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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:

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

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

8 (1) wire used in wireline communications service, including:
9 (A) fiber;
10 (B) sheathed copper cable; and
11 (C) twisted-pair wire without sheathing;

12 including burned wire; and

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

15 (A) tower components;
16 (B) antennae;
17 (C) bus bars; and
18 (D) copper ground support structures;

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

21 [[SECTION 2. IC 25-37.5-1-1, AS AMENDED BY P.L.222-2013,](#)

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1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 1. (a) When used in this chapter, "valuable metal"
 3 means any product made of metal that readily may be resold. The term:
 4 (1) includes metal bosses, telecommunications network
 5 equipment, and small component motor vehicle parts; and
 6 (2) does not include the following:
 7 (A) A beverage can.
 8 (B) Used jewelry regulated under IC 24-4-13.
 9 (C) Precious metal regulated under IC 24-4-19.
 10 (b) As used in this chapter, "valuable metal dealer" means any
 11 individual, firm, corporation, limited liability company, or partnership
 12 engaged in the business of purchasing and reselling valuable metal
 13 either at a permanently established place of business or in connection
 14 with a business of an itinerant nature, including junk shops, junk yards,
 15 junk stores, auto wreckers, scrap metal dealers or processors, salvage
 16 yards, collectors of or dealers in junk, and junk cars or trucks. The term
 17 includes a core buyer. The term does not include a person who
 18 purchases a vehicle and obtains title to the vehicle.
 19 (c) As used in this chapter, "purchase" means acquiring a valuable
 20 metal product for a consideration, but does not include purchases
 21 between scrap metal processing facilities (as defined in IC 8-23-1-36).
 22 1 SECTION ~~↔~~[3]. IC 25-37.5-1-7, AS AMENDED BY
 23 P.L.70-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A valuable metal dealer who
 25 fails to comply with this chapter commits a Class A infraction.
 26 (b) A valuable metal dealer who:
 27 (1) knowingly or intentionally fails to comply with this chapter;
 28 and
 29 (2) purchases stolen valuable metal;
 30 commits concealing a valuable metal purchase, a Level 6 felony.
 31 (c) A:
 32 (1) person who sells or attempts to sell telecommunications
 33 network equipment; or
 34 (2) valuable metal dealer who purchases or attempts to
 35 purchase telecommunications network equipment;
 36 in violation of this chapter commits a Class A infraction.
 37 (d) A person who:
 38 (1) knowingly or intentionally fails to comply with this
 39 chapter; and
 40 (2) sells stolen telecommunications network equipment;
 41 commits concealment of the sale of telecommunications network
 42 equipment, a Level 6 felony.



1 SECTION ~~②~~^④[4]. IC 25-37.5-1-11 IS ADDED TO THE
 2 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2026]: Sec. 11.~~(a)~~¹ A person may not sell
 4 or attempt to sell, and a valuable metal dealer may not purchase or
 5 attempt to purchase, telecommunications network equipment in
 6 any amount, unless~~the seller provides~~¹:

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

10 (2) the seller:

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

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

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

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

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

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

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

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

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

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



~~SECTION 4~~ was acquired.

SECTION 5. IC 34-24-1-1, AS AMENDED BY P.L.186-2025, SECTION 184, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The following may be seized:

(1) All vehicles (as defined by IC 35-31.5-2-346), if they are used or are intended for use by the person or persons in possession of them to transport or in any manner to facilitate the transportation of the following:

(A) A controlled substance for the purpose of committing, attempting to commit, or conspiring to commit any of the following:

(i) Dealing in or manufacturing cocaine or a narcotic drug (IC35-48-4-1).

(ii) Dealing in methamphetamine (IC35-48-4-1.1).

(iii) Manufacturing methamphetamine (IC35-48-4-1.2).

(iv) Dealing in a schedule I, II, or III controlled substance (IC35-48-4-2).

(v) Dealing in a schedule IV controlled substance (IC35-48-4-3).

(vi) Dealing in a schedule V controlled substance (IC35-48-4-4).

(vii) Dealing in a counterfeit substance (IC35-48-4-5).

(viii) Possession of cocaine or a narcotic drug (IC35-48-4-6).

(ix) Possession of methamphetamine (IC35-48-4-6.1).

(x) Dealing in paraphernalia (IC35-48-4-8.5).

(xi) Dealing in marijuana, hash oil, hashish, or salvia (IC35-48-4-10).

(xii) An offense under IC 35-48-4 involving a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-4-10.5), or a substance represented to be a controlled substance (as described in IC 35-48-4-6).

(B) Any stolen (IC35-43-4-2 or IC 35-43-4-2.2) or converted property (IC35-43-4-3) if the retail or repurchase value of that property is one hundred dollars



(\$100) or more.

(C) Any hazardous waste in violation of IC 13-30-10-1.5.

(D) A bomb (as defined in IC 35-31.5-2-31) or weapon of mass destruction (as defined in IC 35-31.5-2-354) used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism (as defined by 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):

- (A) furnished or intended to be furnished by any person in exchange for an act that is in violation of a criminal statute;
- (B) used to facilitate any violation of a criminal statute; or
- (C) traceable as proceeds of the violation of a criminal 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.

(4) 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:

murder (IC []35-42-1-1), dealing in a controlled substance resulting in death (IC []35-42-1-1.5), kidnapping (IC []35-42-3-2), criminal confinement (IC []35-42-3-3), rape (IC []35-42-4-1), child molesting (IC []35-42-4-3), or child exploitation (IC []35-42-4-4), or a theft to which **IC 35-43-4-2(a)(2)(B) applies, or** an offense under IC 35-47 as part of or in furtherance of an act of terrorism

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:

(A) Dealing in or manufacturing cocaine or a narcotic drug
(ICF 135-48-4-1)

(B) Dealing in methamphetamine (IC[135-48-4-1-1])



- (C) Manufacturing methamphetamine (IC []35-48-4-1.2).
- (D) Dealing in a schedule I, II, or III controlled substance (IC []35-48-4-2).
- (E) Dealing in a schedule IV controlled substance (IC []35-48-4-3).
- (F) Dealing in marijuana, hash oil, hashish, or salvia (IC []35-48-4-10).
- (G) Dealing in a synthetic drug (as defined in IC 35-31.5-2-321) or synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019).
- (H) Dealing in a controlled substance resulting in death (IC []35-42-1-1.5).

(6) Equipment and recordings used by a person to commit fraud under IC 35-43-5.

(7) Recordings sold, rented, transported, or possessed by a person in violation of IC 24-4-10.

(8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as defined by IC 35-45-6-1) that is the object of a corrupt business influence violation (IC []35-45-6-2).

(9) Unlawful telecommunications devices (as defined in IC 35-45-13-6) and plans, instructions, or publications used to commit an offense under IC 35-45-13.

(10) Any equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter in violation of IC 35-42-4.

(11) Destructive devices used, possessed, transported, or sold in violation of IC 35-47.5.

(12) Tobacco products that are sold in violation of IC 24-3-5, tobacco products that a person attempts to sell in violation of IC 24-3-5, and other personal property owned and used by a person to facilitate a violation of IC 24-3-5.

(13) Property used by a person to commit counterfeiting or forgery in violation of IC 35-43-5-2.

(14) After December 31, 2005, if a person is convicted of an offense specified in IC 25-26-14-26(b) or IC 35-43-10, the following real or personal property:

- (A) Property used or intended to be used to commit, facilitate, or promote the commission of the offense.
- (B) Property constituting, derived from, or traceable to the

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

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

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

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

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

22 (16) The following real or personal property:

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

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

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

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

34 (B) facilitate the commission of; or

35 (C) escape from the commission of;

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

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

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



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

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

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

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

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

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

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

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

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

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

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

31 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level
 32 3, Level 4, or Level 5 felony.

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

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

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

40 (1) an owner of the vehicle; or

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

42 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 ~~25~~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.1

38]

