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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.

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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.

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1 SECTION 2. IC 25-37.5-1-1, AS AMENDED BY P.L.222-2013,  
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2026]: Sec. 1. (a) When used in this chapter, "valuable metal"  
 4 means any product made of metal that readily may be resold. The term:

5 (1) includes metal bossies, **telecommunications network**  
 6 **equipment**, and small component motor vehicle parts; and  
 7 (2) does not include the following:

8 (A) A beverage can.  
 9 (B) Used jewelry regulated under IC 24-4-13.  
 10 (C) Precious metal regulated under IC 24-4-19.

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

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

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

27 ~~(b) A valuable metal dealer who:~~  
 28 ~~(1) knowingly or intentionally fails to comply with this chapter; and~~  
 29 ~~(2) purchases stolen valuable metal; or~~  
 30 ~~commits concealment of a valuable metal purchase, a Level 6 felony.~~

31 ~~(b) 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~~

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1 chapter; and  
2 ~~(2) sells stolen telecommunications network equipment;~~  
3 ~~commits concealment of the sale of telecommunications network~~  
4 ~~equipment, a Level 6 felony> [ In addition, the person may be~~  
5 ~~subject to a criminal penalty under IC 35-43-4-3.3].~~

6 SECTION 4. IC 25-37.5-1-11 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2026]: Sec. 11. A person may not sell or  
9 attempt to sell, and a valuable metal dealer may not purchase or  
10 attempt to purchase, telecommunications network equipment in  
11 any amount, unless:

15 (2) the seller:

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

26 (3) the seller is a retail seller that possesses a certificate of  
27 ownership signed by an employee of the telecommunications  
28 company stating that the seller is the lawful owner of the  
29 telecommunications network equipment. This certificate of  
30 ownership must be provided on the telecommunications  
31 company business letterhead and must provide the date that  
32 the telecommunications network equipment was acquired by  
33 the seller and a description of how the telecommunications  
34 network equipment was acquired.

35 SECTION 5. IC 34-24-1-1, AS AMENDED BY P.L.186-2025,  
36 SECTION 184, IS AMENDED TO READ AS FOLLOWS  
37 [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:

42 (A) A controlled substance for the purpose of committing,

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- (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). 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.
- Any hazardous waste in violation of IC 13-30-10-1.5.
- 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 by IC 35-50-2-18) or an offense under IC 35-47 as part of or furtherance of an act of terrorism (as defined by IC 35-31.5-2-329).

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

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1 in an attempt to commit, or used in a conspiracy to commit a  
2 felony terrorist offense (as defined in IC 35-50-2-18) or an  
3 offense under IC 35-47 as part of or in furtherance of an act of  
4 terrorism or commonly used as consideration for a violation of  
5 IC 35-48-4 (other than items subject to forfeiture under  
6 IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):

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

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

15 (4) A vehicle that is used by a person to:

16 (A) commit, attempt to commit, or conspire to commit;  
17 (B) facilitate the commission of; or  
18 (C) escape from the commission of;

19 murder (IC 35-42-1-1), dealing in a controlled substance  
20 resulting in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2),  
21 criminal confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child  
22 molesting (IC 35-42-4-3), or child exploitation (IC 35-42-4-4),  
23 **or a theft to which IC 35-43-4-2(a)(2)(B) applies, or** an offense  
24 under IC 35-47 as part of or in furtherance of an act of terrorism.  
25 (5) Real property owned by a person who uses it to commit any  
26 of the following as a Level 1, Level 2, Level 3, Level 4, or Level  
27 5 felony:

28 (A) Dealing in or manufacturing cocaine or a narcotic drug  
29 (IC 35-48-4-1).  
30 (B) Dealing in methamphetamine (IC 35-48-4-1.1).  
31 (C) Manufacturing methamphetamine (IC 35-48-4-1.2).  
32 (D) Dealing in a schedule I, II, or III controlled substance  
33 (IC 35-48-4-2).  
34 (E) Dealing in a schedule IV controlled substance  
35 (IC 35-48-4-3).  
36 (F) Dealing in marijuana, hash oil, hashish, or salvia  
37 (IC 35-48-4-10).  
38 (G) Dealing in a synthetic drug (as defined in  
39 IC 35-31.5-2-321) or synthetic drug lookalike substance (as  
40 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,  
41 2019)) under IC 35-48-4-10.5 (before its repeal on July 1,  
42 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 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

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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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1 of the following offenses shall be admitted into evidence in an action  
 2 under this chapter as prima facie evidence that the money, negotiable  
 3 instrument, security, or other thing of value is property that has been  
 4 used or was to have been used to facilitate the violation of a criminal  
 5 statute or is the proceeds of the violation of a criminal statute:

6 (1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in  
 7 death).  
 8 (2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a  
 9 narcotic drug).  
 10 (3) IC 35-48-4-1.1 (dealing in methamphetamine).  
 11 (4) IC 35-48-4-1.2 (manufacturing methamphetamine).  
 12 (5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled  
 13 substance).  
 14 (6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).  
 15 (7) IC 35-48-4-4 (dealing in a schedule V controlled substance)  
 16 as a Level 4 felony.  
 17 (8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a  
 18 Level 3, Level 4, or Level 5 felony.  
 19 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level  
 20 3, Level 4, or Level 5 felony.  
 21 (10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or  
 22 salvia) as a Level 5 felony.  
 23 (11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing  
 24 in a synthetic drug or synthetic drug lookalike substance) as a  
 25 Level 5 felony or Level 6 felony (or as a Class C felony or Class  
 26 D felony under IC 35-48-4-10 before its amendment in 2013).  
 27 (e) A vehicle operated by a person who is not:  
 28 (1) an owner of the vehicle; or  
 29 (2) the spouse of the person who owns the vehicle;

30 is not subject to seizure under subsection (a)(15) unless it can be  
 31 proven by a preponderance of the evidence that the owner of the  
 32 vehicle knowingly permitted the vehicle to be used to engage in  
 33 conduct that subjects it to seizure under subsection (a)(15).

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

41 (1) An amount not to exceed three (3) times:  
 42 (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] See: 61.5. IC 25-37.5-1-7 defines a crime concerning  
27       valuable metal dealers.

28       1

