

24       ~~(1) remove any record of the ignition interlock device~~  
 25       ~~requirement or suspension from the official driving record of the~~  
 26       ~~person.~~

27       ~~(2) Reinstate the privileges without cost to the person.~~

28       ~~SECTION 14. IC 9-30-6-13.5 IS REPEALED [EFFECTIVE JULY~~  
 29       ~~1, 2026]. Sec. 13.5. If:~~

30       ~~(1) a case filed under IC 9-30-5 is terminated in favor of the~~  
 31       ~~defendant; and~~

32       ~~(2) the defendant's driving privileges were suspended under:~~

33       ~~(A) section 9(b) of this chapter;~~<sup>[5]</sup> If:

34       ~~(1) a case filed under IC 9-30-5 is terminated in favor of the~~  
 35       ~~defendant; and~~

36       ~~(2) the defendant's driving privileges were suspended under (A)~~  
 37       ~~section 9(b) of this chapter;]~~ or

38       ~~(B) section 9(c) of this chapter;~~

39       ~~<>the <>bureau <>shall <>remove <>any <>record <>of <>the~~  
 40       ~~<>suspension, <>including <>the <>reason <>for <>suspension,~~  
 41       ~~<>from <>the <>defendant's <>official <>driving <>record.~~

42       SECTION 1~~13~~<sup>[10]</sup>. IC 9-30-6-18, AS AMENDED BY



1 P.L.2-2005, SECTION 41, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) A person against whom an  
 3 ignition interlock device order has been issued under section 8.5 of this  
 4 chapter~~or whose driving privileges have been suspended under~~  
 5 ~~section 9(c) of this chapter~~ is entitled to rescission of the ignition  
 6 interlock device requirement ~~or reinstatement of driving privileges~~ if  
 7 the following occur:

8       (1) After a request for an early trial is made by the person at the  
 9 initial hearing on the charges, a trial or other disposition of the  
 10 charges for which the person was arrested under IC 9-30-5 is not  
 11 held within ninety (90) days after the date of the person's initial  
 12 hearing on the charges.  
 13       (2) The delay in trial or disposition of the charges is not due to  
 14 the person arrested under IC 9-30-5.

15       (b) A person who desires rescission of the ignition interlock device  
 16 requirement ~~or reinstatement of driving privileges~~ under this section  
 17 must file a verified petition in the court where the charges against the  
 18 petitioner are pending. The petition must allege the following:

19           (1) The date of the petitioner's arrest under IC 9-30-5.  
 20           (2) The date of the petitioner's initial hearing on the charges filed  
 21 against the petitioner under IC 9-30-5.  
 22           (3) The date set for trial or other disposition of the matter.  
 23           (4) A statement averring the following:  
 24               (A) That the petitioner requested an early trial of the matter  
 25 at the petitioner's initial hearing on the charges filed against  
 26 the petitioner under IC 9-30-5.  
 27               (B) The trial or disposition date set by the court is at least  
 28 ninety (90) days after the date of the petitioner's initial  
 29 hearing on the charges filed against the petitioner under  
 30 IC 9-30-5.  
 31               (C) The delay in the trial or disposition is not due to the  
 32 petitioner.

33       (c) Upon the filing of a petition under this section, the court shall  
 34 immediately examine the record of the court to determine whether the  
 35 allegations in the petition are true.

36       (d) If the court finds the allegations of a petition filed under this  
 37 section are true, the court shall order rescission of the ignition interlock  
 38 device requirement ~~or reinstatement of the petitioner's driving~~  
 39 ~~privileges~~ under section 11 of this chapter. ~~The reinstatement must not~~  
 40 ~~take effect until ninety (90) days after the date of the petitioner's initial~~  
 41 ~~hearing.~~

42       SECTION 1~~↔~~[\[1\]](#). IC 9-30-7-1 IS AMENDED TO READ AS



1       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this  
 2       chapter, "portable breath test" means a hand held apparatus that  
 3       measures the alcohol concentration in a breath sample delivered by a  
 4       person into the mouthpiece of the apparatus.

5       (b) As used in this chapter, "fatal accident" means an accident, a  
 6       collision, or other occurrence that involves at least one (1) vehicle and  
 7       that results in:

- 8           (1) death; or
- 9           (2) bodily injury that gives a law enforcement officer reason to  
 10       believe that the death of at least one (1) person is imminent.

11       (c) **As used in this chapter, "roadside chemical test" means a  
 12       portable chemical test that can be administered by the side of a  
 13       road.**

14       SECTION 1~~↔~~[2]. IC 9-30-7-2 IS AMENDED TO READ AS  
 15       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who  
 16       operates a vehicle impliedly consents to submit to the portable breath  
 17       test, **roadside chemical test**, or chemical test under this chapter as a  
 18       condition of operating a vehicle in Indiana. A person must submit to  
 19       each portable breath test, **roadside chemical test**, or chemical test  
 20       offered by a law enforcement officer under this chapter to comply with  
 21       this chapter.

22       SECTION 1~~↔~~[3]. IC 9-30-7-3 IS AMENDED TO READ AS  
 23       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A law  
 24       enforcement officer shall offer a portable breath test, **roadside  
 25       chemical test**, or chemical test to any person who the officer has  
 26       reason to believe operated a vehicle that was involved in a fatal  
 27       accident or an accident involving serious bodily injury. If:

- 28           (1) the results of a portable breath test indicate the presence of  
 29           alcohol;
- 30           (2) the results of a portable breath test do not indicate the  
 31           presence of alcohol but the law enforcement officer has probable  
 32           cause to believe the person is under the influence of a controlled  
 33           substance or another drug; **or**
- 34           (3) the person refuses to submit to a portable breath test; **or**
- 35           **(4) the roadside chemical test indicates the presence of a  
 36           controlled substance;**

37       the law enforcement officer shall offer a chemical test to the person.

38       (b) A law enforcement officer may offer a person more than one  
 39       (1) portable breath test, **roadside chemical test**, or chemical test under  
 40       this section. However, all chemical tests must be administered within  
 41       three (3) hours after the fatal accident or the accident involving serious  
 42       bodily injury.



6 SECTION 1~~(4)~~ [4]. IC 9-30-8-8, AS ADDED BY P.L.71-2016,  
7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 8. The bureau and the Indiana criminal justice  
9 institute shall enter into a memorandum of understanding to administer  
10 this chapter and ~~IC 9-30-6-8(d)~~. **IC 9-30-6-8(c)**.

11 SECTION ~~20~~[15]. IC 9-30-9-5 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) If the court enters  
13 an order conditionally deferring charges under section 3 of this chapter,  
14 the court may ~~do the following:~~

22 (c) (b) The court may as an alternative to a license suspension  
23 under subsection (a)(1), issue an order prohibiting the defendant from  
24 operating a motor vehicle unless the motor vehicle is equipped with a  
25 functioning certified ignition interlock device under IC 9-30-8. An  
26 order requiring an ignition interlock device must remain in effect for  
27 at least two (2) years but not more than four (4) years.

28 SECTION ~~21~~[16]. IC 9-30-9-7 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) If the court refers  
30 a defendant to the program under section 6 of this chapter, the court  
31 may do the following:

32 (1) Suspend the defendant's driving privileges for at least ninety  
33 (90) days but not more than four (4) years.  
34 (2) Impose other appropriate conditions.

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1 at least two (2) years but not more than four (4) years.

2 SECTION ~~22~~<sup>17</sup>. IC 9-30-9-7.5, AS AMENDED BY  
 3 P.L.2-2005, SECTION 42, IS AMENDED TO READ AS FOLLOWS  
 4 [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) A person commits a Class  
 5 B infraction if the person:

- 6 (1) operates a motor vehicle without a functioning certified  
 7 ignition interlock device; and
- 8 (2) is prohibited from operating a motor vehicle unless the motor  
 9 vehicle is equipped with a functioning certified ignition interlock  
 10 device under section ~~5(e)~~ **5(b)** or ~~7(e)~~ **7(b)** of this chapter.

11 (b) A person commits a Class B misdemeanor if the person:

- 12 (1) operates a motor vehicle without a functioning certified  
 13 ignition interlock device; and
- 14 (2) knows the person is prohibited from operating a motor  
 15 vehicle unless the motor vehicle is equipped with a functioning  
 16 certified ignition interlock device under section ~~5(e)~~ **5(b)** or ~~7(e)~~  
 17 **7(b)** of this chapter.

18 SECTION ~~23~~<sup>18</sup>. IC 9-30-10-4, AS AMENDED BY  
 19 P.L.218-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person who has  
 21 accumulated at least two (2) judgments within a ten (10) year period  
 22 for any of the following violations, singularly or in combination, and  
 23 not arising out of the same incident, is a habitual violator:

- 24 (1) Reckless homicide resulting from the operation of a motor  
 25 vehicle.
- 26 (2) Voluntary or involuntary manslaughter resulting from the  
 27 operation of a motor vehicle.
- 28 (3) Failure of the operator of a motor vehicle involved in an  
 29 accident resulting in death or injury to any person to stop at the  
 30 scene of the accident and give the required information and  
 31 assistance.
- 32 (4) Operation of a vehicle while intoxicated resulting in death.
- 33 (5) Before July 1, 1997, operation of a vehicle with at least  
 34 ten-hundredths percent (0.10%) alcohol in the blood resulting in  
 35 death.
- 36 (6) After June 30, 1997, and before July 1, 2001, operation of a  
 37 vehicle with an alcohol concentration equivalent to at least  
 38 ten-hundredths (0.10) gram of alcohol per:  
 39 (A) one hundred (100) milliliters of the blood; or  
 40 (B) two hundred ten (210) liters of the breath;  
 41 resulting in death.
- 42 (7) After June 30, 2001, operation of a vehicle with an alcohol



concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

- (A) one hundred (100) milliliters of the blood; or
- (B) two hundred ten (210) liters of the breath;

resulting in death.

**(8) After June 30, 2001, operation of a motor vehicle with a schedule I or schedule II controlled substance in the blood resulting in death.**

13 (1) Operation of a vehicle while intoxicated.

14 (2) Before July 1, 1997, operation of a vehicle with at least  
15 ten-hundredths percent (0.10%) alcohol in the blood.

16 (3) After June 30, 1997, and before July 1, 2001, operation of a  
17 vehicle with an alcohol concentration equivalent to at least  
18 ten-hundredths (0.10) gram of alcohol per:

19 (A) one hundred (100) milliliters of the blood; or  
20 (B) two hundred ten (210) liters of the breath.

(4) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

24 (A) one hundred (100) milliliters of the blood; or  
25 (B) two hundred ten (210) liters of the breath.

26 (5) Reckless driving

(6) Criminal recklessness as a felony involving the operation of a motor vehicle.

28 a motor vehicle.  
29 (7) Drag racing or engaging in a speed contest in violation of  
30 law.

30 law.  
31 (8) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46  
32 (repealed July 1, 1991), IC 9-26-1-1(1) (repealed January 1,  
33 2015), IC 9-26-1-1(2)(repealed January 1, 2015), IC 9-26-1-2(1)  
34 (repealed January 1, 2015), IC 9-26-1-2(2) (repealed January 1,  
35 2015), IC 9-26-1-3 (repealed January 1, 2015), IC 9-26-1-4  
36 (repealed January 1, 2015), or IC 9-26-1-1.

37 (9) Resisting law enforcement with a vehicle under:

38 (A) IC 35-44.1-3-1(c)(1);

39 (B) IC 35-44.1-3-1(c)(2)(e)

40 (C) IC 35-44.1-3-1(c)(3);

41 (D) IC 35-44.1-3-1(c)(4);

42 (E) IC 35-44.1-3-1(c)(5).

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1 (10) Any felony under this title or any felony in which the  
 2 operation of a motor vehicle is an element of the offense.

3 **(11) After June 30, 2001, operation of a motor vehicle with a  
 4 schedule I or schedule II controlled substance in the blood.**

5 A judgment for a violation enumerated in subsection (a) shall be added  
 6 to the violations described in this subsection for the purposes of this  
 7 subsection.

8 (c) A person who has accumulated at least ten (10) judgments  
 9 within a ten (10) year period for any traffic violation, except a parking  
 10 or an equipment violation, of the type required to be reported to the  
 11 bureau, singularly or in combination, and not arising out of the same  
 12 incident, is a habitual violator. However, at least one (1) of the  
 13 judgments must be for:

14 (1) a violation enumerated in subsection (a);  
 15 (2) a violation enumerated in subsection (b);

16 (3) operating a motor vehicle while the person's license to do so  
 17 has been suspended or revoked as a result of the person's  
 18 conviction of an offense under IC 9-1-4-52 (repealed July 1,  
 19 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or  
 20 IC 9-24-19-3; or

21 (4) operating a motor vehicle without ever having obtained a  
 22 license to do so.

23 A judgment for a violation enumerated in subsection (a) or (b) shall be  
 24 added to the judgments described in this subsection for the purposes of  
 25 this subsection.

26 (d) For purposes of this section, a judgment includes a judgment  
 27 in any other jurisdiction in which the elements of the offense for which  
 28 the conviction was entered are substantially similar to the elements of  
 29 the offenses described in subsections (a), (b), and (c).

30 (e) For purposes of this section, the offense date is used when  
 31 determining the number of judgments accumulated within a ten (10)  
 32 year period.

33 SECTION ~~24~~<sup>19</sup>. IC 9-30-16-1, AS AMENDED BY  
 34 P.L.111-2021, SECTION 90, IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Except as  
 36 provided in subsection (b), the following are ineligible for specialized  
 37 driving privileges under this chapter:

38 (1) A person who has never been an Indiana resident.

39 ~~(2) A person seeking specialized driving~~  
 40 ~~privileges with respect to a suspension based~~  
 41 ~~on the person's refusal to submit to a~~  
 42 ~~chemical test offered under~~~~IC 9-30-6~~[IC 9-30-6]



1           or ~~IC 9-30-7~~ [ IC 9-30-7]. ◇However, ◇a ◇court ◇may  
 2           ◇grant ◇this ◇person ◇driving ◇privileges ◇under ~~IC 9-30-6-8~~ [ IC 9-30-6-8](d).  
 3           ◇(3)~~(2)~~ A person whose driving privileges have been  
 4           suspended or revoked under IC 9-24-10-7(b)(2)(A).  
 5           ◇(4)~~(3)~~ A person whose driving privileges have been  
 6           suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b).  
 7  
 8           (b) This chapter applies to the following:  
 9           (1) A person who held a driver's license (issued under  
 10           IC 9-24-3), or a commercial driver's, a public passenger  
 11           chauffeur's, or a chauffeur's license at the time of:  
 12           (A) the criminal conviction for which the operation of a  
 13           motor vehicle is an element of the offense;  
 14           (B) any criminal conviction for an offense under IC 9-30-5,  
 15           IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its  
 16           repeal); or  
 17           (C) committing the infraction of exceeding a worksite speed  
 18           limit for the second time in one (1) year under  
 19           IC 9-21-5-11(f).  
 20           (2) A person who:  
 21           (A) has never held a valid Indiana driver's license or does  
 22           not currently hold a valid Indiana learner's permit; and  
 23           (B) was an Indiana resident when the driving privileges for  
 24           which the person is seeking specialized driving privileges  
 25           were suspended.  
 26           (c) Except as specifically provided in this chapter, a court may  
 27           suspend the driving privileges of a person convicted of any of the  
 28           following offenses for a period up to the maximum allowable period of  
 29           incarceration under the penalty for the offense:  
 30           (1) Any criminal conviction in which the operation of a motor  
 31           vehicle is an element of the offense.  
 32           (2) Any criminal conviction for an offense under IC 9-30-5,  
 33           IC 35-46-9 (**before its repeal**), or IC 14-15-8 (before its repeal).  
 34           (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1  
 35           that involves the use of a vehicle.  
 36           (d) Except as provided in section 3.5 of this chapter, a suspension  
 37           of driving privileges under this chapter may begin before the  
 38           conviction. Multiple suspensions of driving privileges ordered by a  
 39           court that are part of the same episode of criminal conduct shall be  
 40           served concurrently. A court may grant credit time for any suspension  
 41           that began before the conviction~~↔~~◇except ◇as ◇prohibited ◇by  
 42           ◇section 6(a)(2) ◇6(a) of ◇this ◇chapter.



5 (f) This subsection applies to a person described in subsection  
6 (b)(2). A court shall, as a condition of granting specialized driving  
7 privileges to the person, require the person to apply for and obtain an  
8 Indiana driver's license.

13 (1) The court shall:

14 (A) stay the suspension of the person's driving privileges at  
15 the initial hearing and shall not submit the probable cause  
16 affidavit related to the person's offense to the bureau; and  
17 (B) set the matter for a specialized driving privileges  
18 hearing not later than thirty (30) days after the initial  
19 hearing.

26 (3) If the person files a petition for a specialized driving  
27 privileges hearing not later than ten (10) days after the initial  
28 hearing, the stay of the suspension of the person's driving  
29 privileges continues until the matter is heard and a determination  
30 is made by the court at the specialized driving privileges hearing.  
31 (4) If the specialized driving privileges hearing is continued due  
32 to:

the stay of the suspension of the person's driving privileges continues until addressed at the next hearing.

(5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance

40 driving privileges hearing and the court grants the continuance  
41 over the prosecuting attorney's objection, the court shall lift the  
42 stay of the suspension of the person's driving privileges and shall

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1 submit the probable cause affidavit related to the person's  
 2 offense to the bureau for automatic suspension.

3 **Nothing in this subsection prevents an otherwise eligible individual**  
 4 **from applying for a specialized driving privilege after the initial**  
 5 **hearing.**

6 SECTION 2~~5~~10, IC 9-30-16-3, AS AMENDED BY  
 7 P.L.29-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) This section does not apply  
 9 to specialized driving privileges granted in accordance with section 3.5  
 10 of this chapter. If a court orders a suspension of driving privileges  
 11 under this chapter, ~~or imposes a suspension of driving privileges under~~  
 12 ~~IC 9-30-6-9(e)~~, the court may stay the suspension and grant a  
 13 specialized driving privilege as set forth in this section.

14 (b) An individual who seeks specialized driving privileges must  
 15 file a petition for specialized driving privileges in each court that has  
 16 ordered or imposed a suspension of the individual's driving privileges.  
 17 Each petition must:

- 18 (1) be verified by the petitioner;
- 19 (2) state the petitioner's age, date of birth, and address;
- 20 (3) state the grounds for relief and the relief sought;
- 21 (4) be filed in the court case that resulted in the order of  
 suspension; and
- 22 (5) be served on the bureau and the prosecuting attorney.

23 A prosecuting attorney shall appear on behalf of the bureau to respond  
 24 to a petition filed under this subsection.

25 (c) Except as provided in subsection (h), regardless of the  
 26 underlying offense, specialized driving privileges granted under this  
 27 section shall be granted for a period of time as determined by the court.  
 28 A court, at its discretion, may set periodic review hearings to review an  
 29 individual's specialized driving privileges.

30 (d) The terms of specialized driving privileges must be determined  
 31 by a court.

32 (e) A stay of a suspension and specialized driving privileges may  
 33 not be granted to an individual who:

- 34 (1) has previously been granted specialized driving privileges;  
 and
- 35 (2) has more than one (1) conviction under section 5 of this  
 chapter.

36 (f) An individual who has been granted specialized driving  
 37 privileges shall:

- 38 (1) maintain proof of future financial responsibility insurance  
 during the period of specialized driving privileges;



(g) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate any vehicle that requires the individual to hold a commercial driver's license to operate the vehicle.

15 (1) the underlying conviction, judgment, or finding that forms  
16 the basis of the suspension is reversed, vacated, or dismissed; or  
17 (2) the individual is acquitted of, found not liable for, or  
18 otherwise found not to have committed the underlying act or  
19 offense that forms the basis of the suspension;

the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated.

25 SECTION ~~26. IC 9-30-16-6 IS REPEALED~~ [21. IC 9-30-16-6]  
26 AS AMENDED BY P.L.110-2020, SECTION 7, IS AMENDED TO  
27 READ AS FOLLOWS] [EFFECTIVE JULY 1, 2026] ~~↔[:]~~ Sec. ~~26.~~  
28 ~~(a) A person whose driving privileges are~~  
29 ~~suspended under section 1(c) of this chapter~~  
30 ~~→ [1](1) is entitled to credit for any days during which the license~~  
31 ~~was suspended under IC 9-30-6-9(c); and~~  
32 ~~→ [1](2) may not receive any credit for days~~  
33 ~~during which the person's driving privileges~~  
34 ~~were suspended under ~~IC 9-30-6-9~~ [IC 9-30-6-9](b).~~

35 ~~→ [1](b) A period of suspension of driving~~  
36 ~~privileges imposed under section 1(c) of this~~  
37 ~~chapter must be consecutive to any period of~~  
38 ~~suspension imposed under ~~IC 9-30-6-9~~ [IC 9-30-6-9](b).~~

39 ~~→ However, if the state and defendant agree~~  
40 ~~to a term in an accepted plea~~  
41 ~~agreement, or if the court finds at sentencing~~  
42 ~~that it is in the best interest of society~~ ~~the~~



1 court shall terminate all or any part of the remaining suspension under  
 2 ~~IC 9-30-6-9(b)~~ and shall enter this finding in its sentencing order.

3 ~~(c) The bureau shall designate a period of suspension of driving  
 4 privileges imposed under section 1(c) of this chapter as consecutive to  
 5 any period of suspension imposed under IC 9-30-6-9(b) unless the  
 6 sentencing order of the court under subsection (b) terminates all or part  
 7 of the remaining suspension under IC 9-30-6-9(b).~~

8 ~~SECTION 27. IC 9-30-16-6.5, AS ADDED BY P.L.110-2020,  
 9 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2026]: Sec. 6.5. A court and the bureau, if applicable, >[ the  
 11 court] shall terminate all or any part of the remaining suspension <of  
 12 a person's license suspension>[under IC 9-30-6-9(b) and shall enter  
 13 this finding in its sentencing order.~~

14 ~~(c) The bureau shall designate a period of suspension of driving  
 15 privileges imposed] under section 1(c) of this chapter <or under  
 16 IC 9-30-6-9 if:~~

17 ~~(1) the charges against the person are dismissed;~~

18 ~~(2) the person is acquitted; or~~

19 ~~(3) the person's conviction is vacated or reversed on appeal.~~

20 ~~SECTION 28>[as consecutive to any period of suspension  
 21 imposed under IC 9-30-6-9(b) unless the sentencing order of the court  
 22 under subsection (b) terminates all or part of the remaining suspension  
 23 under IC 9-30-6-9(b).~~

24 SECTION 22. IC 12-23-5-5 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) ~~Subject~~ ~~to~~ ~~subsection~~ ~~(b)~~ ~~if~~ ~~If~~ a court enters an order conditionally  
 26 deferring charges that involve a violation of IC 9-30-5, the court shall  
 27 do the following:

28 ~~(1) Suspend the defendant's driving privileges for at least ninety  
 29 (90) days but not more than two (2) years.~~

30 ~~(2) Impose other appropriate conditions.~~

31 ~~(b) A defendant may be granted probationary driving privileges  
 32 only after the defendant's license has been suspended for at least thirty  
 33 (30) days under IC 9-30-6-9.~~

34 ~~(c) <del>(b)> ~~If~~ ~~If~~ ~~a~~ ~~defendant~~ ~~has~~ ~~at~~ ~~least~~ ~~one~~ ~~IC 9-30-5~~ ~~IC 9-30-5~~, ~~the~~ ~~order~~ ~~granting~~ ~~probationary~~ ~~driving~~ ~~privileges~~ ~~under~~ ~~subsection~~ ~~(b)~~ ~~must~~, ~~in~~ ~~a~~ ~~county~~ ~~that~~ ~~provides~~ ~~for~~ ~~the~~ ~~installation~~ ~~of~~ ~~an~~ ~~ignition~~ ~~interlock~~ ~~device~~ ~~under~~ ~~IC 9-30-8~~ ~~IC 9-30-8~~, ~~prohibit~~ ~~the~~ ~~defendant~~ ~~from~~ ~~operating~~ ~~a~~ ~~motor~~ ~~vehicle~~ ~~unless~~ ~~the~~ ~~motor~~ ~~vehicle~~ ~~is~~ ~~equipped~~~~



1       with a functioning certified ignition interlock device under ~~IC 9-30-8~~ [IC 9-30-8]

3           (d) (☞b) If a defendant does not have a prior conviction for an offense under IC 9-30-5, the court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. An order requiring an ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years.

10           SECTION 2 ~~☞3~~ [3]. IC 12-23-5-5.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. (a) A person

12           commits a Class B infraction if the person:

13           (1) operates a motor vehicle without a functioning certified ignition interlock device; and

15           (2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(d) ~~5~~ (☞b) of this chapter.

18           (b) A person commits a Class B misdemeanor if the person:

19           (1) operates a motor vehicle without a functioning certified ignition interlock device; and

21           (2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(d) ~~5~~ (c) of this chapter.

25           SECTION ~~30~~ [24]. IC 14-15-4-4, AS AMENDED BY P.L.195-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A person who knowingly or intentionally violates section 1, 2, or 3 of this chapter commits a Class C misdemeanor. However, the offense is:

30           (1) a Class A misdemeanor if the accident or collision results in an injury to a person;

32           (2) a Level 6 felony if:

33           (A) the accident or collision results in serious bodily injury to a person; or

35           (B) within the five (5) years preceding the commission of the offense, the person had a previous conviction of any of the offenses listed in IC 9-30-10-4(a), IC 35-46-9-6 (before its repeal), or IC 14-15-8-8 (before its repeal); or

39           (3) a Level 5 felony if the accident or collision results in the death of a person.

41           SECTION ~~31~~ [25]. IC 14-15-11-14, AS AMENDED BY P.L.217-2014, SECTION 182, IS AMENDED TO READ AS



1       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A court may  
 2       suspend or revoke the driver's license of a person upon the conviction  
 3       of the person of a crime based on a violation of IC 14-15-3, IC 14-15-8  
 4       (before its repeal), IC 35-46-9 (**before its repeal**), or IC 14-15-12.

5       (b) In suspending or revoking a driver's license under this section,  
 6       the court shall notify the bureau of the driver's license suspension or  
 7       revocation, and the bureau shall follow the procedure set forth in  
 8       IC 9-30-4.

9       SECTION ~~22~~<sup>26</sup>, IC 14-15-11-15, AS AMENDED BY  
 10      P.L.40-2012, SECTION 16, IS AMENDED TO READ AS FOLLOWS  
 11      [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) A court in which an  
 12       individual is convicted of a crime based on a violation of IC 14-15-3,  
 13       IC 35-46-9 (**before its repeal**), IC 14-15-8 (before its repeal), or  
 14       IC 14-15-12 relating to the operation of a motorboat shall forward a  
 15       certified abstract of the record of the conviction to the bureau.

16       (b) If, in the opinion of the court, an individual referred to in  
 17       subsection (a) should be deprived of the privilege of operating a  
 18       vehicle or motorboat, the court shall recommend the suspension of the  
 19       Indiana driver's license issued to the individual for a fixed period. The  
 20       period of the suspension shall be established by the court but may not  
 21       exceed one (1) year.

22       (c) Upon receiving the recommendation of the court under  
 23       subsection (b), the bureau shall suspend the individual's license for the  
 24       period recommended by the court.

25       (d) A certified abstract forwarded to the bureau under subsection  
 26       (a):

27           (1) must be in the form prescribed by the bureau; and  
 28           (2) shall be accepted by an administrative agency or a court as  
 29           *prima facie* evidence of the conviction and all other action stated  
 30           in the abstract.

31       SECTION ~~23~~<sup>27</sup>, IC 14-15-11-17, AS AMENDED BY  
 32      P.L.40-2012, SECTION 17, IS AMENDED TO READ AS FOLLOWS  
 33      [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) For purposes of the point  
 34       system for Indiana traffic convictions operated by the bureau under 140  
 35       IAC 1-4.5, the bureau shall assess points against a person who commits  
 36       a crime by operating a motorboat in violation of:

37           (1) IC 14-15-3;  
 38           (2) IC 35-46-9 (**before its repeal**) (~~or or~~ IC 14-15-8 ~~before~~  
 39           **(before** its repeal); or  
 40           (3) IC 14-15-12.

41       (b) The bureau shall assess points against a person under this  
 42       section for each crime referred to in subsection (a) that is committed by



1 the person.

2 (c) The point study committee appointed by the commissioner  
 3 under 140 IAC 1-4.5-3, in consultation with the department, shall  
 4 determine the number of points assessed under subsection (a) for each  
 5 type of criminal violation of IC 14-15-3, IC 14-15-8 (before its repeal),  
 6 IC 35-46-9 (**before its repeal**), or IC 14-15-12 based on the evaluation  
 7 by the committee of the danger to human life, human physical safety,  
 8 and property posed by the violation.

9 SECTION ~~34~~<sup>28</sup>. IC 14-15-12-5, AS AMENDED BY  
 10 P.L.40-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2026]: Sec. 5. The requirements and  
 12 prohibitions set forth in this chapter concerning personal watercraft are  
 13 in addition to the requirements and prohibitions set forth in IC 14-15-3,  
 14 IC 35-46-9 (**before its repeal**), and IC 14-15-8 (before its repeal).

15 SECTION ~~35~~<sup>29</sup>. IC 14-15-13-2, AS AMENDED BY  
 16 P.L.40-2012, SECTION 19, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2026]: Sec. 2. The requirements and  
 18 prohibitions set forth in this chapter are in addition to the requirements  
 19 and prohibitions set forth in IC 14-15-2, IC 14-15-3, IC 14-15-4,  
 20 14-15-8 (before its repeal), IC 35-46-9 (**before its repeal**), and  
 21 IC 14-15-12.

22 SECTION 3~~46~~<sup>0</sup>. IC 31-9-2-84.8, AS AMENDED BY  
 23 P.L.142-2020, SECTION 34, IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 84.8. "Nonwaivable  
 25 offense", for purposes of this title, means a conviction of any of the  
 26 following felonies:

- 27 (1) Murder (IC~~1~~<sup>35</sup>-42-1-1).
- 28 (2) Causing suicide (IC~~1~~<sup>35</sup>-42-1-2).
- 29 (3) Assisting suicide (IC~~1~~<sup>35</sup>-42-1-2.5).
- 30 (4) Voluntary manslaughter (IC~~1~~<sup>35</sup>-42-1-3).
- 31 (5) Involuntary manslaughter (IC~~1~~<sup>35</sup>-42-1-4).
- 32 (6) Reckless homicide (IC~~1~~<sup>35</sup>-42-1-5).
- 33 (7) Feticide (IC~~1~~<sup>35</sup>-42-1-6).
- 34 (8) Battery (IC~~1~~<sup>35</sup>-42-2-1) within the past five (5) years.
- 35 (9) Domestic battery (IC~~1~~<sup>35</sup>-42-2-1.3).
- 36 (10) Aggravated battery (IC~~1~~<sup>35</sup>-42-2-1.5).
- 37 (11) Criminal recklessness (IC~~1~~<sup>35</sup>-42-2-2) within the past five  
 38 (5) years.
- 39 (12) Strangulation (IC~~1~~<sup>35</sup>-42-2-9).
- 40 (13) Kidnapping (IC~~1~~<sup>35</sup>-42-3-2).
- 41 (14) Criminal confinement (IC~~1~~<sup>35</sup>-42-3-3) within the past five  
 42 (5) years.



1 (15) Human and sexual trafficking (IC [ ] 35-42-3.5).  
 2 (16) A felony sex offense under IC 35-42-4.  
 3 (17) Arson (IC [ ] 35-43-1-1) within the past five (5) years.  
 4 (18) Incest (IC [ ] 35-46-1-3).  
 5 (19) Neglect of a dependent (IC [ ] 35-46-1-4(a) and  
 6 IC 35-46-1-4(b)).  
 7 (20) Child selling (IC [ ] 35-46-1-4(d)).  
 8 (21) Reckless supervision (IC [ ] 35-46-1-4.1).  
 9 (22) Nonsupport of a dependent child (IC [ ] 35-46-1-5) within the  
 10 past five (5) years.  
 11 (23) Operating a motorboat while intoxicated (IC [ ] 35-46-9-6)  
 12 **(before its repeal)** within the past five (5) years.  
 13 (24) A felony involving a weapon under IC 35-47 within the past  
 14 five (5) years.  
 15 (25) A felony relating to controlled substances under IC 35-48-4  
 16 within the past five (5) years.  
 17 (26) An offense relating to material or a performance that is  
 18 harmful to minors or obscene under IC 35-49-3.  
 19 (27) A felony under IC 9-30-5 within the past five (5) years.  
 20 (28) A felony related to the health or safety of a child (as defined  
 21 in IC 31-9-2-13(h)) or an endangered adult (as defined in  
 22 IC 12-10-3-2).  
 23 SECTION 3 ~~3~~ [1]. IC 31-19-11-1, AS AMENDED BY  
 24 P.L.56-2023, SECTION 282, IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Whenever the  
 26 court has heard the evidence and finds that:  
 27 (1) the adoption requested is in the best interest of the child;  
 28 (2) the petitioner or petitioners for adoption are of sufficient  
 29 ability to rear the child and furnish suitable support and  
 30 education;  
 31 (3) the report of the investigation and recommendation under  
 32 IC 31-19-8-5 has been filed;  
 33 (4) the attorney or agency arranging an adoption has filed with  
 34 the court an affidavit prepared by the Indiana department of  
 35 health under IC 31-19-5-16 indicating whether a man is entitled  
 36 to notice of the adoption because the man has registered with the  
 37 putative father registry in accordance with IC 31-19-5;  
 38 (5) proper notice arising under subdivision (4), if notice is  
 39 necessary, of the adoption has been given;  
 40 (6) the attorney or agency has filed with the court an affidavit  
 41 prepared by the Indiana department of health under:  
 42 (A) IC 31-19-6 indicating whether a record of a paternity



1 determination; or  
 2 (B) IC 16-37-2-2(g) indicating whether a paternity affidavit  
 3 executed under IC 16-37-2-2.1;  
 4 has been filed in relation to the child;  
 5 (7) proper consent, if consent is necessary, to the adoption has  
 6 been given;  
 7 (8) the petitioner for adoption is not prohibited from adopting the  
 8 child as the result of an inappropriate criminal history described  
 9 in subsection (c) or (d); and  
 10 (9) the person, licensed child placing agency, or local office that  
 11 has placed the child for adoption has provided the documents  
 12 and other information required under IC 31-19-17 to the  
 13 prospective adoptive parents;  
 14 the court shall grant the petition for adoption and enter an adoption  
 15 decree.

16 (b) A court may not grant an adoption unless the Indiana  
 17 department of health's affidavit under IC 31-19-5-16 is filed with the  
 18 court as provided under subsection (a)(4).

19 (c) A juvenile adjudication for an act listed in IC 31-9-2-84.8 that  
 20 would be a felony if committed by an adult, a conviction of a  
 21 misdemeanor related to the health and safety of a child, or a conviction  
 22 of a felony not listed in IC 31-9-2-84.8 by a petitioner for adoption or  
 23 household member is a permissible basis for the court to deny the  
 24 petition for adoption. In addition, the court may not grant an adoption  
 25 if a petitioner for adoption has been convicted of a nonwaivable offense  
 26 under IC 31-9-2-84.8. However, the court is not prohibited from  
 27 granting an adoption based upon a felony conviction for:

28 (1) a felony under IC 9-30-5;  
 29 (2) battery (IC [ ] 35-42-2-1);  
 30 (3) criminal recklessness (IC [ ] 35-42-2-2) as a felony;  
 31 (4) criminal confinement (IC [ ] 35-42-3-3);  
 32 (5) arson (IC [ ] 35-43-1-1);  
 33 (6) nonsupport of a dependent child (IC [ ] 35-46-1-5);  
 34 (7) operating a motorboat while intoxicated (IC [ ] 35-46-9-6)  
 35 **(before its repeal)** as a felony;  
 36 (8) a felony involving a weapon under IC 35-47; or  
 37 (9) a felony relating to controlled substances under IC 35-48-4;  
 38 if the date of the conviction did not occur within the immediately  
 39 preceding five (5) year period.

40 (d) A court may not grant an adoption if the petitioner is a sex or  
 41 violent offender (as defined in IC 11-8-8-5) or a sexually violent  
 42 predator (as defined in IC 35-38-1-7.5).



(e) In addition to this section, section 1.1 of this chapter applies when one (1) or more petitioners is a person with a disability.

SECTION 3~~8~~[2]. IC 31-34-4-2, AS AMENDED BY P.L.186-2025, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) If a child alleged to be a child in need of services is taken into custody under an order of the court under this chapter and the court orders out-of-home placement, the department is responsible for that placement and care and must consider placing the child with a:

(1) suitable and willing relative; or

(2) de facto custodian;

before considering any other out-of-home placement.

(b) The department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before the department places a child in need of services with a relative or a de facto custodian, the department shall complete an evaluation based on a home visit of the relative's home.

(d) Except as provided in subsection (f), before placing a child in need of services in an out-of-home placement, the department shall conduct a criminal history check of each person who is currently residing in the location designated as the out-of-home placement.

(e) Except as provided in subsection (g), the department may not make an out-of-home placement if a person described in subsection (d) has:

(1) committed an act resulting in a substantiated report of child abuse or neglect; or

(2) been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 or had a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult.

(f) The department is not required to conduct a criminal history check under subsection (d) if the department makes an out-of-home placement to an entity or a facility that is not a residence (as defined in IC 3-5-2.1-90) or that is licensed by the state.

(g) A court may order or the department may approve an out-of-home placement if:

(1) a person described in subsection (d) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC[ ]35-42-2-1);

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20       However, a court or the department shall not make an out-of-home  
21       placement if the person has been convicted of a nonwaivable offense,  
22       as defined in IC 31-9-2-84.8 that is not specifically excluded under  
23       subdivision (1)(B).

24 (h) In considering the placement under subsection (g), the court or  
25 the department shall consider the following:

26 (1) The length of time since the person committed the offense,  
27 delinquent act, or abuse or neglect.  
28 (2) The severity of the offense, delinquent act, or abuse or  
29 neglect.  
30 (3) Evidence of the person's rehabilitation, including the person's  
31 cooperation with a treatment plan, if applicable.

32 SECTION 3~~9~~[3]. IC 31-34-20-1.5, AS AMENDED BY  
33 P.L.186-2025, SECTION 161, IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) Except as  
35 provided in subsection (d), the juvenile court may not enter a  
36 dispositional decree approving or ordering placement of a child in  
37 another home under section 1(a)(3) of this chapter or awarding  
38 wardship to the department that will place the child in another home  
39 under section 1(a)(4) of this chapter if a person who is currently  
40 residing in the home in which the child would be placed under section  
41 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a  
42 substantiated report of child abuse or neglect, has a juvenile



1 adjudication for an act that would be a nonwaivable offense, as defined  
 2 in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a  
 3 nonwaivable offense, as defined in IC 31-9-2-84.8.

4       (b) The department or caseworker who prepared the  
 5 predispositional report shall conduct a criminal history check (as  
 6 defined in IC 31-9-2-22.5) to determine if a person described in  
 7 subsection (a) has committed an act resulting in a substantiated report  
 8 of child abuse or neglect, has a juvenile adjudication for an act that  
 9 would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if  
 10 committed by an adult, or has a conviction for a nonwaivable offense,  
 11 as defined in IC 31-9-2-84.8. However, the department or caseworker  
 12 is not required to conduct a criminal history check under this section  
 13 if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1  
 14 establishes whether a person described in subsection (a) has committed  
 15 an act resulting in a substantiated report of child abuse or neglect, has  
 16 a juvenile adjudication for an act that would be a nonwaivable offense,  
 17 as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
 18 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

19       (c) The department or caseworker is not required to conduct a  
 20 criminal history check under this section if:

21           (1) the department or caseworker is considering only an  
 22 out-of-home placement to an entity or a facility that:

23              (A) is not a residence (as defined in IC 3-5-2.1-90); or

24              (B) is licensed by the state; or

25           (2) placement under this section is undetermined at the time the  
 26 predispositional report is prepared.

27       (d) A juvenile court may enter a dispositional decree that approves  
 28 placement of a child in another home or award wardship to the  
 29 department that will place the child in a home with a person described  
 30 in subsection (a) if:

31           (1) the person described in subsection (a) has:

32              (A) committed an act resulting in a substantiated report of  
 33 child abuse or neglect;

34              (B) been convicted of:

35                  (i) battery (IC [ ]35-42-2-1);

36                  (ii) criminal recklessness (IC [ ]35-42-2-2) as a felony;

37                  (iii) criminal confinement (IC [ ]35-42-3-3) as a felony;

38                  (iv) arson (IC [ ]35-43-1-1) as a felony;

39                  (v) nonsupport of a dependent child (IC [ ]35-46-1-5);

40                  (vi) operating a motorboat while intoxicated  
 41 (IC [ ]35-46-9-6) (before its repeal) as a felony;

42                  (vii) a felony involving a weapon under IC 35-47;



14 However, a court may not enter a dispositional decree that approves  
15 placement of a child in another home or awards wardship to the  
16 department if the person has been convicted of a nonwaivable offense,  
17 as defined in IC 31-9-2-84.8 that is not specifically excluded under  
18 subdivision (1)(B).

21 (1) The length of time since the person committed the offense,  
22 delinquent act, or act that resulted in the substantiated report of  
23 abuse or neglect.  
24 (2) The severity of the offense, delinquent act, or abuse or  
25 neglect.  
26 (3) Evidence of the person's rehabilitation, including the person's  
27 cooperation with a treatment plan, if applicable.

28 SECTION ~~40~~[34]. IC 31-34-21-7.5, AS AMENDED BY  
29 P.L.156-2020, SECTION 119, IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. (a) Except as  
31 provided in subsection (d), the juvenile court may not approve a  
32 permanency plan under subsection (c)(1)(C), (c)(1)(D), or (c)(1)(E) if  
33 a person who is currently residing with a person described in  
34 subsection (c)(1)(C) or (c)(1)(D) or in a residence in which the child  
35 would be placed under subsection (c)(1)(E) has committed an act  
36 resulting in a substantiated report of child abuse or neglect, has a  
37 juvenile adjudication for an act that would be a nonwaivable offense,  
38 as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
39 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

40 (b) Before requesting juvenile court approval of a permanency  
41 plan, the department shall conduct a criminal history check (as defined  
42 in IC 31-9-2-22.5) to determine if a person described in subsection (a)



1 has committed an act resulting in a substantiated report of child abuse  
 2 or neglect, has a juvenile adjudication for an act that would be a  
 3 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 4 adult, or has a conviction for a nonwaivable offense, as defined in  
 5 IC 31-9-2-84.8. However, the department is not required to conduct a  
 6 criminal history check under this section if criminal history information  
 7 under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes  
 8 whether a person described in subsection (a) has committed an act  
 9 resulting in a substantiated report of child abuse or neglect, has a  
 10 juvenile adjudication for an act that would be a nonwaivable offense,  
 11 as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
 12 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

13 (c) A permanency plan, or plans, if concurrent planning, under this  
 14 chapter includes the following:

15 (1) The intended permanent or long term arrangements for care  
 16 and custody of the child that may include any one (1), or two (2),  
 17 if concurrent planning, of the following arrangements that the  
 18 department or the court considers most appropriate and  
 19 consistent with the best interests of the child:

20 (A) Return to or continuation of existing custodial care  
 21 within the home of the child's parent, guardian, or custodian  
 22 or placement of the child with the child's noncustodial  
 23 parent.

24 (B) Placement of the child for adoption.

25 (C) Placement of the child with a responsible person,  
 26 including:

27 (i) an adult sibling;

28 (ii) a grandparent;

29 (iii) an aunt;

30 (iv) an uncle;

31 (v) a custodial parent of a sibling of the child; or

32 (vi) another relative;

33 who is able and willing to act as the child's permanent  
 34 custodian and carry out the responsibilities required by the  
 35 permanency plan.

36 (D) Appointment of a legal guardian. The legal guardian  
 37 appointed under this section is a caretaker in a judicially  
 38 created relationship between the child and caretaker that is  
 39 intended to be permanent and self-sustaining as evidenced  
 40 by the transfer to the caretaker of the following parental  
 41 rights with respect to the child:

42 (i) Care, custody, and control of the child.



(ii) Decision making concerning the child's upbringing.

(E) A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan.

(2) A time schedule for implementing the applicable provisions of the permanency plan.

(3) Provisions for temporary or interim arrangements for care and custody of the child, pending completion of implementation of the permanency plan.

(4) Other items required to be included in a case plan under IC 31-34-15 or federal law, consistent with the permanent or long term arrangements described by the permanency plan.

(d) A juvenile court may approve a permanency plan if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC[ ]35-42-2-1);

(ii) criminal recklessness (IC L35-42-2-2) as a felony;

(iii) criminal confinement (IC [ ]35-42-3-3) as a felony;

(iv) arson (IC[ ]35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC [ ] 35-46-1-5);

(vi) operating a motorboat while intoxicated

(IC 35-46-9-6) (before its repeal) as a felony;

(vii) a felony involving a weapon under section 6.1, relating to article 11, 1

(viii) a felony relating to controlled substances under IC 35-48-4; or

(ix) a felony under IC 9-30-5;

if the conviction did not occur within the past five (5) years;

or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and that approval of the permanency plan is in the best interest of the child.

42 However, a court may not approve a permanency plan if the person has

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1       been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8  
 2       that is not specifically excluded under subdivision (1)(B), or has a  
 3       juvenile adjudication for an act that would be a nonwaivable offense,  
 4       as defined in IC 31-9-2-84.8 if committed by an adult that is not  
 5       specifically excluded under subdivision (1)(B).

6       (e) In making its written finding under subsection (d), the court  
 7       shall consider the following:

8           (1) The length of time since the person committed the offense,  
 9           delinquent act, or act that resulted in the substantiated report of  
 10          abuse or neglect.

11           (2) The severity of the offense, delinquent act, or abuse or  
 12          neglect.

13           (3) Evidence of the person's rehabilitation, including the person's  
 14          cooperation with a treatment plan, if applicable.

15 ← ~~SECTION 41. IC 31-37-5-7, AS AMENDED BY P.L.217-2014,  
 16 SECTION 183, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) If a child is alleged to have  
 18 committed an act that would be an offense under IC 9-30-5 if  
 19 committed by an adult, a juvenile court shall recommend the  
 20 immediate suspension of the child's driving privileges as provided in  
 21 IC 9-30-5. If a court recommends suspension of a child's driving  
 22 privileges under this section, the bureau of motor vehicles shall comply  
 23 with the recommendation of suspension as provided in IC 9-30-6-12.~~

24           (b) If a court recommends suspension of a child's driving  
 25 privileges under this section, the court may order the bureau of motor  
 26 vehicles to reinstate the child's driving privileges as provided in  
 27 IC 9-30-6-11.

28           (c) If a juvenile court orders the bureau of motor vehicles to  
 29 reinstate a child's driving privileges under subsection (b), the bureau  
 30 shall comply with the order. Unless the order for reinstatement is  
 31 issued as provided under IC 9-30-6-11(a)(2) because of a violation of  
 32 the speedy trial provisions applicable to the juvenile court, the bureau  
 33 shall also do the following:

34           (1) Remove any record of the suspension from the bureau's  
 35 record keeping system.

36           (2) Reinstate the privileges without cost to the person.

37           (d) If a juvenile court orders a suspension under this section and  
 38 the child did not refuse to submit to a chemical test offered under  
 39 IC 9-30-6-2 during the investigation of the delinquent act that would  
 40 have been an offense under IC 9-30-5 if committed by an adult, the  
 41 juvenile court may grant the child specialized driving privileges in  
 42 conformity with the procedures in IC 9-30-16.



1       — (e) If a proceeding described in this section is terminated in favor  
 2       of the child and the child did not refuse to submit to a chemical test  
 3       offered as provided under IC 9-30-6-2 during the investigation of the  
 4       delinquent act that would be an offense under IC 9-30-5 if committed  
 5       by an adult, the bureau shall remove any record of the suspension,  
 6       including the reasons for the suspension, from the child's official  
 7       driving record.

8       — (f) The bureau of motor vehicles may adopt rules under IC 4-22-2  
 9       to carry out this section.

10      > SECTION ~~42~~35. IC 31-37-19-6.5, AS AMENDED BY  
 11     P.L.186-2025, SECTION 163, IS AMENDED TO READ AS  
 12     FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. (a) Except as  
 13     provided in subsection (d), the juvenile court may not enter a  
 14     dispositional decree approving placement of a child in another home  
 15     under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding  
 16     wardship to a person or facility that results in a placement with a  
 17     person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person  
 18     who is currently residing in the home in which the child would be  
 19     placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this  
 20     chapter has committed an act resulting in a substantiated report of child  
 21     abuse or neglect, has a juvenile adjudication for an act that would be  
 22     a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an  
 23     adult, or has a conviction for a nonwaivable offense, as defined in  
 24     IC 31-9-2-84.8.

25      (b) The juvenile probation officer who prepared the  
 26     predispositional report shall conduct a criminal history check (as  
 27     defined in IC 31-9-2-22.5) to determine if a person described in  
 28     subsection (a) has committed an act resulting in a substantiated report  
 29     of child abuse or neglect, has a juvenile adjudication for an act that  
 30     would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if  
 31     committed by an adult, or has a conviction for a nonwaivable offense,  
 32     as defined in IC 31-9-2-84.8. However, the probation officer is not  
 33     required to conduct a criminal history check under this section if  
 34     criminal history information obtained under IC 31-37-17-6.1  
 35     establishes whether a person described in subsection (a) has committed  
 36     an act resulting in a substantiated report of child abuse or neglect, has  
 37     a juvenile adjudication for an act that would be a nonwaivable offense,  
 38     as defined in IC 31-9-2-84.8 if committed by an adult, or has a  
 39     conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

40      (c) The juvenile probation officer is not required to conduct a  
 41     criminal history check under this section if:

42        (1) the probation officer is considering only an out-of-home



placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) The juvenile court may enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) a felony under IC 9-30-5;

(ii) battery (IC [ ]35-42-2-1);

(iii) criminal recklessness (IC [ ]35-42-2-2) as a felony;

(iv) criminal confinement (IC [ ]35-42-3-3) as a felony;

(v) arson (IC [ ]35-43-1-1) as a felony;

(vi) nonsupport of a dependent child (IC [ ]35-46-1-5);

(vii) operating a motorboat while intoxicated (IC [ ]35-46-9-6) (**before its repeal**) as a felony;

(viii) a felony involving a weapon under IC 35-47; or

(ix) a felony relating to controlled substances under IC 35-48-4;

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing the child in another home is in the best interest of the child.

However, a court may not enter a dispositional decree placing a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility under this subsection if a person with whom the child is or will be placed has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:



(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

← SECTION 43. IC 31-37-19-17.3, AS AMENDED BY P.L.217-2014, SECTION 184, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17.3. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be an offense under IC 9-30-5.

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, recommend the suspension of the child's driving privileges as provided in IC 9-30-5. If a court recommends suspension of a child's driving privileges under this section, the bureau of motor vehicles shall comply with the recommendation of suspension as provided in IC 9-30-6-12.

(c) If a court recommends suspension of a child's driving privileges under this section, the court may order the bureau of motor vehicles to reinstate the child's driving privileges as provided in IC 9-30-6-11.

— (d) If a juvenile court orders the bureau of motor vehicles to reinstate a child's driving privileges under subsection (c), the bureau shall comply with the order. Unless the order for reinstatement is issued as provided under IC 9-30-6-11(a)(2) because of a violation of the speedy trial provisions applicable to the juvenile court, the bureau shall also do the following:

(1) Remove any record of the suspension from the bureau's record keeping system:

(2) Reinstate the privileges without cost to the person.

— (e) If:

(1) a juvenile court recommends suspension of a child's driving privileges under this section; and

(2) the child did not refuse to submit to a chemical test offered as provided under IC 9-30-6-2 during the investigation of the delinquent act that would be an offense under IC 9-30-5 if committed by an adult;

~~the juvenile court may stay the execution of the suspension of the child's driving privileges and grant the child probationary driving privileges for one hundred eighty (180) days.~~

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1        (f) If a juvenile court orders a suspension under this section and  
 2        the child did not refuse to submit to a chemical test offered under  
 3        IC 9-30-6-2 during the investigation of the delinquent act that would  
 4        have been an offense under IC 9-30-5 if committed by an adult, the  
 5        juvenile court may grant the child specialized driving privileges in  
 6        conformity with the procedures in IC 9-30-16.

7        (g) A child whose driving privileges are suspended under this  
 8        section is entitled to credit for any days during which the license was  
 9        suspended under IC 31-37-5-7, if the child did not refuse to submit to  
 10      a chemical test offered as provided under IC 9-30-6-2 during the  
 11      investigation of the delinquent act that would be an offense under  
 12      IC 9-30-5 if committed by an adult.

13      (h) A period of suspension of driving privileges imposed under  
 14      this section must be consecutive to any period of suspension imposed  
 15      under IC 31-37-5-7. However, if the juvenile court finds in the  
 16      sentencing order that it is in the best interest of society, the juvenile  
 17      court may terminate all or any part of the remaining suspension under  
 18      IC 31-37-5-7.

19      (i) The bureau of motor vehicles may adopt rules under IC 4-22-2  
 20      to carry out this section.

21      > SECTION ~~44~~<sup>44</sup>[\[36\]](#). IC 35-31.5-2-37.5 IS REPEALED  
 22      [EFFECTIVE JULY 1, 2026]. Sec. 37.5. "Chemical test", for purposes  
 23      of IC 35-46-9, has the meaning set forth in IC 35-46-9-1.

24      SECTION ~~45~~<sup>45</sup>[\[37\]](#). IC 35-31.5-2-177.5 IS REPEALED  
 25      [EFFECTIVE JULY 1, 2026]. Sec. 177.5. "Intoxicated", for purposes  
 26      of IC 35-46-9, has the meaning set forth in IC 35-46-9-2.

27      SECTION ~~46~~<sup>46</sup>[\[38\]](#). IC 35-31.5-2-206.5 IS REPEALED  
 28      [EFFECTIVE JULY 1, 2026]. Sec. 206.5. "Motorboat", for purposes of  
 29      IC 35-46-9, has the meaning set forth in IC 35-46-9-3.

30      SECTION ~~47~~<sup>47</sup>[\[39\]](#). IC 35-31.5-2-244.5 IS REPEALED  
 31      [EFFECTIVE JULY 1, 2026]. Sec. 244.5. "Prima facie evidence of  
 32      intoxication", for purposes of IC 35-46-9, has the meaning set forth in  
 33      IC 35-46-9-4.

34      SECTION 4~~8~~<sup>8</sup>[\[10\]](#). IC 35-31.5-2-273.5 IS REPEALED  
 35      [EFFECTIVE JULY 1, 2026]. Sec. 273.5. "Relevant evidence", for  
 36      purposes of IC 35-46-9, has the meaning set forth in IC 35-46-9-5.

37      SECTION 4~~9~~<sup>9</sup>[\[11\]](#). IC 35-33-7-4.5 IS ADDED TO THE  
 38      INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 39      [EFFECTIVE JULY 1, 2026]: Sec. 4.5. A person charged with a  
 40      misdemeanor under IC 9-30-5-1 or IC 9-30-5-2 may waive the  
 41      person's initial hearing.

42      SECTION ~~50~~<sup>50</sup>[\[42\]](#). IC 35-33-7-5, AS AMENDED BY



1 P.L.166-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) At the initial hearing of a  
 3 person, the judicial officer shall inform the person orally or in writing:  
 4 (1) that the person has a right to retain counsel and if the person  
 5 intends to retain counsel the person must do so within:  
 6 (A) twenty (20) days if the person is charged with a felony;  
 7 or  
 8 (B) ten (10) days if the person is charged only with one (1)  
 9 or more misdemeanors;  
 10 after this initial hearing because there are deadlines for filing  
 11 motions and raising defenses, and if those deadlines are missed,  
 12 the legal issues and defenses that could have been raised will be  
 13 waived;  
 14 (2) that the person has a right to assigned counsel at no expense  
 15 to the person if the person is indigent;  
 16 (3) that the person has a right to a speedy trial;  
 17 (4) of the amount and conditions of bail;  
 18 (5) of the person's privilege against self-incrimination;  
 19 (6) of the nature of the charge against the person;  
 20 (7) that a preliminary plea of not guilty is being entered for the  
 21 person and the preliminary plea of not guilty will become a  
 22 formal plea of not guilty:  
 23 (A) twenty (20) days after the completion of the initial  
 24 hearing; or  
 25 (B) ten (10) days after the completion of the initial hearing  
 26 if the person is charged only with one (1) or more  
 27 misdemeanors;  
 28 unless the defendant enters a different plea; and  
 29 (8) that the person may request to petition for a specialized  
 30 driving privileges hearing if the person is charged with:  
 31 (A) any offense in which the operation of a motor vehicle is  
 32 an element of the offense;  
 33 (B) any offense under IC 9-30-5, IC 35-46-9 (**before its**  
 34 **repeal**), or IC 14-15-8 (before its repeal); or  
 35 (C) any offense under IC 35-42-1, IC 35-42-2, or  
 36 IC 35-44.1-3-1 that involves the use of a vehicle.  
 37 In addition, the judge shall direct the prosecuting attorney to give the  
 38 defendant or the defendant's attorney a copy of any formal felony  
 39 charges filed or ready to be filed. The judge shall, upon request of the  
 40 defendant, direct the prosecuting attorney to give the defendant or the  
 41 defendant's attorney a copy of any formal misdemeanor charges filed  
 42 or ready to be filed.

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1       (b) This subsection applies to a pregnant woman charged with a  
2       drug crime. If the woman is otherwise qualified, including meeting any  
3       requirements under IC 33-23-16-13(3)(A), if applicable, the judge may,  
4       after consulting with the prosecuting attorney, refer the woman to the  
5       forensic diversion program (IC[ ]11-12-3.7) or a drug court  
6       (IC[ ]33-23-16).

7       SECTION ~~51~~[43]. IC 35-46-9 IS REPEALED [EFFECTIVE  
8       JULY 1, 2026]. (Operating a Motorboat While Intoxicated).[  
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