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SENATE BILL No. 271

Proposed Changes to introduced printing by AM027102

DIGEST OF PROPOSED AMENDMENT

Manner of sale. Specifies the manner in which telecommunications network equipment may be sold to a valuable metal dealer.

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

SECTION 1. IC 25-37.5-1-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.7. (a) As used in this section, "burned wire" means coated metal wire from which the protective coating has been removed by smelting, burning, or melting.**

(b) As used in this chapter, "telecommunications network equipment" means:

(1) wire used in wireline communications service, including:

(A) fiber;

(B) sheathed copper cable; and

(C) twisted-pair wire without sheathing;

including burned wire; and

(2) any component of equipment or infrastructure used to provide telecommunications service, including:

(A) tower components;

(B) antennae;

(C) bus bars; and

(D) copper ground support structures;

and all associated aerial or ground based cable lines or equipment used as part of a telecommunications or broadband network.

[SECTION 2. IC 25-37.5-1-1, AS AMENDED BY P.L.222-2013,



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SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) When used in this chapter, "valuable metal" means any product made of metal that readily may be resold. The term:

(1) includes metal bossies, **telecommunications network equipment**, and small component motor vehicle parts; and

(2) does not include the following:

(A) A beverage can.

(B) Used jewelry regulated under IC 24-4-13.

(C) Precious metal regulated under IC 24-4-19.

(b) As used in this chapter, "valuable metal dealer" means any individual, firm, corporation, limited liability company, or partnership engaged in the business of purchasing and reselling valuable metal either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, junk stores, auto wreckers, scrap metal dealers or processors, salvage yards, collectors of or dealers in junk, and junk cars or trucks. The term includes a core buyer. The term does not include a person who purchases a vehicle and obtains title to the vehicle.

(c) As used in this chapter, "purchase" means acquiring a valuable metal product for a consideration, but does not include purchases between scrap metal processing facilities (as defined in IC 8-23-1-36).

] SECTION 3. IC 25-37.5-1-7, AS AMENDED BY P.L.70-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A valuable metal dealer who fails to comply with this chapter commits a Class A infraction.

(b) A valuable metal dealer who:

(1) knowingly or intentionally fails to comply with this chapter; and

(2) purchases stolen valuable metal;

commits concealing a valuable metal purchase, a Level 6 felony.

(c) A:

(1) person who sells or attempts to sell telecommunications network equipment; or

(2) valuable metal dealer who purchases or attempts to purchase telecommunications network equipment;

in violation of this chapter commits a Class A infraction.

(d) A person who:

(1) knowingly or intentionally fails to comply with this chapter; and

(2) sells stolen telecommunications network equipment;

commits concealment of the sale of telecommunications network equipment, a Level 6 felony.



SECTION ~~<3>~~[4]. IC 25-37.5-1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. ~~<(a)>~~[A person may not sell or attempt to sell, and a valuable metal dealer may not purchase or attempt to purchase, telecommunications network equipment in any amount, unless ~~<the seller provides>~~]:

(1) the seller is an authorized agent, representative, or employee of a telecommunications provider, broadband provider, or public utility;

(2) the seller:

(A) is authorized by the state to conduct business in Indiana;

(B) is an employee or authorized agent of a business that, in the normal course of operations, handles salvaged telecommunications network equipment, including building contractors and demolition firms; and

(C) presents to the valuable metal dealer ~~<with:~~

~~(1) a signed>~~ [for inspection a valid certificate of existence or good standing issued by the state; or

(3) the seller is a retail seller that possesses a] certificate of ownership [signed by an employee of the telecommunications company] stating that the seller is the [lawful] owner of the telecommunications network equipment ~~<and is entitled to sell>~~ [. This certificate of ownership must be provided on] the telecommunications ~~<network equipment;~~

~~(2) a signed certificate from>~~ [company business letterhead and must provide] the ~~<owner of>~~ [date that] the telecommunications network equipment ~~<stating that:~~

~~(A) the signer is the owner of the telecommunications network equipment; and~~

~~(B) the seller is authorized to sell>~~ [was acquired by the seller and a description of how] the telecommunications network equipment ~~<on behalf of the owner; or~~

~~(3) an affidavit executed by a law enforcement officer attesting to the officer's reasonable belief that the seller came into possession of the telecommunications network equipment legally.~~

~~(b) A valuable metal dealer that purchases telecommunications network equipment must maintain a copy of the certificate or affidavit provided by the seller of the telecommunications network equipment under subsection (a)(1), (a)(2), or (a)(3).~~



1 ~~SECTION 4~~ [was acquired.
2 SECTION 5]. IC 34-24-1-1, AS AMENDED BY P.L.186-2025,
3 SECTION 184, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The following may be seized:
5 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are
6 used or are intended for use by the person or persons in
7 possession of them to transport or in any manner to facilitate the
8 transportation of the following:
9 (A) A controlled substance for the purpose of committing,
10 attempting to commit, or conspiring to commit any of the
11 following:
12 (i) Dealing in or manufacturing cocaine or a narcotic
13 drug (IC 35-48-4-1).
14 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).
15 (iii) Manufacturing methamphetamine
16 (IC 35-48-4-1.2).
17 (iv) Dealing in a schedule I, II, or III controlled
18 substance (IC 35-48-4-2).
19 (v) Dealing in a schedule IV controlled substance
20 (IC 35-48-4-3).
21 (vi) Dealing in a schedule V controlled substance
22 (IC 35-48-4-4).
23 (vii) Dealing in a counterfeit substance
24 (IC 35-48-4-5).
25 (viii) Possession of cocaine or a narcotic drug
26 (IC 35-48-4-6).
27 (ix) Possession of methamphetamine
28 (IC 35-48-4-6.1).
29 (x) Dealing in paraphernalia (IC 35-48-4-8.5).
30 (xi) Dealing in marijuana, hash oil, hashish, or salvia
31 (IC 35-48-4-10).
32 (xii) An offense under IC 35-48-4 involving a synthetic
33 drug (as defined in IC 35-31.5-2-321), a synthetic drug
34 lookalike substance (as defined in IC 35-31.5-2-321.5
35 (before its repeal on July 1, 2019)) under
36 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a
37 controlled substance analog (as defined in
38 IC 35-48-1.1-8), or a substance represented to be a
39 controlled substance (as described in IC 35-48-4-4.6).
40 (B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or
41 converted property (IC 35-43-4-3) if the retail or
42 repurchase value of that property is one hundred dollars



- 1 (\$100) or more.
- 2 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 3 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of
- 4 mass destruction (as defined in IC 35-31.5-2-354) used to
- 5 commit, used in an attempt to commit, or used in a
- 6 conspiracy to commit a felony terrorist offense (as defined
- 7 in IC 35-50-2-18) or an offense under IC 35-47 as part of or
- 8 in furtherance of an act of terrorism (as defined by
- 9 IC 35-31.5-2-329).
- 10 (2) All money, negotiable instruments, securities, weapons,
- 11 communications devices, or any property used to commit, used
- 12 in an attempt to commit, or used in a conspiracy to commit a
- 13 felony terrorist offense (as defined in IC 35-50-2-18) or an
- 14 offense under IC 35-47 as part of or in furtherance of an act of
- 15 terrorism or commonly used as consideration for a violation of
- 16 IC 35-48-4 (other than items subject to forfeiture under
- 17 IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):
- 18 (A) furnished or intended to be furnished by any person in
- 19 exchange for an act that is in violation of a criminal statute;
- 20 (B) used to facilitate any violation of a criminal statute; or
- 21 (C) traceable as proceeds of the violation of a criminal
- 22 statute.
- 23 (3) Any portion of real or personal property purchased with
- 24 money that is traceable as a proceed of a violation of a criminal
- 25 statute.
- 26 (4) A vehicle that is used by a person to:
- 27 (A) commit, attempt to commit, or conspire to commit;
- 28 (B) facilitate the commission of; or
- 29 (C) escape from the commission of;
- 30 murder (IC[]35-42-1-1), dealing in a controlled substance
- 31 resulting in death (IC[]35-42-1-1.5), kidnapping
- 32 (IC[]35-42-3-2), criminal confinement (IC[]35-42-3-3), rape
- 33 (IC[]35-42-4-1), child molesting (IC[]35-42-4-3), or child
- 34 exploitation (IC[]35-42-4-4), **or a theft to which**
- 35 **IC 35-43-4-2(a)(2)(B) applies**, or an offense under IC 35-47 as
- 36 part of or in furtherance of an act of terrorism.
- 37 (5) Real property owned by a person who uses it to commit any
- 38 of the following as a Level 1, Level 2, Level 3, Level 4, or Level
- 39 5 felony:
- 40 (A) Dealing in or manufacturing cocaine or a narcotic drug
- 41 (IC[]35-48-4-1).
- 42 (B) Dealing in methamphetamine (IC[]35-48-4-1.1).



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- 1 (C) Manufacturing methamphetamine (IC [] 35-48-4-1.2).
- 2 (D) Dealing in a schedule I, II, or III controlled substance
- 3 (IC [] 35-48-4-2).
- 4 (E) Dealing in a schedule IV controlled substance
- 5 (IC [] 35-48-4-3).
- 6 (F) Dealing in marijuana, hash oil, hashish, or salvia
- 7 (IC [] 35-48-4-10).
- 8 (G) Dealing in a synthetic drug (as defined in
- 9 IC 35-31.5-2-321) or synthetic drug lookalike substance (as
- 10 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
- 11 2019)) under IC 35-48-4-10.5 (before its repeal on July 1,
- 12 2019).
- 13 (H) Dealing in a controlled substance resulting in death
- 14 (IC [] 35-42-1-1.5).
- 15 (6) Equipment and recordings used by a person to commit fraud
- 16 under IC 35-43-5.
- 17 (7) Recordings sold, rented, transported, or possessed by a
- 18 person in violation of IC 24-4-10.
- 19 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise
- 20 (as defined by IC 35-45-6-1) that is the object of a corrupt
- 21 business influence violation (IC [] 35-45-6-2).
- 22 (9) Unlawful telecommunications devices (as defined in
- 23 IC 35-45-13-6) and plans, instructions, or publications used to
- 24 commit an offense under IC 35-45-13.
- 25 (10) Any equipment, including computer equipment and cellular
- 26 telephones, used for or intended for use in preparing,
- 27 photographing, recording, videotaping, digitizing, printing,
- 28 copying, or disseminating matter in violation of IC 35-42-4.
- 29 (11) Destructive devices used, possessed, transported, or sold in
- 30 violation of IC 35-47.5.
- 31 (12) Tobacco products that are sold in violation of IC 24-3-5,
- 32 tobacco products that a person attempts to sell in violation of
- 33 IC 24-3-5, and other personal property owned and used by a
- 34 person to facilitate a violation of IC 24-3-5.
- 35 (13) Property used by a person to commit counterfeiting or
- 36 forgery in violation of IC 35-43-5-2.
- 37 (14) After December 31, 2005, if a person is convicted of an
- 38 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
- 39 following real or personal property:
- 40 (A) Property used or intended to be used to commit,
- 41 facilitate, or promote the commission of the offense.
- 42 (B) Property constituting, derived from, or traceable to the

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gross proceeds that the person obtained directly or indirectly as a result of the offense.

(15) Except as provided in subsection (e), a vehicle used by a person who operates the vehicle:

(A) while intoxicated, in violation of IC 9-30-5-1 through IC 9-30-5-5, if in the previous five (5) years the person has two (2) or more prior unrelated convictions for operating a motor vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5; or

(B) on a highway while the person's driving privileges are suspended in violation of IC 9-24-19-2 through IC 9-24-19-3, if in the previous five (5) years the person has two (2) or more prior unrelated convictions for operating a vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.

If a court orders the seizure of a vehicle under this subdivision, the court shall transmit an order to the bureau of motor vehicles recommending that the bureau not permit a vehicle to be registered in the name of the person whose vehicle was seized until the person possesses a current driving license (as defined in IC 9-13-2-41).

(16) The following real or personal property:

(A) Property used or intended to be used to commit, facilitate, or promote the commission of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(B) Property constituting, derived from, or traceable to the gross proceeds that a person obtains directly or indirectly as a result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(17) Real or personal property, including a vehicle, that is used by a person to:

(A) commit, attempt to commit, or conspire to commit;

(B) facilitate the commission of; or

(C) escape from the commission of;

a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking) or IC 35-45-4-4 (promoting prostitution).

(18) A signal jammer (as defined in IC 35-31.5-2-305.5) that is used by a person to commit unlawful use of a signal jammer under IC 35-45-2-6.

(b) A vehicle used by any person as a common or contract carrier in the transaction of business as a common or contract carrier is not



subject to seizure under this section, unless it can be proven by a preponderance of the evidence that the owner of the vehicle knowingly permitted the vehicle to be used to engage in conduct that subjects it to seizure under subsection (a).

(c) Equipment under subsection (a)(10) may not be seized unless it can be proven by a preponderance of the evidence that the owner of the equipment knowingly permitted the equipment to be used to engage in conduct that subjects it to seizure under subsection (a)(10).

(d) Money, negotiable instruments, securities, weapons, communications devices, or any property commonly used as consideration for a violation of IC 35-48-4 found near or on a person who is committing, attempting to commit, or conspiring to commit any of the following offenses shall be admitted into evidence in an action under this chapter as prima facie evidence that the money, negotiable instrument, security, or other thing of value is property that has been used or was to have been used to facilitate the violation of a criminal statute or is the proceeds of the violation of a criminal statute:

(1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in death).

(2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a narcotic drug).

(3) IC 35-48-4-1.1 (dealing in methamphetamine).

(4) IC 35-48-4-1.2 (manufacturing methamphetamine).

(5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance).

(6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

(7) IC 35-48-4-4 (dealing in a schedule V controlled substance) as a Level 4 felony.

(8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a Level 3, Level 4, or Level 5 felony.

(9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level 3, Level 4, or Level 5 felony.

(10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or salvia) as a Level 5 felony.

(11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing in a synthetic drug or synthetic drug lookalike substance) as a Level 5 felony or Level 6 felony (or as a Class C felony or Class D felony under IC 35-48-4-10 before its amendment in 2013).

(e) A vehicle operated by a person who is not:

(1) an owner of the vehicle; or

(2) the spouse of the person who owns the vehicle;

is not subject to seizure under subsection (a)(15) unless it can be



1 proven by a preponderance of the evidence that the owner of the
 2 vehicle knowingly permitted the vehicle to be used to engage in
 3 conduct that subjects it to seizure under subsection (a)(15).

4 SECTION ~~6~~ [6]. IC 34-24-3-1, AS AMENDED BY
 5 P.L.276-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2026]: Sec. 1. If a person has an unpaid claim
 7 on a liability that is covered by IC 24-4.6-5 or suffers a pecuniary loss
 8 as a result of a violation of IC 25-37.5, [] IC 35-43, IC 35-42-3-3,
 9 IC 35-42-3-4, IC 35-45-9, or IC 35-46-10, the person may bring a civil
 10 action against the person who caused the loss for the following:

- 11 (1) An amount not to exceed three (3) times:
 - 12 (A) the actual damages of the person suffering the loss, in
 - 13 the case of a liability that is not covered by IC 24-4.6-5; or
 - 14 (B) the total pump price of the motor fuel received, in the
 - 15 case of a liability that is covered by IC 24-4.6-5.
- 16 (2) The costs of the action.
- 17 (3) A reasonable attorney's fee.
- 18 (4) Actual travel expenses that are not otherwise reimbursed
- 19 under subdivisions (1) through (3) and are incurred by the
- 20 person suffering loss to:
 - 21 (A) have the person suffering loss or an employee or agent
 - 22 of that person file papers and attend court proceedings
 - 23 related to the recovery of a judgment under this chapter; or
 - 24 (B) provide witnesses to testify in court proceedings related
 - 25 to the recovery of a judgment under this chapter.
- 26 (5) A reasonable amount to compensate the person suffering loss
- 27 for time used to:
 - 28 (A) file papers and attend court proceedings related to the
 - 29 recovery of a judgment under this chapter; or
 - 30 (B) travel to and from activities described in clause (A).
- 31 (6) Actual direct and indirect expenses incurred by the person
- 32 suffering loss to compensate employees and agents for time used
- 33 to:
 - 34 (A) file papers and attend court proceedings related to the
 - 35 recovery of a judgment under this chapter; or
 - 36 (B) travel to and from activities described in clause (A).
- 37 (7) All other reasonable costs of collection. [

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