



January 14, 2026

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## SENATE BILL No. 252

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DIGEST OF SB 252 (Updated January 13, 2026 11:54 am - DI 106)

**Citations Affected:** IC 1-1; IC 11-10; IC 31-30; IC 33-34; IC 33-37; IC 33-39; IC 35-35; IC 35-38; IC 35-42; IC 35-45; IC 35-46; IC 35-50.

**Synopsis:** Criminal law matters. Provides that a person who commits a criminal offense commits a separate offense for each victim of the offense. Requires the department of correction to weekly transport sentenced offenders from the Marion County adult detention center to the appropriate correctional facility. Removes a provision allowing an automatic change of judge when a judge rejects a plea agreement in a misdemeanor case. Allows the state to appeal a sentence in a criminal case. Makes sentences nonsuspendible for: (1) crimes of violence; and (2) persons charged with a felony who have a prior felony conviction. Provides that an inmate may earn not more than six months of educational credit for participating in an individualized case management plan. Increases the penalty for invasion of privacy if the crime is committed by a person against whom domestic battery charges are pending. Provides that crimes committed against different victims during the same episode of criminal conduct do not count against the

(Continued next page)

**Effective:** July 1, 2026.

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## Freeman, Carrasco

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

January 13, 2026, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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SB 252—LS 7112/DI 106



## Digest Continued

sentencing cap that applies to crimes committed as part of the same episode of criminal conduct. Specifies that persons convicted of certain crimes may not participate in a community corrections program. Increases the penalty for: (1) reckless homicide; (2) involuntary manslaughter; and (3) reckless supervision; to a Level 4 felony. Establishes the public prosecution fund and a prosecuting attorney compensation fee of \$40, which will be deposited in the public prosecution fund. Provides that a county may be reimbursed for certain prosecutorial expenses from the fund, unless the prosecuting attorney in the county is a noncompliant prosecuting attorney. Requires the Indiana prosecuting attorney's council to set standards for reimbursement. Makes it malicious littering, a Class A misdemeanor, for a person to place refuse on the property of another person with the intent to cause the owner or occupant of the property to reasonably fear for their physical safety.

**SB 252—LS 7112/DI 106**



January 14, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## SENATE BILL No. 252

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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 1-1-2-5 IS ADDED TO THE INDIANA CODE AS  
2        A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1,**  
3        **2026]: Sec. 5. A person who commits a criminal offense commits a**  
4        **separate offense for each victim listed in a separately charged**  
5        **offense. A court may enter a conviction and impose a sentence for**  
6        **each charged offense.**

7        SECTION 2. IC 11-10-1-1.5 IS ADDED TO THE INDIANA CODE  
8        AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
9        **1, 2026]: Sec. 1.5. (a) The department shall transport sentenced**  
10       **offenders from the Marion County adult detention facility to the**  
11       **appropriate correctional facility at least one (1) time per week.**

12       **(b) This section applies specifically to the Marion County adult**  
13       **detention facility because that facility holds hundreds of offenders**  
14       **sentenced to custody in the department and awaiting**  
15       **transportation.**

16       SECTION 3. IC 31-30-3-5, AS AMENDED BY P.L.148-2024,  
17       SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

SB 252—LS 7112/DI 106



1 JULY 1, 2026]: Sec. 5. Except for those cases in which the juvenile  
2 court has no jurisdiction in accordance with IC 31-30-1-4, the court  
3 shall, upon motion of the prosecuting attorney and after full  
4 investigation and hearing, waive jurisdiction if it finds that:

5 (1) the child is charged with an act that, if committed by an adult,  
6 would be:

7 (A) a Level 1 felony, Level 2 felony, Level 3 felony, or Level  
8 4 felony, except a felony defined by IC 35-48-4;

9 (B) involuntary manslaughter ~~as a Level 5 felony~~ under  
10 IC 35-42-1-4;

11 (C) reckless homicide ~~as a Level 5 felony~~ under IC 35-42-1-5;  
12 or

13 (D) unlawful carrying of a handgun as a felony under  
14 IC 35-47-2-1.5;

15 (2) there is probable cause to believe that the child has committed  
16 the act; and

17 (3) the child was at least sixteen (16) years of age when the act  
18 charged was allegedly committed;

19 unless it would be in the best interests of the child and of the safety and  
20 welfare of the community for the child to remain within the juvenile  
21 justice system.

22 SECTION 4. IC 33-34-8-1, AS AMENDED BY P.L.213-2025,  
23 SECTION 301, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The following fees and costs  
25 apply to cases in the small claims court:

26 (1) A township docket fee of five dollars (\$5) plus forty-five  
27 percent (45%) of the infraction or ordinance violation costs fee  
28 under IC 33-37-4-2.

29 (2) The bailiff's service of process by registered or certified mail  
30 fee of fifteen dollars (\$15) for each service.

31 (3) The cost for the personal service of process by the bailiff or  
32 other process server of fifteen dollars (\$15) for each service.

33 (4) Witness fees, if any, in the amount provided by IC 33-37-10-3  
34 to be taxed and charged in the circuit court.

35 (5) A redocketing fee, if any, of five dollars (\$5).

36 (6) A document storage fee under IC 33-37-5-20.

37 (7) An automated record keeping fee under IC 33-37-5-21.

38 (8) A late fee, if any, under IC 33-37-5-22.

39 (9) A public defense administration fee under IC 33-37-5-21.2.

40 (10) A judicial insurance adjustment fee under IC 33-37-5-25.

41 (11) A judicial salaries fee under IC 33-37-5-26.

42 (12) A court administration fee under IC 33-37-5-27.



(13) A pro bono legal services fee under IC 33-37-5-31.  
(14) A sheriff's service of process fee under IC 33-37-5-15 for each service of process performed outside Marion County.  
(15) A small claims service fee of twenty-six dollars (\$26) under IC 33-37-5-35.

**(16) A prosecuting attorney compensation fee under IC 33-37-5-37.**

The township docket fee and the cost for the initial service of process shall be paid at the institution of a case. The cost of service after the initial service shall be assessed and paid after service has been made. The cost of witness fees shall be paid before the witnesses are called.

(b) If the amount of the township docket fee computed under subsection (a)(1) is not equal to a whole number, the amount shall be rounded to the next highest whole number.

SECTION 5. IC 33-34-8-3, AS AMENDED BY P.L.213-2025, SECTION 302, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Payment for all costs made as a result of proceedings in a small claims court shall be to the \_\_\_\_\_ Township of Marion County Small Claims Court (with the name of the township inserted). The court shall issue a receipt for all money received on a form numbered serially in duplicate.

(b) The court shall distribute collected fees according the following:

(1) Distribute semiannually to the state comptroller:

(A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund established under IC 33-37-9;

(B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for deposit in the state general fund;

(C) sixty percent (60%) of all court administration fees collected by the court under IC 33-37-5-27 for deposit in the state general fund;

(D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit in the state general fund;

(E) seventy-five percent (75%) of all judicial salaries fees collected by the court under IC 33-37-5-26 for deposit in the state general fund; **and**

(F) one hundred percent (100%) of the pro bono legal services fees collected by the court under IC 33-37-5-31 for deposit in the pro bono legal services fund established by IC 33-37-5-34; **and**





1 (15) A public defense administration fee (IC 33-37-5-21.2).  
2 (16) A judicial insurance adjustment fee (IC 33-37-5-25).  
3 (17) A judicial salaries fee (IC 33-37-5-26).  
4 (18) A court administration fee (IC 33-37-5-27).  
5 (19) A DNA sample processing fee (IC 33-37-5-26.2).  
6 **(20) A prosecuting attorney compensation fee (IC 33-37-5-37).**  
7 (c) Instead of the criminal costs fee prescribed by this section,  
8 except for the automated record keeping fee (IC 33-37-5-21), the clerk  
9 shall collect a pretrial diversion program fee if an agreement between  
10 the prosecuting attorney and the accused person entered into under  
11 IC 33-39-1-8 requires payment of those fees by the accused person.  
12 The pretrial diversion program fee is:  
13 (1) an initial user's fee of fifty dollars (\$50) for a misdemeanor  
14 offense;  
15 (2) an initial user's fee of seventy-five dollars (\$75) for a felony  
16 offense;  
17 (3) a monthly user's fee of twenty dollars (\$20) for each month  
18 that the person remains in the pretrial diversion program; and  
19 (4) any additional program fee or cost that is:  
20 (A) reasonably related to the person's rehabilitation; and  
21 (B) approved by the court.  
22 A monthly user fee may not be collected beyond the maximum length  
23 of the possible sentence.  
24 (d) The clerk shall transfer to the county auditor or city or town  
25 fiscal officer the following fees, not later than thirty (30) days after the  
26 fees are collected:  
27 (1) The pretrial diversion fee.  
28 (2) The marijuana eradication program fee.  
29 (3) The alcohol and drug services program fee.  
30 (4) The law enforcement continuing education program fee.  
31 The auditor or fiscal officer shall deposit fees transferred under this  
32 subsection in the appropriate user fee fund established under  
33 IC 33-37-8.  
34 (e) Unless otherwise directed by a court, if a clerk collects only part  
35 of a criminal costs fee from a defendant under this section, the clerk  
36 shall distribute the partial payment of the criminal costs fee as follows:  
37 (1) The clerk shall apply the partial payment to general court  
38 costs.  
39 (2) If there is money remaining after the partial payment is  
40 applied to general court costs under subdivision (1), the clerk  
41 shall distribute the remainder of the partial payment for deposit in  
42 the appropriate county user fee fund.



(3) If there is money remaining after distribution under subdivision (2), the clerk shall distribute the remainder of the partial payment for deposit in the state user fee fund.

(4) If there is money remaining after distribution under subdivision (3), the clerk shall distribute the remainder of the partial payment to any other applicable user fee fund.

(5) If there is money remaining after distribution under subdivision (4), the clerk shall apply the remainder of the partial payment to any outstanding fines owed by the defendant.

10 SECTION 7. IC 33-37-4-2, AS AMENDED BY P.L.120-2023,  
11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2026]: Sec. 2. (a) Except as provided in subsections (d) and  
13 (e), for each action that results in a judgment:

(1) for a violation constituting an infraction; or

(2) for a violation of an ordinance of a municipal corporation (as defined in IC 36-1-2-10);

17 the clerk shall collect from the defendant an infraction or ordinance  
18 violation costs fee of seventy dollars (\$70).

(1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).

(2) An alcohol and drug services program fee (IC 33-37-5-8(b)).

(3) A law enforcement continuing education program fee (IC 33-37-5-8(c)).

(4) An alcohol and drug countermeasures fee (IC 33-37-5-10).

(5) A highway worksite fee (IC 33-37-5-14).

(6) A deferred prosecution fee (IC 33-37-5-17).

(7) A jury fee (IC 33-37-5-19).

(8) A document storage fee (IC 33-37-5-20).

(9) An automated record keeping fee (IC 33-3-

(10) A late payment fee (IC 33-37-5-22).

(11) A public defense administration fee (IC

(12) A judicial insurance adjustment fee (IC 33-37-5-25).

(13) A judicial salaries fee (IC 33-37-5-26).

(14) A court administration fee (IC 33-37-5-1)

(15) A DNA sample processing fee (IC 33-37-5-

**(16) A prosecuting attorney compensation fee (IC 33-3-1-1)**

c) The clerk shall transfer to the county auditor or fiscal officer of

the municipal corporation the following fees, not later than thirty (30) days after the fees are collected:



(1) The alcohol and drug services program fee (IC 33-37-5-8(b)).  
(2) The law enforcement continuing education program fee (IC 33-37-5-8(c)).  
(3) The deferral program fee (subsection (e)).

The auditor or fiscal officer shall deposit the fees in the user fee fund established under IC 33-37-8.

(d) The defendant is not liable for any ordinance violation costs fee in an action if all the following apply:

- (1) The defendant was charged with an ordinance violation subject to IC 33-36.
- (2) The defendant denied the violation under IC 33-36-3.
- (3) Proceedings in court against the defendant were initiated under IC 34-28-5 (or IC 34-4-32 before its repeal).
- (4) The defendant was tried and the court entered judgment for the defendant for the violation.

(e) Instead of the infraction or ordinance violation costs fee prescribed by subsection (a), except for the automated record keeping fee (IC 33-37-5-21), the clerk shall collect a deferral program fee if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is:

- (1) an initial user's fee not to exceed fifty-two dollars (\$52); and
- (2) a monthly user's fee not to exceed ten dollars (\$10) for each month the person remains in the deferral program.

(f) The fees prescribed by this section are costs for purposes of IC 34-28-5-5 and may be collected from a defendant against whom judgment is entered. Any penalty assessed is in addition to costs.

SECTION 8. IC 33-37-4-3, AS AMENDED BY P.L.85-2017, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The clerk shall collect a juvenile costs fee of one hundred twenty dollars (\$120) for each action filed under any of the following:

- (1) IC 31-34 (children in need of services).
- (2) IC 31-37 (delinquent children).
- (3) IC 31-14 (paternity).

(b) In addition to the juvenile costs fee collected under this section, the clerk shall collect the following fees, if they are required under IC 33-37-5:

- (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).



1 (2) A marijuana eradication program fee (IC 33-37-5-7).  
2 (3) An alcohol and drug services program fee (IC 33-37-5-8(b)).  
3 (4) A law enforcement continuing education program fee  
4 (IC 33-37-5-8(c)).  
5 (5) An alcohol and drug countermeasures fee (IC 33-37-5-10).  
6 (6) A document storage fee (IC 33-37-5-20).  
7 (7) An automated record keeping fee (IC 33-37-5-21).  
8 (8) A late payment fee (IC 33-37-5-22).  
9 (9) A public defense administration fee (IC 33-37-5-21.2).  
10 (10) A judicial insurance adjustment fee (IC 33-37-5-25).  
11 (11) A judicial salaries fee (IC 33-37-5-26).  
12 (12) A court administration fee (IC 33-37-5-27).  
13 (13) A DNA sample processing fee (IC 33-37-5-26.2).  
14 **(14) A prosecuting attorney compensation fee (IC 33-37-5-37).**  
15 (c) The clerk shall transfer to the county auditor or city or town  
16 fiscal officer the following fees not later than thirty (30) days after they  
17 are collected:  
18 (1) The marijuana eradication program fee (IC 33-37-5-7).  
19 (2) The alcohol and drug services program fee (IC 33-37-5-8(b)).  
20 (3) The law enforcement continuing education program fee  
21 (IC 33-37-5-8(c)).  
22 The auditor or fiscal officer shall deposit the fees in the appropriate  
23 user fee fund established under IC 33-37-8.  
24 SECTION 9. IC 33-37-4-4, AS AMENDED BY P.L.106-2025,  
25 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2026]: Sec. 4. (a) The clerk shall collect a civil costs fee of  
27 one hundred dollars (\$100) from a party filing a civil action. This  
28 subsection does not apply to the following civil actions:  
29 (1) Proceedings to enforce a statute defining an infraction under  
30 IC 34-28-5 (or IC 34-4-32 before its repeal).  
31 (2) Proceedings to enforce an ordinance under IC 34-28-5 (or  
32 IC 34-4-32 before its repeal).  
33 (3) Proceedings in juvenile court under IC 31-34 or IC 31-37.  
34 (4) Proceedings in paternity under IC 31-14.  
35 (5) Proceedings in small claims court under IC 33-34.  
36 (6) Proceedings in actions described in section 7 of this chapter.  
37 (b) In addition to the civil costs fee collected under this section, the  
38 clerk shall collect the following fees, if they are required under  
39 IC 33-37-5:  
40 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or  
41 IC 33-37-5-4).  
42 (2) A support and maintenance fee (IC 33-37-5-6).



(3) A document storage fee (IC 33-37-5-20).  
(4) An automated record keeping fee (IC 33-37-5-21).  
(5) A public defense administration fee (IC 33-37-5-21.2).  
(6) A judicial insurance adjustment fee (IC 33-37-5-25).  
(7) A judicial salaries fee (IC 33-37-5-26).  
(8) A court administration fee (IC 33-37-5-27).  
(9) A service fee (IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2)).  
(10) A garnishee service fee (IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4)).  
(11) For a mortgage foreclosure action, a mortgage foreclosure counseling and education fee (IC 33-37-5-33) (before its expiration on July 1, 2017).  
(12) A pro bono legal services fee (IC 33-37-5-31).  
(13) A jury fee (IC 33-37-5-19.5).  
**(14) A prosecuting attorney compensation fee (IC 33-37-5-37).**  
SECTION 10. IC 33-37-4-6, AS AMENDED BY P.L.106-2025, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) For each small claims action, the clerk shall collect the following fees:  
(1) From the party filing the action:  
(A) a small claims costs fee of thirty-five dollars (\$35);  
(B) a small claims service fee of ten dollars (\$10) for each named defendant that is not a garnishee defendant; and  
(C) if the party has named more than three (3) garnissees or garnishee defendants, a small claims garnishee service fee of ten dollars (\$10) for each garnishee or garnishee defendant in excess of three (3).  
(2) From any party adding a defendant that is not a garnishee defendant, a small claims service fee of ten dollars (\$10) for each defendant that is not a garnishee defendant added in the action.  
(3) From any party adding a garnishee or garnishee defendant, a small claims garnishee service fee of ten dollars (\$10) for each garnishee or garnishee defendant added to the action. However, a clerk may not collect a small claims garnishee service fee for the first three (3) garnissees named in the action.  
However, a clerk may not collect a small claims costs fee, small claims service fee, or small claims garnishee service fee for a small claims action filed by or on behalf of the attorney general.  
(b) A clerk may not collect a fee under subsection (a)(1)(B), (a)(1)(C), (a)(2), or (a)(3) for a small claims action filed through the Indiana electronic filing system adopted by the Indiana supreme court.  
(c) In addition to a small claims costs fee, small claims service fee,



1 and small claims garnishee service fee collected under this section, the  
2 clerk shall collect the following fees, if they are required under  
3 IC 33-37-5:

4 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or  
5 IC 33-37-5-4).  
6 (2) A document storage fee (IC 33-37-5-20).  
7 (3) An automated record keeping fee (IC 33-37-5-21).  
8 (4) A public defense administration fee (IC 33-37-5-21.2).  
9 (5) A judicial insurance adjustment fee (IC 33-37-5-25).  
10 (6) A judicial salaries fee (IC 33-37-5-26).  
11 (7) A court administration fee (IC 33-37-5-27).  
12 (8) A pro bono legal services fee (IC 33-37-5-31).

13 **(9) A prosecuting attorney compensation fee (IC 33-37-5-37).**

14 SECTION 11. IC 33-37-4-7, AS AMENDED BY P.L.106-2025,  
15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2026]: Sec. 7. (a) Except as provided under subsection (c), the  
17 clerk shall collect from the party filing the action a probate costs fee of  
18 one hundred twenty dollars (\$120) for each action filed under any of  
19 the following:

20 (1) IC 29 (probate).  
21 (2) IC 30 (trusts and fiduciaries).  
22 (b) In addition to the probate costs fee collected under subsection  
23 (a), the clerk shall collect from the party filing the action the following  
24 fees, if they are required under IC 33-37-5:  
25 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or  
26 IC 33-37-5-4).  
27 (2) A document storage fee (IC 33-37-5-20).  
28 (3) An automated record keeping fee (IC 33-37-5-21).  
29 (4) A public defense administration fee (IC 33-37-5-21.2).  
30 (5) A judicial insurance adjustment fee (IC 33-37-5-25).  
31 (6) A judicial salaries fee (IC 33-37-5-26).  
32 (7) A court administration fee (IC 33-37-5-27).  
33 (8) A pro bono legal services fee (IC 33-37-5-31).

34 **(9) A prosecuting attorney compensation fee (IC 33-37-5-37).**

35 (c) A clerk may not collect a court costs fee for the filing of the  
36 following exempted actions:

37 (1) Petition to open a safety deposit box.  
38 (2) Filing an inheritance tax return, unless proceedings other than  
39 the court's approval of the return become necessary.  
40 (3) Offering a will for probate under IC 29-1-7, unless  
41 proceedings other than admitting the will to probate become  
42 necessary.



1 (4) Filing a closing statement for an estate described in  
2 IC 29-1-8-4.

3 SECTION 12. IC 33-37-5-37 IS ADDED TO THE INDIANA  
4 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2026]: **Sec. 37. (a) This section does not apply**  
6 **to a proceeding involving a child alleged to be a delinquent child.**

7 (b) This subsection does not apply to the following:

- (1) A criminal proceeding.
- (2) A proceeding to enforce a statute defining an infraction.
- (3) A proceeding for an ordinance violation.

11       **In each action filed in a court described in IC 33-37-1-1 and in each**  
12       **small claims action in a court described in IC 33-34, the clerk shall**  
13       **collect a prosecuting attorney compensation fee of forty dollars**  
14       **(\$40).**

15 (c) In each action in which a person is:

- (1) convicted of an offense;
- (2) required to pay a pretrial diversion fee;
- (3) found to have committed an infraction; or
- (4) found to have violated an ordinance;

20 the clerk shall collect a prosecuting attorney compensation fee of  
21 forty dollars (\$40).

22 SECTION 13. IC 33-37-7-2, AS AMENDED BY P.L.106-2025,  
23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2026]: Sec. 2. (a) The clerk of a circuit court shall distribute  
25 semiannually to the state comptroller as the state share for deposit in  
26 the homeowner protection unit account established by IC 4-6-12-9 one  
27 hundred percent (100%) of the automated record keeping fees collected  
28 under IC 33-37-5-21 with respect to actions resulting in the accused  
29 person entering into a pretrial diversion program agreement under  
30 IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and  
31 for deposit in the state general fund seventy percent (70%) of the  
32 amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).
- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-3(a) (juvenile costs fees).
- (4) IC 33-37-4-4(a) (civil costs fees).
- (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- (6) IC 33-37-4-7(a) (probate costs fees).
- (7) IC 33-37-5-17 (deferred prosecution fees).



(1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

(3) One hundred percent (100%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7).

(4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-37-4-1(b)(8).

(5) One hundred percent (100%) of the highway worksite fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

(6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.

(7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(c) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees distributed by a clerk under this subsection as follows:

(1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.

(2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county auditor shall deposit all the fees in the county general fund.

(e) The clerk of the circuit court shall distribute semiannually to the state comptroller for deposit in the sexual assault victims assistance



1 fund established by IC 5-2-6-23(d) one hundred percent (100%) of the  
2 sexual assault victims assistance fees collected under IC 33-37-5-23.

3 (f) The clerk of a circuit court shall distribute monthly to the county  
4 auditor the following:

5 (1) One hundred percent (100%) of the support and maintenance  
6 fees for cases designated as non-Title IV-D child support cases in  
7 the Indiana support enforcement tracking system (ISETS) or the  
8 successor statewide automated support enforcement system  
9 collected under IC 33-37-5-6.

10 (2) The percentage share of the support and maintenance fees for  
11 cases designated as Title IV-D child support cases in ISETS or the  
12 successor statewide automated support enforcement system  
13 collected under IC 33-37-5-6 that is reimbursable to the county at  
14 the federal financial participation rate.

15 The county clerk shall distribute monthly to the department of child  
16 services the percentage share of the support and maintenance fees for  
17 cases designated as Title IV-D child support cases in ISETS, or the  
18 successor statewide automated support enforcement system, collected  
19 under IC 33-37-5-6 that is not reimbursable to the county at the  
20 applicable federal financial participation rate.

21 (g) The clerk of a circuit court shall distribute monthly to the county  
22 auditor the following:

23 (1) One hundred percent (100%) of the small claims service fee  
24 under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in  
25 the county general fund.

26 (2) One hundred percent (100%) of the small claims garnishee  
27 service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for  
28 deposit in the county general fund.

29 (3) Twenty-five percent (25%) of the safe schools fee collected  
30 under IC 33-37-5-18 for deposit in the county general fund.

31 (h) This subsection does not apply to court administration fees  
32 collected in small claims actions filed in a court described in IC 33-34.  
33 The clerk of a circuit court shall semiannually distribute to the state  
34 comptroller for deposit in the state general fund one hundred percent  
35 (100%) of the following:

36 (1) The public defense administration fee collected under  
37 IC 33-37-5-21.2.

38 (2) The judicial salaries fees collected under IC 33-37-5-26.

39 (3) The DNA sample processing fees collected under  
40 IC 33-37-5-26.2.

41 (4) The court administration fees collected under IC 33-37-5-27.

42 (5) The judicial insurance adjustment fee collected under



1                   IC 33-37-5-25.

2                   **(6) The prosecuting attorney compensation fee collected under**  
3                   **IC 33-37-5-37.**

4                   (i) The proceeds of the service fee collected under  
5                   IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as  
6                   follows:

7                   (1) The clerk shall distribute one hundred percent (100%) of the  
8                   service fees collected in a circuit, superior, county, or probate  
9                   court to the county auditor for deposit in the county general fund.

10                  (2) The clerk shall distribute one hundred percent (100%) of the  
11                  service fees collected in a city or town court to the city or town  
12                  fiscal officer for deposit in the city or town general fund.

13                  (j) The proceeds of the garnishee service fee collected under  
14                  IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as  
15                  follows:

16                  (1) The clerk shall distribute one hundred percent (100%) of the  
17                  garnishee service fees collected in a circuit, superior, county, or  
18                  probate court to the county auditor for deposit in the county  
19                  general fund.

20                  (2) The clerk shall distribute one hundred percent (100%) of the  
21                  garnishee service fees collected in a city or town court to the city  
22                  or town fiscal officer for deposit in the city or town general fund.

23                  (k) The clerk of the circuit court shall distribute semiannually to the  
24                  state comptroller for deposit in the home ownership education account  
25                  established by IC 5-20-1-27 one hundred percent (100%) of the  
26                  following:

27                  (1) The mortgage foreclosure counseling and education fees  
28                  collected under IC 33-37-5-33 (before its expiration on July 1,  
29                  2017).

30                  (2) Any civil penalties imposed and collected by a court for a  
31                  violation of a court order in a foreclosure action under  
32                  IC 32-30-10.5.

33                  (l) The clerk of a circuit court shall distribute semiannually to the  
34                  state comptroller for deposit in the pro bono legal services fund  
35                  established by IC 33-37-5-34 one hundred percent (100%) of the pro  
36                  bono legal services fees collected under IC 33-37-5-31.

37                  SECTION 14. IC 33-37-7-8, AS AMENDED BY P.L.106-2025,  
38                  SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39                  JULY 1, 2026]: Sec. 8. (a) The clerk of a city or town court shall  
40                  distribute semiannually to the state comptroller as the state share for  
41                  deposit in the homeowner protection unit account established by  
42                  IC 4-6-12-9 one hundred percent (100%) of the automated record



1       keeping fees collected under IC 33-37-5-21 with respect to actions  
2       resulting in the accused person entering into a pretrial diversion  
3       program agreement under IC 33-39-1-8 or a deferral program  
4       agreement under IC 34-28-5-1 and for deposit in the state general fund  
5       fifty-five percent (55%) of the amount of fees collected under the  
6       following:

7               (1) IC 33-37-4-1(a) (criminal costs fees).  
8               (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
9               (3) IC 33-37-4-4(a) (civil costs fees).  
10               (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
11               (5) IC 33-37-5-17 (deferred prosecution fees).

12               (b) The city or town fiscal officer shall distribute monthly to the  
13       county auditor as the county share twenty percent (20%) of the amount  
14       of fees collected under the following:

15               (1) IC 33-37-4-1(a) (criminal costs fees).  
16               (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
17               (3) IC 33-37-4-4(a) (civil costs fees).  
18               (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
19               (5) IC 33-37-5-17 (deferred prosecution fees).

20               (c) The city or town fiscal officer shall retain twenty-five percent  
21       (25%) as the city or town share of the fees collected under the  
22       following:

23               (1) IC 33-37-4-1(a) (criminal costs fees).  
24               (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
25               (3) IC 33-37-4-4(a) (civil costs fees).  
26               (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
27               (5) IC 33-37-5-17 (deferred prosecution fees).

28               (d) The clerk of a city or town court shall distribute semiannually to  
29       the state comptroller for deposit in the state user fee fund established  
30       in IC 33-37-9 the following:

31               (1) Twenty-five percent (25%) of the drug abuse, prosecution,  
32       interdiction, and correction fees collected under  
33       IC 33-37-4-1(b)(5).  
34               (2) Twenty-five percent (25%) of the alcohol and drug  
35       countermeasures fees collected under IC 33-37-4-1(b)(6),  
36       IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).  
37               (3) One hundred percent (100%) of the highway worksite fees  
38       collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).  
39               (4) Seventy-five percent (75%) of the safe schools fee collected  
40       under IC 33-37-5-18.  
41               (5) One hundred percent (100%) of the automated record keeping  
42       fee collected under IC 33-37-5-21 not distributed under



1 subsection (a).

2 (e) The clerk of a city or town court shall distribute monthly to the  
3 county auditor the following:

4 (1) Seventy-five percent (75%) of the drug abuse, prosecution,  
5 interdiction, and correction fees collected under  
6 IC 33-37-4-1(b)(5).

7 (2) Seventy-five percent (75%) of the alcohol and drug  
8 countermeasures fees collected under IC 33-37-4-1(b)(6),  
9 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

10 The county auditor shall deposit fees distributed by a clerk under this  
11 subsection into the county drug free community fund established under  
12 IC 5-2-11.

13 (f) The clerk of a city or town court shall distribute monthly to the  
14 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred  
15 percent (100%) of the following:

16 (1) The late payment fees collected under IC 33-37-5-22.

17 (2) The small claims service fee collected under  
18 IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).

19 (3) The small claims garnishee service fee collected under  
20 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).

21 (4) Twenty-five percent (25%) of the safe schools fee collected  
22 under IC 33-37-5-18.

23 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit  
24 fees distributed by a clerk under this subsection in the city or town  
25 general fund.

26 (g) The clerk of a city or town court shall semiannually distribute to  
27 the state comptroller for deposit in the state general fund one hundred  
28 percent (100%) of the following:

29 (1) The public defense administration fee collected under  
30 IC 33-37-5-21.2.

31 (2) The DNA sample processing fees collected under  
32 IC 33-37-5-26.2.

33 (3) The court administration fees collected under IC 33-37-5-27.

34 (4) The judicial insurance adjustment fee collected under  
35 IC 33-37-5-25.

36 (5) **The prosecuting attorney compensation fee collected under  
37 IC 33-37-5-37.**

38 (h) The clerk of a city or town court shall semiannually distribute to  
39 the state comptroller for deposit in the state general fund seventy-five  
40 percent (75%) of the judicial salaries fee collected under  
41 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five  
42 percent (25%) of the judicial salaries fee collected under



1       IC 33-37-5-26. The funds retained by the city or town shall be  
 2       prioritized to fund city or town court operations.

3       (i) The clerk of a city or town court shall distribute semiannually to  
 4       the state comptroller for deposit in the pro bono legal services fund  
 5       established by IC 33-37-5-34 one hundred percent (100%) of the pro  
 6       bono legal services fees collected under IC 33-37-5-31.

7       SECTION 15. IC 33-39-8-5, AS AMENDED BY P.L.55-2022,  
 8       SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9       JULY 1, 2026]: Sec. 5. The council shall do the following:

10      (1) Assist in the coordination of the duties of the prosecuting  
 11       attorneys of the state and their staffs.

12      (2) Prepare manuals of procedure.

13      (3) Give assistance in preparation of the trial briefs, forms, and  
 14       instructions.

15      (4) Conduct training for prosecuting attorneys and the staff of  
 16       prosecuting attorneys.

17      (5) Conduct research and studies that would be of interest and  
 18       value to all prosecuting attorneys and their staffs.

19      (6) Maintain liaison contact with study commissions and agencies  
 20       of all branches of local, state, and federal government that will be  
 21       of benefit to law enforcement and the fair administration of  
 22       justice in Indiana.

23      **(7) Adopt guidelines and standards for services under which  
 24       the counties will be eligible for reimbursement under  
 25       IC 33-39-11.**

26      **(7) (8) Adopt guidelines for the expenditure of funds derived from  
 27       a deferral program or a pretrial diversion program.**

28      **(8) (9) The council shall:**

29       (A) compile forfeiture data received under IC 34-24-1-4.5; and

30       (B) annually submit a report to the legislative council  
 31       containing the compiled data.

32       The council shall submit the report to the legislative council before  
 33       July 15 of every year. The report must be in an electronic format under  
 34       IC 5-14-6. The council may adopt rules under IC 4-22-2 to implement  
 35       this subdivision.

36       SECTION 16. IC 33-39-8.1-9, AS ADDED BY P.L.147-2025,  
 37       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38       JULY 1, 2026]: Sec. 9. **(a) If the board determines that a prosecuting  
 39       attorney is a noncompliant prosecuting attorney, the board shall issue  
 40       a report to:**

41       (1) the prosecuting attorneys council of Indiana; and

42       (2) the alleged noncompliant prosecuting attorney.



(b) Upon receipt of a report that a prosecuting attorney is a noncompliant prosecuting attorney, the board may notify the state comptroller.

SECTION 17. IC 33-39-11 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

## **Chapter 11. Public Prosecution Fund**

**Sec. 1. As used in this chapter, "council" means the prosecuting attorneys council of Indiana established by IC 33-39-8-2.**

**Sec. 2. The public prosecution fund is established to provide county reimbursement of compensation paid to deputy prosecuting attorneys and administrative expenses. The fund shall be administered by the council.**

**Sec. 3. The fund consists of money appropriated to the fund by the general assembly.**

**Sec. 4. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.**

**Sec. 5. Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

Sec. 6. (a) A county auditor may submit on a quarterly basis a certified request to the state comptroller for reimbursement from the public prosecution fund for salary paid to a deputy prosecuting attorney, other than a chief deputy prosecuting attorney or an elected prosecuting attorney, if the annual salary of the deputy prosecuting attorney is equal to at least fifty-five percent (55%) of the salary paid to the elected full-time prosecuting attorney. The county auditor may request reimbursement under this subsection in an amount that does not exceed twenty-seven and one-half percent (27.5%) of the salary paid to the elected full-time prosecuting attorney.

(b) A county auditor may submit on a quarterly basis a certified request to the state comptroller for reimbursement from the public prosecution fund for the county's expenditures for fringe benefits provided to a deputy prosecuting attorney, other than a chief deputy prosecuting attorney or an elected prosecuting attorney, if the annual salary of the deputy prosecuting attorney is equal to at least fifty-five percent (55%) of the salary paid to the elected full-time prosecuting attorney. However, a request for reimbursement for fringe benefits under this subsection may not exceed fifteen thousand one hundred forty dollars (\$15,140).

**Sec. 7. (a) Except as provided in subsection (b), upon receiving**



1       **certification from a county auditor, the state comptroller shall  
2       issue a warrant to the treasurer of state for disbursement to the  
3       county of the amount certified.**

4       **(b) If the state comptroller has received instruction from the  
5       council under IC 33-39-8.1-9 to withhold payment from the county  
6       because the prosecuting attorney is a noncompliant prosecuting  
7       attorney, the state comptroller shall not issue a warrant under  
8       subsection (a).**

9       SECTION 18. IC 35-35-3-3, AS AMENDED BY P.L.50-2017,  
10      SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11      JULY 1, 2026]: Sec. 3. (a) No plea agreement may be made by the  
12      prosecuting attorney to a court on a felony charge except:

- 13       (1) in writing; and
- 14       (2) before the defendant enters a plea of guilty.

15      The plea agreement shall be shown as filed, and if its contents indicate  
16      that the prosecuting attorney anticipates that the defendant intends to  
17      enter a plea of guilty to a felony charge, the court shall order the  
18      presentence report required by IC 35-38-1-8 and may hear evidence on  
19      the plea agreement.

20       (b) If the plea agreement is not accepted, the court shall reject it  
21      before the case may be disposed of by trial or by guilty plea. If the court  
22      rejects the plea agreement, subsequent plea agreements may be filed  
23      with the court, subject to the same requirements that this chapter  
24      imposes upon the initial plea agreement.

25       (c) A plea agreement in a misdemeanor case may be submitted  
26      orally to the court.

27       (d) In a misdemeanor case, if:

- 28           (1) the court rejects a plea agreement; and
- 29           (2) the prosecuting attorney or the defendant files a written  
30           motion for change of judge within ten (10) days after the plea  
31           agreement is rejected;

32      the court shall grant the motion for change of judge and transfer the  
33      proceeding to a special judge under the Indiana Rules of Criminal  
34      Procedure. However, there may not be more than one (1) transfer of the  
35      proceeding to a special judge under this subsection.

36       (e) (d) If the court accepts a plea agreement, it shall be bound by its  
37      terms.

38       SECTION 19. IC 35-38-1-21 IS AMENDED TO READ AS  
39      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21. (a) A court that  
40      receives a petition from the department of correction under  
41      IC 35-38-3-5 may, after notice to the prosecuting attorney of the  
42      judicial circuit in which the defendant's case originated, hold a hearing



1 for the purpose of determining whether the offender named in the  
 2 petition may be placed in home detention under IC 35-38-2.5 instead  
 3 of commitment to the department of correction for the remainder of the  
 4 offender's minimum sentence.

5 (b) Notwithstanding ~~IC 35-35-3-3(e)~~, **IC 35-35-3-3(d)**, and after a  
 6 hearing held under this section, a sentencing court may order the  
 7 offender named in the petition filed under IC 35-38-3-5 to be placed in  
 8 home detention under IC 35-38-2.5 instead of commitment to the  
 9 department of correction for the remainder of the offender's minimum  
 10 sentence.

11 SECTION 20. IC 35-38-1-33, AS ADDED BY P.L.87-2018,  
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2026]: Sec. 33. (a) As used in this section, "offender" means  
 14 an individual convicted of a sex offense.

15 (b) As used in this section, "sex offense" has the meaning set forth  
 16 in IC 11-8-8-5.2.

17 (c) An offender may petition for waiver of the residency restriction  
 18 described in ~~IC 35-46-1-15.1(e)~~, **IC 35-46-1-15.1(d)**. The court may  
 19 waive the residency restriction if the court, at a hearing at which the  
 20 offender is present and of which the prosecuting attorney has been  
 21 notified, determines that:

22 (1) the offender has successfully completed a sex offender  
 23 treatment program; and  
 24 (2) good cause exists to allow the offender to reside within one (1)  
 25 mile of the residence of the victim of the offender's sex offense.

26 However, the court may not grant a waiver under this subsection if the  
 27 offender is a sexually violent predator under IC 35-38-1-7.5 or if the  
 28 offender is an offender against children under IC 35-42-4-11.

29 (d) If the court grants a waiver under this section, the court shall  
 30 determine the duration of the waiver. The offender may petition the  
 31 court for an extension of the waiver not later than sixty (60) days before  
 32 its expiration. However, if the court denies an offender's petition for  
 33 waiver under this section, then the offender is subject to prosecution for  
 34 the offense described in ~~IC 35-46-1-15.1(e)~~, **IC 35-46-1-15.1(d)**.

35 (e) If the court grants a waiver under this section, the court shall  
 36 state in writing the reasons for granting the waiver. The court's written  
 37 statement of its reasons shall be incorporated into the record.

38 (f) The address of the victim of the offender's sex offense is  
 39 confidential even if the court grants a waiver under this section.

40 SECTION 21. IC 35-38-2.6-1, AS AMENDED BY P.L.148-2024,  
 41 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2026]: Sec. 1. This chapter does not apply to persons



1       convicted of any of the following offenses: whenever any part of the  
 2       sentence may not be suspended under IC 35-50-2-2.

- 3       (1) Sex crimes under IC 35-42-4 or IC 35-46-1-3.
- 4       (2) A Level 1 felony.
- 5       (3) A Class A felony.
- 6       (4) Any of the following felonies:
  - 7           (A) Murder (IC 35-42-1-1).
  - 8           (B) A battery offense included in IC 35-42-2 with a deadly  
 9           weapon or causing death.
  - 10           (C) Kidnapping (IC 35-42-3-2).
  - 11           (D) Criminal confinement (IC 35-42-3-3) with a deadly  
 12           weapon.
  - 13           (E) Robbery (IC 35-42-5-1) resulting in serious bodily injury  
 14           or with a deadly weapon.
  - 15           (F) Arson (IC 35-43-1-1) for hire resulting in serious bodily  
 16           injury.
  - 17           (G) Burglary (IC 35-43-2-1) resulting in serious bodily injury.
  - 18           (H) Resisting law enforcement (IC 35-44.1-3-1) with a deadly  
 19           weapon.
  - 20           (I) Aggravated battery (IC 35-42-2-1.5).
  - 21           (J) Disarming a law enforcement officer (IC 35-44.1-3-2).
  - 22           (K) A sentence for a crime that is enhanced by criminal  
 23           organization (IC 35-50-2-15).
  - 24           **(L) An offense that is enhanced by habitual offender  
 25           (IC 35-50-2-8) or habitual substance offender  
 26           (IC 9-30-15.5-2) determination.**
  - 27           **(M) An offense that is enhanced by the use of a firearm  
 28           under IC 35-50-2-11.**
  - 29           **(N) Escape (IC 35-44.1-3-4).**
  - 30           **(O) Unlawful carrying of a handgun (IC 35-47-2-1.5).**
  - 31           **(P) An offense in which the defendant used a firearm in the  
 32           commission of the offense, regardless of whether the use of  
 33           the firearm is an element.**

34       SECTION 22. IC 35-38-4-2, AS AMENDED BY P.L.112-2021,  
 35       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36       JULY 1, 2026]: Sec. 2. (a) Appeals to the supreme court or to the court  
 37       of appeals, as provided by court rules, may be taken by the state as of  
 38       right in the following cases:

- 39       (1) From an order granting a motion to dismiss one (1) or more  
 40       counts of an indictment or information.
- 41       (2) From an order granting a motion to discharge a defendant  
 42       before trial for any reason, including delay commencing trial or



1 after the defendant's plea of former jeopardy.

2 (3) From an order granting a motion to correct errors.

3 (4) Upon a question reserved by the state, if the defendant is  
4 acquitted.

5 (5) From an order granting a motion to suppress evidence, if the  
6 ultimate effect of the order is to preclude further prosecution of  
7 one (1) or more counts of an information or indictment.

8 **(6) From a sentencing order.**

9 (b) The state may appeal an interlocutory order to the supreme court  
10 or to the court of appeals, as provided by court rules, if the trial court  
11 certifies the appeal and the court on appeal finds that:

12 (1) the state will suffer substantial expense, damage, or injury if  
13 the order is erroneous and the determination thereof is withheld  
14 until after judgment;

15 (2) the order involves a substantial question of law, the early  
16 determination of which will promote a more orderly disposition  
17 of the case; or

18 (3) the remedy by appeal after judgment is otherwise inadequate.

19 (c) An interlocutory order that may be appealed by the state under  
20 subsection (b) includes but is not limited to:

21 (1) any order granting a motion to suppress evidence that is  
22 substantially important to the prosecution and does not have the  
23 ultimate effect of precluding further prosecution; and

24 (2) any discovery order claimed to violate a court rule, statute, or  
25 case law.

26 SECTION 23. IC 35-42-1-4, AS AMENDED BY P.L.203-2018,

27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2026]: Sec. 4. (a) As used in this section, "fetus" means a  
29 fetus in any stage of development.

30 (b) A person who kills another human being while committing or  
31 attempting to commit:

32 (1) a Level 5 or Level 6 felony that inherently poses a risk of  
33 serious bodily injury;

34 (2) a Class A misdemeanor that inherently poses a risk of serious  
35 bodily injury; or

36 (3) battery;

37 commits involuntary manslaughter, a ~~Level 5~~ **Level 4** felony.

38 (c) Except as provided in section 6.5 of this chapter, a person who  
39 kills a fetus while committing or attempting to commit:

40 (1) a Level 5 or Level 6 felony that inherently poses a risk of  
41 serious bodily injury;

42 (2) a Class A misdemeanor that inherently poses a risk of serious



1                   bodily injury;  
 2                   (3) a battery offense included in IC 35-42-2; or  
 3                   (4) a violation of IC 9-30-5-1 through IC 9-30-5-5 (operating a  
 4                   vehicle while intoxicated);  
 5                   commits involuntary manslaughter, a **Level 5 Level 4** felony.

6                   SECTION 24. IC 35-42-1-5, AS AMENDED BY P.L.158-2013,  
 7                   SECTION 415, IS AMENDED TO READ AS FOLLOWS  
 8                   [EFFECTIVE JULY 1, 2026]: Sec. 5. A person who recklessly kills  
 9                   another human being commits reckless homicide, a **Level 5 Level 4**  
 10                  felony.

11                  SECTION 25. IC 35-45-3-4 IS ADDED TO THE INDIANA CODE  
 12                  AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13                  1, 2026]: **Sec. 4. A person who places or leaves refuse on the**  
 14                  **property of another person, with the intent to cause:**

15                  (1) the owner or occupant of the property;  
 16                  (2) an invitee of the owner or occupant of the property; or  
 17                  (3) a family member or person closely associated with a  
 18                  person described in subdivision (1) or (2);  
 19                  **to reasonably fear for their physical safety, commits malicious**  
 20                  **littering, a Class A misdemeanor.**

21                  SECTION 26. IC 35-46-1-4.1, AS ADDED BY P.L.158-2013,  
 22                  SECTION 551, IS AMENDED TO READ AS FOLLOWS  
 23                  [EFFECTIVE JULY 1, 2026]: Sec. 4.1. (a) As used in this section,  
 24                  "child care provider" means a person who provides child care in or on  
 25                  behalf of:

26                  (1) a child care center (as defined in IC 12-7-2-28.4); or  
 27                  (2) a child care home (as defined in IC 12-7-2-28.6);

28                  regardless of whether the child care center or child care home is  
 29                  licensed.

30                  (b) A child care provider who recklessly supervises a child commits  
 31                  reckless supervision, a Class B misdemeanor. However, the offense is  
 32                  a Class A misdemeanor if the offense results in serious bodily injury to  
 33                  a child, and a **Level 6 Level 4** felony if the offense results in the death  
 34                  of a child.

35                  SECTION 27. IC 35-46-1-15.1, AS AMENDED BY P.L.28-2023,  
 36                  SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37                  JULY 1, 2026]: Sec. 15.1. (a) A person who knowingly or intentionally  
 38                  violates:

39                  (1) a protective order to prevent domestic or family violence or  
 40                  harassment issued under IC 34-26-5 (or, if the order involved a  
 41                  family or household member, under IC 34-26-2 or IC 34-4-5.1-5  
 42                  before their repeal);



(2) an ex parte protective order issued under IC 34-26-5 (or, if the order involved a family or household member, an emergency order issued under IC 34-26-2 or IC 34-4-5.1 before their repeal);  
(3) a workplace violence restraining order issued under IC 34-26-6;  
(4) a no contact order in a dispositional decree issued under IC 31-34-20-1, IC 31-37-19-1, or IC 31-37-5-6 (or IC 31-6-4-15.4 or IC 31-6-4-15.9 before their repeal) or an order issued under IC 31-32-13 (or IC 31-6-7-14 before its repeal) that orders the person to refrain from direct or indirect contact with a child in need of services or a delinquent child;  
(5) a no contact order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion, and including a no contact order issued under IC 35-33-8-3.6;  
(6) a no contact order issued as a condition of probation;  
(7) a protective order to prevent domestic or family violence issued under IC 31-15-5 (or IC 31-16-5 or IC 31-1-11.5-8.2 before their repeal);  
(8) a protective order to prevent domestic or family violence issued under IC 31-14-16-1 in a paternity action;  
(9) an order issued in another state that is substantially similar to an order described in subdivisions (1) through (8);  
(10) an order that is substantially similar to an order described in subdivisions (1) through (8) and is issued by an Indian:  
(A) tribe;  
(B) band;  
(C) pueblo;  
(D) nation; or  
(E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);  
that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians;  
(11) an order issued under IC 35-33-8-3.2; or  
(12) an order issued under IC 35-38-1-30;  
commits invasion of privacy, a Class A misdemeanor **except as otherwise provided in this section.**  
**(b) However,** The offense described in subsection (a) is a Level 6 felony if **one (1) or more of the following apply:**



1                             (1) The person has a prior unrelated conviction for an offense  
 2                             under this subsection or IC 35-45-10-5 (stalking).

3                             (2) **The person committed the offense while charged with  
 4                             domestic battery (IC 35-42-2-1.3) as a felony.**

5                             (f) (c) It is not a defense to a prosecution under subsection (a) that  
 6                             the accused person used or operated an unmanned aerial vehicle in  
 7                             committing the violation.

8                             (f) (d) A sex offender under IC 11-8-8-4.5 who:

9                             (1) establishes a new residence within a one (1) mile radius of the  
 10                             residence of the victim of the offender's sex offense;

11                             (2) intends to reside (as defined in IC 35-42-4-11(b)) at the  
 12                             residence; and

13                             (3) at the time the sex offender established the residence, knew or  
 14                             reasonably should have known that the residence was located  
 15                             within a one (1) mile radius of the residence of the victim of the  
 16                             offender's sex offense;

17                             commits invasion of privacy, a Class A misdemeanor. However, the  
 18                             offense is a Level 6 felony if the sex offender has a prior unrelated  
 19                             conviction under this subsection.

20                             (f) (e) The victim of the sex offender's sex offense may not be  
 21                             prosecuted under subsection (e) **subsection (d)** if the victim's liability  
 22                             is based on aiding, inducing, or causing the offender to commit the  
 23                             offense described in subsection (e) **subsection (d)**.

24                             (f) (f) **Subsection (e) Subsection (d)** does not apply to a sex  
 25                             offender who has obtained a waiver of residency under IC 35-38-2-2.5  
 26                             or IC 35-38-1-33.

27                             SECTION 28. IC 35-50-1-2, AS AMENDED BY P.L.218-2025,  
 28                             SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29                             JULY 1, 2026]: Sec. 2. (a) As used in this section, "crime of violence"  
 30                             means the following:

31                             (1) Murder (IC 35-42-1-1).

32                             (2) Attempted murder (IC 35-41-5-1).

33                             (3) Voluntary manslaughter (IC 35-42-1-3).

34                             (4) Involuntary manslaughter (IC 35-42-1-4).

35                             (5) Reckless homicide (IC 35-42-1-5).

36                             (6) Battery (IC 35-42-2-1) as a:

37                                 (A) Level 2 felony;

38                                 (B) Level 3 felony;

39                                 (C) Level 4 felony; or

40                                 (D) Level 5 felony.

41                             (7) Domestic battery (IC 35-42-2-1.3) as a:

42                                 (A) Level 2 felony;



(B) Level 3 felony;  
(C) Level 4 felony; or  
(D) Level 5 felony.

(8) Aggravated battery (IC 35-42-2-1.5).  
(9) Kidnapping (IC 35-42-3-2).  
(10) Rape (IC 35-42-4-1).  
(11) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).  
(12) Child molesting (IC 35-42-4-3).  
(13) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).  
(14) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).  
(15) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).  
(16) Operating a vehicle while intoxicated causing death or catastrophic injury (IC 9-30-5-5).  
(17) Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).  
(18) Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).  
(19) Resisting law enforcement as a felony (IC 35-44.1-3-1).  
(20) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).  
(21) Strangulation (IC 35-42-2-9) as a Level 5 felony.

(b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the:

(1) aggravating circumstances in IC 35-38-1-7.1(a); and

(2) mitigating circumstances in IC 35-38-1-7.1(b);

in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, **and crimes committed against separate victims in the same episode of criminal conduct**, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10 (before its repeal) to which the defendant is sentenced for felony or misdemeanor convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d).



14 (4) If the most serious crime for which the defendant is sentenced  
15 is a Level 6 felony, the total of the consecutive terms of  
16 imprisonment may not exceed four (4) years.

20 (6) If the most serious crime for which the defendant is sentenced  
21 is a Level 4 felony, the total of the consecutive terms of  
22 imprisonment may not exceed fifteen (15) years.

23 (7) If the most serious crime for which the defendant is sentenced  
24 is a Level 3 felony, the total of the consecutive terms of  
25 imprisonment may not exceed twenty (20) years.

(8) If the most serious crime for which the defendant is sentenced is a Level 2 felony, the total of the consecutive terms of imprisonment may not exceed thirty-two (32) years.

33 another crime.

34 (1) before the date the person is discharged from probation,

35 parole, or a term of imprisonment imposed for the first crime; or

36 (2) while the person is released;

38 (B) on bond,  
39 the terms of imprisonment for the crimes shall be served consecutively,  
40 regardless of the order in which the crimes are tried and sentences are  
41 imposed.

(f) If the factfinder determines under JC 35-50-2-11 that a person



1 used a firearm in the commission of the offense for which the person  
 2 was convicted, the term of imprisonment for the underlying offense and  
 3 the additional term of imprisonment imposed under IC 35-50-2-11  
 4 must be served consecutively.

5 SECTION 29. IC 35-50-2-2.2, AS AMENDED BY P.L.170-2023,  
 6 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 2.2. (a) Except as provided in subsection (b) or  
 8 (c), the court may suspend any part of a sentence for a felony.

9 (b) If a person is convicted of:

10 (1) a Level 2 felony; or

11 (2) a Level 3 felony and has:

12 (A) any prior unrelated felony conviction, other than a  
 13 conviction for a felony involving marijuana, hashish, hash oil,  
 14 or salvia divinorum; or

15 (B) a prior juvenile adjudication for an act that would  
 16 constitute a felony if committed by an adult, other than an  
 17 adjudication for an offense involving marijuana, hashish, hash  
 18 oil, or salvia divinorum, and less than three (3) years have  
 19 elapsed between commission of the act and the commission of  
 20 the Level 3 felony for which the person is being sentenced;  
 21 the court may suspend only that part of a sentence that is in excess of  
 22 the minimum sentence for the Level 2 felony or the Level 3 felony.

23 (b) A court may suspend only that part of a felony that is in  
 24 excess of the minimum sentence for the felony if:

25 (1) the person has a prior unrelated:

26 (A) conviction for a felony; or

27 (B) juvenile adjudication for a delinquent act that is a  
 28 felony offense, if less than three (3) years have elapsed  
 29 between commission of the delinquent act and the  
 30 commission of the felony for which the person is being  
 31 sentenced;

32 (2) the felony is a Level 2 felony; or

33 (3) the felony is a crime of violence (as defined by  
 34 IC 35-50-1-2).

35 (c) The court may suspend only that part of a sentence for murder  
 36 or a Level 1 felony conviction that is in excess of the minimum  
 37 sentence for murder or the Level 1 felony conviction.

38 (d) The court may suspend any part of a sentence for an offense  
 39 filed in adult court under IC 31-30-1-4(d), unless the offense is murder  
 40 (IC 35-42-1-1).

41 SECTION 30. IC 35-50-6-3.3, AS AMENDED BY THE  
 42 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL



1 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 3.3. (a) In addition to any educational credit a  
3 person earns under subsection (b), or good time credit a person earns  
4 under section 3 or 3.1 of this chapter, a person earns educational credit  
5 if the person:

6 (1) is in credit Class I, Class A, or Class B;  
7 (2) has demonstrated a pattern consistent with rehabilitation; and  
8 (3) successfully completes requirements to obtain one (1) of the  
9 following:

10 (A) A general educational development (GED) diploma under  
11 IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person  
12 has not previously obtained a high school diploma.

13 (B) Except as provided in subsection (o), a high school  
14 diploma, if the person has not previously obtained a general  
15 educational development (GED) diploma.

16 (C) An associate degree from an approved postsecondary  
17 educational institution (as defined under IC 21-7-13-6(a))  
18 earned during the person's incarceration.

19 (D) A ~~bachelor~~ **bachelor's** degree from an approved  
20 postsecondary educational institution (as defined under  
21 IC 21-7-13-6(a)) earned during the person's incarceration.

22 (b) In addition to any educational credit that a person earns under  
23 subsection (a), or good time credit a person earns under section 3 or 3.1  
24 of this chapter, a person may earn educational credit if, while confined  
25 by the department of correction, the person:

26 (1) is in credit Class I, Class A, or Class B;  
27 (2) demonstrates a pattern consistent with rehabilitation; and  
28 (3) successfully completes requirements for at least one (1) of the  
29 following:

30 (A) To obtain a certificate of completion of a career and  
31 technical or vocational education program approved by the  
32 department of correction.

33 (B) To obtain a certificate of completion of a substance abuse  
34 program approved by the department of correction.

35 (C) To obtain a certificate of completion of a literacy and basic  
36 life skills program approved by the department of correction.

37 (D) To obtain a certificate of completion of a reformatory  
38 program approved by the department of correction.

39 (E) An individualized case management plan approved by the  
40 department of correction.

41 (c) The department of correction shall establish admissions criteria  
42 and other requirements for programs available for earning educational



1 credit under subsection (b). A person may not earn educational credit  
2 under this section for the same program of study. The department of  
3 correction, in consultation with the department of workforce  
4 development, shall approve a program only if the program is likely to  
5 lead to an employable occupation.

6 (d) The amount of educational credit a person may earn under this  
7 section is the following:

8 (1) Six (6) months for completion of a state of Indiana general  
9 educational development (GED) diploma under IC 20-20-6  
10 (before its repeal) or IC 22-4.1-18.

11 (2) One (1) year for graduation from high school.

12 (3) Not more than one (1) year for completion of an associate  
13 degree.

14 (4) Not more than two (2) years for completion of a **bachelor**  
15 **bachelor's** degree.

16 (5) Not more than a total of one (1) year, as determined by the  
17 department of correction, for the completion of one (1) or more  
18 career and technical or vocational education programs approved  
19 by the department of correction.

20 (6) Not more than a total of six (6) months, as determined by the  
21 department of correction, for the completion of one (1) or more  
22 substance abuse programs approved by the department of  
23 correction.

24 (7) Not more than a total of six (6) months, as determined by the  
25 department of correction, for the completion of one (1) or more  
26 literacy and basic life skills programs approved by the department  
27 of correction.

28 (8) Not more than a total of six (6) months, as determined by the  
29 department of correction, for completion of one (1) or more  
30 reformative programs approved by the department of correction.  
31 However, a person who is serving a sentence for an offense listed  
32 under IC 11-8-8-4.5 may not earn educational credit under this  
33 subdivision.

34 (9) **An amount Not more than a total of six (6) months**, as  
35 determined by the department of correction, **for the completion**  
36 **of one (1) or more programs offered** under a policy adopted by  
37 the department of correction concerning the individualized case  
38 management plan, not to exceed the maximum amount described  
39 in **subsection (j): subsection (j)(2)**.

40 However, a person who does not have a substance abuse problem that  
41 qualifies the person to earn educational credit in a substance abuse  
42 program may earn not more than a total of twelve (12) months of



1 educational credit, as determined by the department of correction, for  
2 the completion of one (1) or more career and technical or vocational  
3 education programs approved by the department of correction. If a  
4 person earns more than six (6) months of educational credit for the  
5 completion of one (1) or more career and technical or vocational  
6 education programs, the person is ineligible to earn educational credit  
7 for the completion of one (1) or more substance abuse programs.

8 (e) Educational credit earned under this section must be directly  
9 proportional to the time served and course work completed while  
10 incarcerated. The department of correction shall adopt rules under  
11 IC 4-22-2 necessary to implement this subsection.

12 (f) Educational credit earned by a person under this section is  
13 subtracted from the release date that would otherwise apply to the  
14 person by the sentencing court after subtracting all other credit time  
15 earned by the person.

16 (g) A person does not earn educational credit under subsection (a)  
17 unless the person completes at least a portion of the degree  
18 requirements after June 30, 1993.

19 (h) A person does not earn educational credit under subsection (b)  
20 unless the person completes at least a portion of the program  
21 requirements after June 30, 1999.

22 (i) Educational credit earned by a person under subsection (a) for a  
23 diploma or degree completed before July 1, 1999, shall be subtracted  
24 from:

25 (1) the release date that would otherwise apply to the person after  
26 subtracting all other credit time earned by the person, if the  
27 person has not been convicted of an offense described in  
28 subdivision (2); or

29 (2) the period of imprisonment imposed on the person by the  
30 sentencing court, if the person has been convicted of one (1) of  
31 the following crimes:

32 (A) Rape (IC 35-42-4-1).

33 (B) Criminal deviate conduct (IC 35-42-4-2) (before its  
34 repeal).

35 (C) Child molesting (IC 35-42-4-3).

36 (D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

37 (E) Vicarious sexual gratification (IC 35-42-4-5).

38 (F) Child solicitation (IC 35-42-4-6).

39 (G) Child seduction (IC 35-42-4-7).

40 (H) Sexual misconduct with a minor (IC 35-42-4-9) as a:

41 (i) Class A felony, Class B felony, or Class C felony for a  
42 crime committed before July 1, 2014; or



- (ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.
- (I) Incest (IC 35-46-1-3).
- (J) Sexual battery (IC 35-42-4-8).
- (K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.
- (L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.

(j) The maximum amount of educational credit a person may earn under this section is the lesser of:

- (1) two (2) years; or
- (2) one-third (1/3) of the person's total applicable credit time.

(k) Educational credit earned under this section by an offender serving a sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:

- (1) postconviction release (as defined in IC 35-40-4-6); or
- (2) assignment of the person to a community transition program; in less than forty-five (45) days after the person earns the educational credit.

(l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d).

(m) A person may not earn educational credit:

- (1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or
- (2) for a high school diploma if the person has previously earned a general educational development (GED) diploma.

(n) A person may not earn educational credit under this section if the person:

- (1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and
- (2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5.

(o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins



1 the correspondence course. The department may approve a  
2 correspondence course only if the entity administering the course is  
3 recognized and accredited by the department of education in the state  
4 where the entity is located.

5 (p) The department of correction shall, before May 1, 2023, submit  
6 a report to the legislative council, in an electronic format under  
7 IC 5-14-6, concerning the implementation of the individualized case  
8 management plan. The report must include the following:

9 (1) The ratio of case management staff to offenders participating  
10 in the individualized case management plan as of January 1, 2023.  
11 (2) The average number of days awarded to offenders  
12 participating in the individualized case management plan from  
13 January 1, 2022, through December 31, 2022.  
14 (3) The percentage of the prison population currently participating  
15 in an individualized case management plan as of January 1, 2023.  
16 (4) Any other data points or information related to the status of  
17 the implementation of the individualized case management plan.  
18 This subsection expires June 30, 2023.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 252, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 23, between lines 10 and 11, begin a new paragraph and insert:

**"SECTION 25. IC 35-45-3-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A person who places or leaves refuse on the property of another person, with the intent to cause:**

- (1) the owner or occupant of the property;**
- (2) an invitee of the owner or occupant of the property; or**
- (3) a family member or person closely associated with a person described in subdivision (1) or (2);**

**to reasonably fear for their physical safety, commits malicious littering, a Class A misdemeanor."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 252 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 7, Nays 2.

**SB 252—LS 7112/DI 106**

