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SENATE BILL No. 291

Proposed Changes to January 23, 2026 printing by AM029102

DIGEST OF PROPOSED AMENDMENT

Criminal penalties. Removes the criminal penalty and makes a technical correction.

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

SECTION 1. IC 33-23-19 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 19. Protection of Personal Information

Sec. 1. As used in this chapter, "protected individual" means

a:

- (1) current or retired judge (as defined in IC 33-38-12-3);
- (2) current or retired justice, judge, or magistrate of a federal court domiciled in Indiana; and
- (3) spouse, child, or dependent who resides in the same household as an individual described in subdivisions (1) and (2).

Sec. 2. As used in this chapter, "personal information" includes the following:

- (1) A home address.
- (2) A home telephone number.
- (3) A mobile telephone number.
- (4) A personal electronic mail address.
- (5) A Social Security number.
- (6) A driver's license number.

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(7) A federal tax identification number.

(8) A credit or debit card number.

(9) A bank account number.

(10) A license plate number or a unique identifier of a vehicle.

(11) A birth or marital record.

(12) Date of birth.

(13) A home address displayed on voter registration or property tax information.

(14) Election and campaign finance reports.

The term does not include information that has been publicly disclosed with the consent of the judicial officer or judge.

Sec. 3. As used in this chapter, "publish" means to post or otherwise make available to the general public on the Internet, social media, or social networks.

Sec. 4. (a) A protected individual, or the office of judicial administration on behalf of a protected individual, may submit a written request to a public agency (as defined in IC 5-14-3-2(q)) to:

(1) prevent publication of personal information of the protected individual; or

(2) remove personal information of the protected individual from an existing publication.

(b) A request made under subsection (a) must be sent by certified mail or electronic mail and contain the following:

(1) Sufficient information to confirm that the person subject to the request is a protected individual.

(2) A description of the document, posting, or other publication containing the personal information that is sought to be removed.

A request made by the office of judicial administration that certifies that the person subject to the request is a protected individual is sufficient for the purposes of subdivision (1).

(c) Not later than one (1) day after receiving a request under this section, a public agency shall acknowledge receipt of the request.

(d) After receiving a request under this section, a public agency shall:

(1) as soon as practicable, take action necessary to ensure that the personal information of the protected individual is not published; or

(2) not later than three (3) days after receipt of the request, remove all personal information of the protected person

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from publication.

(e) A protected individual or the office of judicial administration may bring a civil action against a public agency for a violation of subsection (d). A prevailing party may recover:

- (1) actual damages;
- (2) declaratory relief;
- (3) injunctive relief; and
- (4) costs and reasonable attorney's fees.

A court may also award punitive damages if the court finds that the defendant willfully refused to remove the personal information of a protected person.[]

~~← Sec. 5. (a) A person who:~~

~~— (1) publishes the personal information of a protected individual; and~~

~~— (2) knows or reasonably should know that the publication of the personal information presents an imminent risk of:~~

~~— (A) bodily injury to the protected individual;~~

~~— (B) damage to the property of the protected individual; or~~

~~— (C) the commission of a criminal offense against the protected individual;~~

~~commits unlawful publication of personal information, a Class A misdemeanor:~~

~~— (b) The offense under subsection (a) is a Level 6 felony if it results in serious bodily injury to the protected individual.~~

➤ SECTION 2. IC 33-24-5 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Supreme Court Sheriff).

SECTION 3. IC 33-24-5.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 5.1. Supreme Court Marshal

Sec. 1. As used in this chapter, "supreme court marshal" refers to an appointed supreme court marshal and a deputy marshal hired by an appointed supreme court marshal under section 2(b) of this chapter.

Sec. 2. (a) The supreme court may appoint a court marshal.

(b) A marshal appointed under subsection (a) has the authority to hire deputy marshals to assist with the duties required under this chapter.

(c) A supreme court marshal serves at the pleasure of the chief justice until the supreme court terminates the court marshal's service by an order of the court.

Sec. 3. (a) A supreme court marshal is responsible for the



following:

(1) Ensuring the safety and security of:

(A) the justices; and

(B) staff;

of the supreme court, including the appellate clerk's office, all primary office locations, offsite venues, and judicial residences.

(2) Attending the court during term time.

(3) Preserving order within the court.

(4) Communicating with law enforcement agencies on behalf of the court.

(5) Providing trial courts with security assessments, including education and advice on security needs of judges and court staff.

(6) Maintaining security systems at the state house, court staff offices, and the homes of supreme court justices.

(7) Coordinating and providing security for events within Indiana that involve the justices or staff of the court.

(8) Any additional duties as assigned by the chief justice.

↔ (b) Upon receipt of a process, rule, or order, a supreme court marshal may transmit the process, rule, or order to the sheriff of the county within which the process, rule, or order is to be served.

Sec. 4. (a) When acting in an official capacity, a supreme court marshal may:

(1) act as security for judicial officers and court staff in any county in Indiana;

(2) use any force necessary to carry out the duties described in section 3 of this chapter;

(3) carry a weapon on public and private property; and

[(4) access the following information for official court security purposes only:

(A) ↔ [C]riminal history record information, including limited and full records, obtained through state or federal criminal justice information systems ↔ [.]

(B) ↔ [R]ecords of the bureau of motor vehicles, including driver's license information, vehicle registration data, and associated identifying information ↔ and ↔ [.]

(C) ↔ [S]ensitive law enforcement intelligence information, including threat assessments, alerts, bulletins, and intelligence products, when the information:

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(i) relates to the safety and security of a supreme court justice, court staff, court facilities, or court proceedings; and

(ii) is provided by, or accessed through, a law enforcement agency or criminal justice information system authorized to disseminate ~~such~~ the information.

(b) Information described in subsection (a)(4)(C) may only be accessed in relation to a threat assessment, officer safety, protective operations, and the prevention or mitigation of threats to court security. A supreme court marshal shall comply with all applicable state and federal laws, rules, and policies governing the access, use, dissemination, retention, and confidentiality of the information obtained. Unauthorized access, use, or dissemination of information obtained under subsection (a)(4)(C) is prohibited.

(c) A supreme court marshal has limited police powers, including a limited power to detain, to carry out the requirements of this chapter. A supreme court marshal shall notify the local law enforcement agency as soon as practicable when a security threat is detected. A supreme court marshal may not respond to local emergencies or incidents not related to court security. A supreme court marshal shall defer to local law enforcement to effect any arrest necessary, including the processing of an individual or pursuit of criminal charges.

Sec. 5. A supreme court marshal is entitled to qualified immunity for acts performed in the course of official duties required under this chapter.

SECTION 4. IC 33-25-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The clerk ~~and sheriff~~ of the supreme court shall be clerk ~~and sheriff~~ of the court of appeals.

SECTION 5. IC 33-25-4-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The court of appeals may appoint a court marshal.

(b) A court marshal appointed under subsection (a):

(1) serves at the pleasure of the court of appeals until the court of appeals terminates the court marshal's service by an order of the court;

(2) provides for the safety and security of the court of appeals and the tax court; and

(3) has the authority to hire deputy marshals to assist with the duties required under this chapter.



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SECTION 6. IC 33-25-4-5 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2026]: **Sec. 5. A:**

(1) court marshal appointed; or

(2) deputy court marshal hired;

under section 4 of this chapter is entitled to qualified immunity for
acts performed in the course of official duties required under this
chapter.

SECTION 7. IC 33-25-4-6 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2026]: **Sec. 6. (a)** A court marshal appointed under section 4 of
this chapter is responsible for the following:

(1) Ensuring the safety and security of:

(A) the judges; and

(B) staff;

of the court of appeals and the tax court at all primary office
locations, offsite venues, and judicial residences.

(2) Attending the court of appeals and the tax court during
term time.

(3) Subject to subsection (b), executing:

(A) the orders of the court of appeals and the tax court;
and

(B) all processes, including civil processes, issued out of
the court of appeals and the tax court.

(4) Preserving order within the court of appeals and the tax
court.

(5) Supervising deputy court marshals hired under section 5
of this chapter.

(6) Communicating with law enforcement agencies on behalf
of the court of appeals and the tax court.

(7) Maintaining a security system at the state house, staff
offices, and the homes of judges of the court of appeals and
the tax court.

(8) Coordinating and providing security for events involving
the judges or staff of the court of appeals and the tax court.

(9) Any additional duties as assigned by the chief judge of the
court of appeals.

↔ (b) Upon receipt of a process, rule, or order from the court of
appeals or the tax court, a court marshal may transmit the process,
rule, or order to the sheriff of the county within which the process,
rule, or order is to be served.

SECTION 8. IC 33-25-4-7 IS ADDED TO THE INDIANA CODE

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AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) When acting in an official capacity, a court marshal and a deputy court marshal may:

- (1) act as security for judicial officers and court staff in any county in Indiana;
- (2) use any force necessary to carry out the duties described in section 6 of this chapter;
- (3) carry a weapon on public and private property; ~~and~~
- ~~[(4) access the following information for official court security purposes only:~~

(A) ~~<=>~~ ~~[C]~~riminal history record information, including limited and full records, obtained through state or federal criminal justice information systems ~~<=>~~ ~~[.]~~

(B) ~~<=>~~ ~~[R]~~ecords of the bureau of motor vehicles, including driver's license information, vehicle registration data, and associated identifying information ~~<=>~~ ~~and~~ ~~[.]~~

(C) ~~<=>~~ ~~[S]~~ensitive law enforcement intelligence information, including threat assessments, alerts, bulletins, and intelligence products, when the information:

- (i) relates to the safety and security of a court of appeals and the tax court judge, court staff, court facilities, or court proceedings; and
- (ii) is provided by, or accessed through, a law enforcement agency or criminal justice information system authorized to disseminate ~~<such>~~ ~~[the]~~ information.

(b) Information described under subsection (a)(4)(C) may only be accessed in relation to a threat assessment, officer safety, protective operations, and the prevention or mitigation of threats to court security. A court marshal or a deputy court marshal shall comply with all applicable state and federal laws, rules, and policies governing the access, use, dissemination, retention, and confidentiality of the information obtained. Unauthorized access, use, or dissemination of information obtained under subsection (a)(4)(C) is prohibited.

(c) A court marshal and a deputy court marshal have limited police powers, including a limited power to detain, to carry out the requirements of this chapter. A court marshal or a deputy court marshal shall notify the local law enforcement agency as soon as practicable when a security threat is detected. A court marshal and

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a deputy court marshal may not respond to local emergencies or incidents not related to court security. A court marshal and a deputy court marshal shall defer to local law enforcement to effect any arrest necessary, including the processing of an individual or pursuit of criminal charges.

SECTION 9. IC 34-30-2.1-543.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 543.3. IC 33-24-5.1-5 (Concerning immunity of a supreme court marshal).**

SECTION 10. IC 34-30-2.1-545.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 545.5. IC 33-25-4-5 (Concerning immunity of a court of appeals court marshal).**

~~← SECTION 11. IC 35-52-33-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.7. IC 33-23-19-5 defines a crime concerning unlawful publication of personal information: >~~

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