Adopted   Rejected

COMMITTEE REPORT

YES: 8
NO: 5

MR. SPEAKER:

Your Committee on **_Courts and Criminal Code_** *, to which was referred* _Senate Bill_ _285_ *, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1	Page 1, line 6, delete "Part".
2	Page 1, line 9, delete "Part".
3	Page 2, between lines 2 and 3, begin a new paragraph and insert:
4	"SECTION 3. IC 12-26-1-1, AS AMENDED BY P.L.205-2023,
5	SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6	JULY 1, 2026]: Sec. 1. **(a) As used in this section, "gravely**
7	**disabled" means a condition in which an individual, as a result of**
8	**mental illness, is in danger of coming to harm because the**
9	**individual:**
10	**(1) is unable to provide for the individual's food, clothing,**
11	**shelter, or other essential human needs; or**
12	**(2) has a substantial impairment or an obvious deterioration**

1   **of judgment, reasoning, or behavior that results in the**

2   **individual being unable to function independently; or**

3   **(3) lacks a fixed, regular, and adequate shelter, resulting in**

4   **the individual remaining outdoors in places not designed for**

5   **or ordinarily used for sleeping during weather conditions that**

6   **are likely to result in death or serious physical injury, if:**

7   **(A) the individual has refused transportation to a shelter**

8   **or mental health service provider; and**

9   **(B) a shelter or mental health service provider was**

10   **reasonably offered and available.**

11   **(b)** An individual who is mentally ill and either dangerous or

12   gravely disabled may be involuntarily detained or committed under any

13   of the following statutes:

14   (1) IC 12-26-5 (emergency detention).

15   (2) IC 12-26-6 (temporary commitment).

16   (3) IC 12-26-7 (regular commitment).".

17   Page 2, line 13, delete "camp, sleep," and insert "**camp on, sleep**

18   **on,**".

19   Page 2, delete lines 16 through 39, begin a new paragraph, and

20   insert:

21   "**(b) If a person violates subsection (a), the law enforcement**

22   **officer who discovers the violation shall first determine if there are**

23   **reasonable grounds for an emergency detention of the person. If**

24   **there are reasonable grounds for an emergency detention, the law**

25   **enforcement officer shall proceed under IC 12-26-5 and not this**

26   **chapter.**

27   **(c) If:**

28   **(1) a person violates subsection (a);**

29   **(2) the person has not previously violated subsection (a); and**

30   **(3) subsection (b) does not apply;**

31   **the law enforcement officer who discovers the violation shall first**

32   **give the person a warning and provide the person with information**

33   **regarding locations authorized by law to provide services or**

34   **shelter.**

35   **(d) A person who knowingly or intentionally violates subsection**

36   **(a) commits street camping, a Class C misdemeanor, if:**

37   **(1) subsection (b) does not apply;**

38   **(2) the person has received a warning under subsection (c);**

1   **(3) at least forty-eight (48) hours have elapsed since the**
2   **warning was issued; and**
3   **(4) the person is camping or sleeping on, or using for long**
4   **term shelter, land owned by the state or a political subdivision**
5   **that is located within a three hundred (300) foot radius of the**
6   **location where the warning under subsection (c) was issued.**
7   **(e) A person charged with an offense under subsection (d) is**
8 **eligible to participate in a diversion program, including:**
9   **(1) a prosecutorial diversion program under IC 33-39-1-8; or**
10   **(2) a forensic diversion program under IC 11-12-3.7.**".
11   Page 3, delete lines 11 through 19.
12   Page 3, line 32, delete "(1)(c)(3)" and insert "**1(c)(3)**".
13   Page 3, line 33, delete "(1)(b)" and insert "**1(b)**".
14   Renumber all SECTIONS consecutively.
    (Reference is to SB 285 as reprinted January 27, 2026.)

and when so amended that said bill do pass.

Representative McNamara