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SENATE BILL No. 271

Proposed Changes to January 14, 2026 printing by AM027103

DIGEST OF PROPOSED AMENDMENT

Crimes. Moves crimes concerning valuable metal and telecommunications network equipment from IC 25 to IC 35. Makes conforming amendments.

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.

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SECTION 2. IC 25-37.5-1-1, AS AMENDED BY P.L.222-2013, 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~~ [In addition, the] valuable metal dealer [may be subject to a criminal penalty under IC 35-43-4-3.3.]

~~(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.]~~

~~(<e> [b]) A <e>:~~

~~(1) >~~ person who sells or attempts to sell telecommunications network equipment <e> <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>~~ [In addition, the person may be
subject to a criminal penalty under IC 35-43-4-3.3].

SECTION 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 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:

(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 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. This certificate of
ownership must be provided on the telecommunications
company business letterhead and must provide the date that
the telecommunications network equipment was acquired by
the seller and a description of how the telecommunications
network equipment 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,

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attempting to commit, or conspiring to commit any of the following:

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

(ii) Dealing in methamphetamine (IC 35-48-4-1.1).

(iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

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

(v) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(vi) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(vii) Dealing in a counterfeit substance (IC 35-48-4-5).

(viii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

(ix) Possession of methamphetamine (IC 35-48-4-6.1).

(x) Dealing in paraphernalia (IC 35-48-4-8.5).

(xi) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(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 35-48-1.1-8), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or converted property (IC 35-43-4-3) 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).

(2) All money, negotiable instruments, securities, weapons, communications devices, or any property used to commit, used

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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 or commonly used as consideration for a violation of IC 35-48-4 (other than items subject to forfeiture under 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.

(3) Any portion of real or personal property purchased with money that is traceable as a proceed of a violation of a criminal 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.

(5) Real property owned by a person who uses it to commit any of the following as a Level 1, Level 2, Level 3, Level 4, or Level 5 felony:

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

(B) Dealing in methamphetamine (IC 35-48-4-1.1).

(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).

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- 1 (H) Dealing in a controlled substance resulting in death
 2 (IC 35-42-1-1.5).
- 3 (6) Equipment and recordings used by a person to commit fraud
 4 under IC 35-43-5.
- 5 (7) Recordings sold, rented, transported, or possessed by a
 6 person in violation of IC 24-4-10.
- 7 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise
 8 (as defined by IC 35-45-6-1) that is the object of a corrupt
 9 business influence violation (IC 35-45-6-2).
- 10 (9) Unlawful telecommunications devices (as defined in
 11 IC 35-45-13-6) and plans, instructions, or publications used to
 12 commit an offense under IC 35-45-13.
- 13 (10) Any equipment, including computer equipment and cellular
 14 telephones, used for or intended for use in preparing,
 15 photographing, recording, videotaping, digitizing, printing,
 16 copying, or disseminating matter in violation of IC 35-42-4.
- 17 (11) Destructive devices used, possessed, transported, or sold in
 18 violation of IC 35-47.5.
- 19 (12) Tobacco products that are sold in violation of IC 24-3-5,
 20 tobacco products that a person attempts to sell in violation of
 21 IC 24-3-5, and other personal property owned and used by a
 22 person to facilitate a violation of IC 24-3-5.
- 23 (13) Property used by a person to commit counterfeiting or
 24 forgery in violation of IC 35-43-5-2.
- 25 (14) After December 31, 2005, if a person is convicted of an
 26 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
 27 following real or personal property:
- 28 (A) Property used or intended to be used to commit,
 29 facilitate, or promote the commission of the offense.
- 30 (B) Property constituting, derived from, or traceable to the
 31 gross proceeds that the person obtained directly or
 32 indirectly as a result of the offense.
- 33 (15) Except as provided in subsection (e), a vehicle used by a
 34 person who operates the vehicle:
- 35 (A) while intoxicated, in violation of IC 9-30-5-1 through
 36 IC 9-30-5-5, if in the previous five (5) years the person has
 37 two (2) or more prior unrelated convictions for operating a
 38 motor vehicle while intoxicated in violation of IC 9-30-5-1
 39 through IC 9-30-5-5; or
- 40 (B) on a highway while the person's driving privileges are
 41 suspended in violation of IC 9-24-19-2 through
 42 IC 9-24-19-3, if in the previous five (5) years the person has

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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

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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 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)(15).

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

(1) An amount not to exceed three (3) times:

(A) the actual damages of the person suffering the loss, in



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the case of a liability that is not covered by IC 24-4.6-5; or
 (B) the total pump price of the motor fuel received, in the
 case of a liability that is covered by IC 24-4.6-5.

(2) The costs of the action.

(3) A reasonable attorney's fee.

(4) Actual travel expenses that are not otherwise reimbursed
 under subdivisions (1) through (3) and are incurred by the
 person suffering loss to:

(A) have the person suffering loss or an employee or agent
 of that person file papers and attend court proceedings
 related to the recovery of a judgment under this chapter; or
 (B) provide witnesses to testify in court proceedings related
 to the recovery of a judgment under this chapter.

(5) A reasonable amount to compensate the person suffering loss
 for time used to:

(A) file papers and attend court proceedings related to the
 recovery of a judgment under this chapter; or

(B) travel to and from activities described in clause (A).

(6) Actual direct and indirect expenses incurred by the person
 suffering loss to compensate employees and agents for time used
 to:

(A) file papers and attend court proceedings related to the
 recovery of a judgment under this chapter; or

(B) travel to and from activities described in clause (A).

(7) All other reasonable costs of collection. [

SECTION 7. IC 35-31.5-2-264.3 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2026]: Sec. 264.3. "Purchase", for purposes
 of IC 35-43-4-3.3, has the meaning set forth in IC 25-37.5-1-1.

SECTION 8. IC 35-31.5-2-326.5 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2026]: Sec. 326.5. "Telecommunications
 network equipment", for purposes of IC 35-43-4-3.3, has the
 meaning set forth in IC 25-37.5-1-0.7.

SECTION 9. IC 35-31.5-2-345.5 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2026]: Sec. 345.5. "Valuable metal", for
 purposes of IC 35-43-4-3.3, has the meaning set forth in
 IC 25-37.5-1-1.

SECTION 10. IC 35-31.5-2-345.6 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2026]: Sec. 345.6. "Valuable metal dealer",

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1 for purposes of IC 35-43-4-3.3, has the meaning set forth in
 2 IC 25-37.5-1-1.

3 SECTION 11. IC 35-43-4-3.3 IS ADDED TO THE INDIANA
 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2026]: Sec. 3.3. (a) The following definitions
 6 apply throughout this section:

7 (1) "Purchase" has the meaning set forth in IC 25-37.5-1-1.

8 (2) "Telecommunications network equipment" has the
 9 meaning set forth in IC 25-37.5-1-0.7.

10 (3) "Valuable metal" has the meaning set forth in
 11 IC 25-37.5-1-1.

12 (4) "Valuable metal dealer" has the meaning set forth in
 13 IC 25-37.5-1-1.

14 (b) A valuable metal dealer who:

15 (1) knowingly or intentionally fails to comply with
 16 IC 25-37.5-1; and

17 (2) purchases stolen valuable metal;

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

19 (c) A person who:

20 (1) knowingly or intentionally fails to comply with
 21 IC 25-37.5-1; and

22 (2) sells stolen telecommunications network equipment;

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

25 SECTION 12. IC 35-52-25-61.5 IS REPEALED. [EFFECTIVE
 26 JULY 1, 2026] Sec. 61.5. IC 25-37.5-1-7 defines a crime concerning
 27 valuable metal dealers.

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