

# HOUSE BILL No. 1291

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 1-1-4-8; IC 3-6-11-2.6; IC 3-7-26.4-8; IC 4-15-2.2; IC 5-2; IC 6-3.6-7-12.5; IC 9-24; IC 11-8-2-9; IC 12-9-2-3; IC 12-9.1-2-3; IC 12-13-5-1; IC 12-15-44.5-3.5; IC 12-20-5.5-1; IC 12-21-2-3; IC 12-23-18-8; IC 12-32-1-4; IC 16-19-10; IC 16-21-6-6; IC 16-34-2-5; IC 16-38-5-2; IC 16-41-39.4-3; IC 20-19-3; IC 20-24; IC 20-26-18-6; IC 20-30-5-23; IC 20-34-6-1; IC 20-36-3-10; IC 20-51.4-5-3; IC 27-2; IC 31-11-1; IC 31-33-18-1.5; IC 31-34-21-7.3; IC 31-35-1.5-5; IC 31-37-8.5-6; IC 31-40-5-4; IC 33-33-45-35; IC 33-41-1-2.

**Synopsis:** Gender based terms. Defines specific terms for purposes of certain statutes that concern sex discrimination and benefits and services that are designated based upon sex. Provides exceptions. Replaces the term "gender" with the phrase "biological sex" in certain statutes in which the term is used to describe the condition of being physically male or female.

**Effective:** July 1, 2024.

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## Judy, King, Davis, Morris

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January 9, 2024, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1291

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 1-1-4-8 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3 2024]: **Sec. 8. (a) The following definitions apply to the construction**  
4 **of all Indiana statutes concerning sex discrimination and benefits**  
5 **or services that are designated based upon sex:**  
6 (1) "Boy" means a male person less than eighteen (18) years  
7 of age.  
8 (2) "Father" means a male parent of a child.  
9 (3) "Female" means a person with a reproductive system that,  
10 but for a medically verifiable genetic disorder of sex  
11 development, at some point produces ova.  
12 (4) "Girl" means a female person less than eighteen (18) years  
13 of age.  
14 (5) "Male" means a person with a reproductive system that,  
15 but for a medically verifiable genetic disorder of sex  
16 development, at some point produces sperm for fertilization  
17 of ova.



- 1           **(6) "Man" means a male person at least eighteen (18) years of**  
 2           **age.**  
 3           **(7) "Medically verifiable genetic disorder of sex development"**  
 4           **means having:**  
 5               **(A) both ovarian and testicular tissue; or**  
 6               **(B) external biological characteristics that are ambiguous**  
 7               **resulting from having a 46,XX karyotype with virilization**  
 8               **or 46,XY karyotype with undervirilization.**  
 9           **(8) "Mother" means a female parent of a child.**  
 10           **(9) "Sex" means the biological, genetic identity of a person as**  
 11           **either male or female. This term does not include gender**  
 12           **identity or any other term that conveys a person's subjective**  
 13           **identification of a term other than male or female.**  
 14           **(10) "Woman" means a female person at least eighteen (18)**  
 15           **years of age.**  
 16           **(b) The definitions in this section do not apply to any state or**  
 17           **federal requirements for an entity to report statistics based upon**  
 18           **an individual's sex or gender.**  
 19           SECTION 2. IC 3-6-11-2.6 IS AMENDED TO READ AS  
 20           FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.6. An organization or  
 21           individual conducting activities under section 2.5 of this chapter shall  
 22           follow the following procedures:  
 23               (1) Submit a list of poll takers to the person designated by the  
 24               college or university.  
 25               (2) If the student housing is not covered by a policy limiting  
 26               visitation by members of the other ~~gender~~ **biological sex** in the  
 27               living areas of the student housing, conduct the activities  
 28               permitted under section 2.5 of this chapter between 10 a.m. and  
 29               8 p.m.  
 30               (3) If the student housing is covered by a policy limiting visitation  
 31               by members of the other ~~gender~~ **biological sex** in the living areas  
 32               of the student housing, conduct the activities permitted under  
 33               section 2.5 of this chapter during the most restrictive of the  
 34               following times:  
 35                       (A) Between 10 a.m. and 8 p.m.  
 36                       (B) During the hours visitation is permitted.  
 37           SECTION 3. IC 3-7-26.4-8, AS ADDED BY P.L.81-2005,  
 38           SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39           JULY 1, 2024]: Sec. 8. (a) This section applies to a person other than  
 40           a registered voter requesting information about the registered voter.  
 41               (b) After a person files a request with the election division for voter  
 42           registration information compiled under this chapter, the election



1 division shall provide a compilation of the information from the  
 2 computerized list to the person, redacting the information described in  
 3 subsection (c).

4 (c) The election division shall not provide information under this  
 5 section concerning any of the following information concerning a  
 6 voter:

7 (1) Date of birth.

8 (2) ~~Gender:~~ **Biological sex.**

9 (3) Telephone number or electronic mail address.

10 (4) Voting history.

11 (5) A voter identification number or another unique field  
 12 established to identify a voter.

13 (6) The date of registration of the voter.

14 SECTION 4. IC 4-15-2.2-12, AS ADDED BY P.L.229-2011,  
 15 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2024]: Sec. 12. (a) This chapter shall be liberally construed so  
 17 as to increase governmental efficiency and responsiveness and to  
 18 ensure the employment of qualified persons in the state classified  
 19 service on the basis of the following merit principles:

20 (1) Recruitment, selection, and promotion of employees on the  
 21 basis of an individual's relative ability, knowledge, and skills.

22 (2) The provision of equitable and adequate compensation.

23 (3) The training of employees to ensure high quality performance.

24 (4) The retention of employees based on:

25 (A) the quality of the employees' performance; and

26 (B) the correction of inadequate performance;

27 and the dismissal of employees whose inadequate performance is  
 28 not corrected.

29 (5) Fair treatment of applicants and employees in all aspects of  
 30 personnel administration:

31 (A) without regard to political affiliation, race, color, national  
 32 origin, ~~gender,~~ **biological sex**, religious creed, age, or  
 33 disability; and

34 (B) with proper regard for the applicants' and employees'  
 35 privacy and constitutional rights as citizens.

36 (6) Protection of employees from coercion for partisan political  
 37 purposes, and prohibition on an employee using the employee's  
 38 official authority to interfere with, or affect the result of, an  
 39 election or nomination for political office.

40 (b) All employment matters in the state classified service are guided  
 41 by the merit principles set forth in subsection (a).

42 (c) The personnel administration systems adopted under this chapter



1 govern and limit all other state employment matters and every  
2 appointing authority.

3 SECTION 5. IC 4-15-2.2-44, AS ADDED BY P.L.229-2011,  
4 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 44. (a) An officer or employee implementing or  
6 administering this chapter may not consider the **gender biological sex**  
7 or the political, religious, or racial characteristics of a classified  
8 employee.

9 (b) A classified employee may not be compelled to make political  
10 contributions or participate in any form of political activity.

11 SECTION 6. IC 5-2-1-9, AS AMENDED BY P.L.170-2023,  
12 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2024]: Sec. 9. (a) The board shall adopt in accordance with  
14 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.  
15 The rules, which shall be adopted only after necessary and proper  
16 investigation and inquiry by the board, shall include the establishment  
17 of the following:

18 (1) A consistent and uniform statewide deadly force policy and  
19 training program, that is consistent with state and federal law.

20 Upon adoption by the law enforcement training board, the policy  
21 and training program must be implemented, without modification,  
22 by all Indiana law enforcement agencies, offices, or departments.

23 (2) A consistent and uniform statewide defensive tactics policy  
24 and training program, that is consistent with state and federal law.

25 Upon adoption by the law enforcement training board, the policy  
26 and training program must be implemented, without modification,  
27 by all Indiana law enforcement agencies, offices, or departments.

28 (3) A uniform statewide minimum standard for vehicle pursuits  
29 consistent with state and federal law.

30 (4) Minimum standards of physical, educational, mental, and  
31 moral fitness which shall govern the acceptance of any person for  
32 training by any law enforcement training school or academy  
33 meeting or exceeding the minimum standards established  
34 pursuant to this chapter.

35 (5) Minimum standards for law enforcement training schools  
36 administered by towns, cities, counties, law enforcement training  
37 centers, agencies, or departments of the state.

38 (6) Minimum standards for courses of study, attendance  
39 requirements, equipment, and facilities for approved town, city,  
40 county, and state law enforcement officer, police reserve officer,  
41 and conservation reserve officer training schools.

42 (7) Minimum standards for a course of study on cultural diversity



1 awareness, including training on the U nonimmigrant visa created  
 2 through the federal Victims of Trafficking and Violence  
 3 Protection Act of 2000 (P.L. 106-386) that must be required for  
 4 each person accepted for training at a law enforcement training  
 5 school or academy. Cultural diversity awareness study must  
 6 include an understanding of cultural issues related to race,  
 7 religion, ~~gender~~, **biological sex**, age, domestic violence, national  
 8 origin, and physical and mental disabilities.

9 (8) Minimum qualifications for instructors at approved law  
 10 enforcement training schools.

11 (9) Minimum basic training requirements which law enforcement  
 12 officers appointed to probationary terms shall complete before  
 13 being eligible for continued or permanent employment.

14 (10) Minimum basic training requirements which law  
 15 enforcement officers appointed on other than a permanent basis  
 16 shall complete in order to be eligible for continued employment  
 17 or permanent appointment.

18 (11) Minimum basic training requirements which law  
 19 enforcement officers appointed on a permanent basis shall  
 20 complete in order to be eligible for continued employment.

21 (12) Minimum basic training requirements for each person  
 22 accepted for training at a law enforcement training school or  
 23 academy that include six (6) hours of training in interacting with:

24 (A) persons with autism, mental illness, addictive disorders,  
 25 intellectual disabilities, and developmental disabilities;

26 (B) missing endangered adults (as defined in IC 12-7-2-131.3);  
 27 and

28 (C) persons with Alzheimer's disease or related senile  
 29 dementia;

30 to be provided by persons approved by the secretary of family and  
 31 social services and the board. The training must include an  
 32 overview of the crisis intervention teams.

33 (13) Minimum standards for a course of study on human and  
 34 sexual trafficking that must be required for each person accepted  
 35 for training at a law enforcement training school or academy and  
 36 for inservice training programs for law enforcement officers. The  
 37 course must cover the following topics:

38 (A) Examination of the human and sexual trafficking laws (IC  
 39 35-42-3.5).

40 (B) Identification of human and sexual trafficking.

41 (C) Communicating with traumatized persons.

42 (D) Therapeutically appropriate investigative techniques.



- 1 (E) Collaboration with federal law enforcement officials.  
 2 (F) Rights of and protections afforded to victims.  
 3 (G) Providing documentation that satisfies the Declaration of  
 4 Law Enforcement Officer for Victim of Trafficking in Persons  
 5 (Form I-914, Supplement B) requirements established under  
 6 federal law.  
 7 (H) The availability of community resources to assist human  
 8 and sexual trafficking victims.
- 9 (14) Minimum standards for ongoing specialized, intensive, and  
 10 integrative training for persons responsible for investigating  
 11 sexual assault cases involving adult victims. This training must  
 12 include instruction on:  
 13 (A) the neurobiology of trauma;  
 14 (B) trauma informed interviewing; and  
 15 (C) investigative techniques.
- 16 (15) Minimum standards for de-escalation training. De-escalation  
 17 training shall be taught as a part of existing use-of-force training  
 18 and not as a separate topic.
- 19 (16) Minimum standards regarding best practices for crowd  
 20 control, protests, and First Amendment activities.
- 21 (17) Minimum standards for basic training and inservice training  
 22 programs, which may be completed online or by other means of  
 23 virtual instruction, that occur after December 31, 2024, and that  
 24 address the mental health and wellness of law enforcement  
 25 officers including:  
 26 (A) healthy coping skills to preserve the mental health of law  
 27 enforcement officers and manage the stress and trauma of  
 28 policing;  
 29 (B) recognizing:  
 30 (i) symptoms of posttraumatic stress disorder; and  
 31 (ii) signs of suicidal behavior; and  
 32 (C) information on mental health resources available for law  
 33 enforcement officers.
- 34 All statewide policies and minimum standards shall be documented in  
 35 writing and published on the Indiana law enforcement academy (ILEA)  
 36 website. Any policy, standard, or training program implemented,  
 37 adopted, or promulgated by a vote of the board may only subsequently  
 38 be modified or rescinded by a two-thirds (2/3) majority vote of the  
 39 board.
- 40 (b) A law enforcement officer appointed after July 5, 1972, and  
 41 before July 1, 1993, may not enforce the laws or ordinances of the state  
 42 or any political subdivision unless the officer has, within one (1) year



1 from the date of appointment, successfully completed the minimum  
 2 basic training requirements established under this chapter by the board.  
 3 If a person fails to successfully complete the basic training  
 4 requirements within one (1) year from the date of employment, the  
 5 officer may not perform any of the duties of a law enforcement officer  
 6 involving control or direction of members of the public or exercising  
 7 the power of arrest until the officer has successfully completed the  
 8 training requirements. This subsection does not apply to any law  
 9 enforcement officer appointed before July 6, 1972, or after June 30,  
 10 1993.

11 (c) Military leave or other authorized leave of absence from law  
 12 enforcement duty during the first year of employment after July 6,  
 13 1972, shall toll the running of the first year, which shall be calculated  
 14 by the aggregate of the time before and after the leave, for the purposes  
 15 of this chapter.

16 (d) Except as provided in subsections (e), (m), (t), and (u), a law  
 17 enforcement officer appointed to a law enforcement department or  
 18 agency after June 30, 1993, may not:

- 19 (1) make an arrest;
- 20 (2) conduct a search or a seizure of a person or property; or
- 21 (3) carry a firearm;

22 unless the law enforcement officer successfully completes, at a board  
 23 certified law enforcement academy or at a law enforcement training  
 24 center under section 10.5 or 15.2 of this chapter, the basic training  
 25 requirements established by the board under this chapter.

26 (e) This subsection does not apply to:

- 27 (1) a gaming agent employed as a law enforcement officer by the  
 28 Indiana gaming commission; or
- 29 (2) an:
  - 30 (A) attorney; or
  - 31 (B) investigator;

32 designated by the securities commissioner as a police officer of  
 33 the state under IC 23-19-6-1(k).

34 Before a law enforcement officer appointed after June 30, 1993,  
 35 completes the basic training requirements, the law enforcement officer  
 36 may exercise the police powers described in subsection (d) if the  
 37 officer successfully completes the pre-basic course established in  
 38 subsection (f). Successful completion of the pre-basic course authorizes  
 39 a law enforcement officer to exercise the police powers described in  
 40 subsection (d) for one (1) year after the date the law enforcement  
 41 officer is appointed.

42 (f) The board shall adopt rules under IC 4-22-2 to establish a





1 pre-basic course for the purpose of training:

- 2 (1) law enforcement officers;  
 3 (2) police reserve officers (as described in IC 36-8-3-20); and  
 4 (3) conservation reserve officers (as described in IC 14-9-8-27);

5 regarding the subjects of arrest, search and seizure, the lawful use of  
 6 force, de-escalation training, interacting with individuals with autism,  
 7 and the operation of an emergency vehicle. The pre-basic course must  
 8 be offered on a periodic basis throughout the year at regional sites  
 9 statewide. The pre-basic course must consist of at least forty (40) hours  
 10 of course work. The board may prepare the classroom part of the  
 11 pre-basic course using available technology in conjunction with live  
 12 instruction. The board shall provide the course material, the instructors,  
 13 and the facilities at the regional sites throughout the state that are used  
 14 for the pre-basic course. In addition, the board may certify pre-basic  
 15 courses that may be conducted by other public or private training  
 16 entities, including postsecondary educational institutions.

17 (g) Subject to subsection (h), the board shall adopt rules under  
 18 IC 4-22-2 to establish a mandatory inservice training program for  
 19 police officers and police reserve officers (as described in  
 20 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has  
 21 satisfactorily completed basic training and has been appointed to a law  
 22 enforcement department or agency on either a full-time or part-time  
 23 basis is not eligible for continued employment unless the officer  
 24 satisfactorily completes the mandatory inservice training requirements  
 25 established by rules adopted by the board. Inservice training must  
 26 include de-escalation training. Inservice training must also include:

27 (1) training:

28 (A) in interacting with persons with mental illness, addictive  
 29 disorders, intellectual disabilities, autism, developmental  
 30 disabilities, and Alzheimer's disease or related senile  
 31 dementia; and

32 (B) provided by persons approved by the secretary of family  
 33 and social services and the board;

34 (2) after December 31, 2024, annual training, which may be  
 35 completed online or by other means of virtual instruction, that  
 36 addresses the mental health and wellness of law enforcement  
 37 officers including:

38 (A) healthy coping skills to preserve the mental health of law  
 39 enforcement officers and manage the stress and trauma of  
 40 policing;

41 (B) recognizing:

42 (i) symptoms of posttraumatic stress disorder; and



- 1 (ii) signs of suicidal behavior; and  
 2 (C) information on mental health resources available for law  
 3 enforcement officers; and  
 4 (3) training concerning:  
 5 (A) human and sexual trafficking; and  
 6 (B) high risk missing persons (as defined in IC 5-2-17-1).
- 7 The board may approve courses offered by other public or private  
 8 training entities, including postsecondary educational institutions, as  
 9 necessary in order to ensure the availability of an adequate number of  
 10 inservice training programs. The board may waive an officer's inservice  
 11 training requirements if the board determines that the officer's reason  
 12 for lacking the required amount of inservice training hours is due to  
 13 either an emergency situation or the unavailability of courses.
- 14 (h) This subsection applies only to a mandatory inservice training  
 15 program under subsection (g). Notwithstanding subsection (g), the  
 16 board may, without adopting rules under IC 4-22-2, modify the course  
 17 work of a training subject matter, modify the number of hours of  
 18 training required within a particular subject matter, or add a new  
 19 subject matter, if the board satisfies the following requirements:
- 20 (1) The board must conduct at least two (2) public meetings on  
 21 the proposed modification or addition.  
 22 (2) After approving the modification or addition at a public  
 23 meeting, the board must post notice of the modification or  
 24 addition on the Indiana law enforcement academy's website at  
 25 least thirty (30) days before the modification or addition takes  
 26 effect.
- 27 If the board does not satisfy the requirements of this subsection, the  
 28 modification or addition is void. This subsection does not authorize the  
 29 board to eliminate any inservice training subject matter required under  
 30 subsection (g).
- 31 (i) The board shall also adopt rules establishing a town marshal and  
 32 conservancy district marshal basic training program, subject to the  
 33 following:
- 34 (1) The program must require fewer hours of instruction and class  
 35 attendance and fewer courses of study than are required for the  
 36 mandated basic training program.  
 37 (2) Certain parts of the course materials may be studied by a  
 38 candidate at the candidate's home in order to fulfill requirements  
 39 of the program.  
 40 (3) Law enforcement officers successfully completing the  
 41 requirements of the program are eligible for appointment only in  
 42 towns employing the town marshal system (IC 36-5-7) or a



- 1 conservancy district that employs a conservancy district marshal  
2 under IC 14-33-25 and having not more than one (1) marshal and  
3 six (6) deputies.
- 4 (4) The limitation imposed by subdivision (3) does not apply to an  
5 officer who has successfully completed the mandated basic  
6 training program.
- 7 (5) The time limitations imposed by subsections (b) and (c) for  
8 completing the training are also applicable to the marshal basic  
9 training program.
- 10 (6) The program must require training in interacting with  
11 individuals with autism.
- 12 (j) The board shall adopt rules under IC 4-22-2 to establish an  
13 executive training program. The executive training program must  
14 include training in the following areas:
- 15 (1) Liability.  
16 (2) Media relations.  
17 (3) Accounting and administration.  
18 (4) Discipline.  
19 (5) Department policy making.  
20 (6) Lawful use of force and de-escalation training.  
21 (7) Department programs.  
22 (8) Emergency vehicle operation.  
23 (9) Cultural diversity.  
24 (10) After December 31, 2024, mental health and wellness and  
25 suicide prevention of law enforcement officers. The training  
26 requirement under this subdivision may be provided as part of an  
27 online course or by other means of virtual instruction.
- 28 (k) A police chief shall apply for admission to the executive training  
29 program within two (2) months of the date the police chief initially  
30 takes office. A police chief must successfully complete the executive  
31 training program within six (6) months of the date the police chief  
32 initially takes office. However, if space in the executive training  
33 program is not available at a time that will allow completion of the  
34 executive training program within six (6) months of the date the police  
35 chief initially takes office, the police chief must successfully complete  
36 the next available executive training program that is offered after the  
37 police chief initially takes office.
- 38 (l) A police chief who fails to comply with subsection (k) may not  
39 continue to serve as the police chief until completion of the executive  
40 training program. For the purposes of this subsection and subsection  
41 (k), "police chief" refers to:  
42 (1) the police chief of any city;



1 (2) the police chief of any town having a metropolitan police  
2 department; and

3 (3) the chief of a consolidated law enforcement department  
4 established under IC 36-3-1-5.1.

5 A town marshal or a conservancy district marshal is not considered to  
6 be a police chief for these purposes, but a town marshal or a  
7 conservancy district marshal may enroll in the executive training  
8 program.

9 (m) A fire investigator in the department of homeland security  
10 appointed after December 31, 1993, is required to comply with the  
11 basic training standards established under this chapter.

12 (n) The board shall adopt rules under IC 4-22-2 to establish a  
13 program to certify handgun safety courses, including courses offered  
14 in the private sector, that meet standards approved by the board for  
15 training probation officers in handgun safety as required by  
16 IC 11-13-1-3.5(2).

17 (o) The board shall adopt rules under IC 4-22-2 to establish a  
18 refresher course for an officer who:

19 (1) is hired by an Indiana law enforcement department or agency  
20 as a law enforcement officer;

21 (2) has not been employed as a law enforcement officer for:

22 (A) at least two (2) years; and

23 (B) less than six (6) years before the officer is hired under  
24 subdivision (1); and

25 (3) completed at any time a basic training course certified or  
26 recognized by the board before the officer is hired under  
27 subdivision (1).

28 (p) An officer to whom subsection (o) applies must successfully  
29 complete the refresher course described in subsection (o) not later than  
30 six (6) months after the officer's date of hire, or the officer loses the  
31 officer's powers of:

32 (1) arrest;

33 (2) search; and

34 (3) seizure.

35 (q) The board shall adopt rules under IC 4-22-2 to establish a  
36 refresher course for an officer who:

37 (1) is appointed by an Indiana law enforcement department or  
38 agency as a reserve police officer; and

39 (2) has not worked as a reserve police officer for at least two (2)  
40 years after:

41 (A) completing the pre-basic course; or

42 (B) leaving the individual's last appointment as a reserve



- 1 police officer.
- 2 An officer to whom this subsection applies must successfully complete  
3 the refresher course established by the board in order to work as a  
4 reserve police officer.
- 5 (r) This subsection applies to an individual who, at the time the  
6 individual completes a board certified or recognized basic training  
7 course, has not been appointed as a law enforcement officer by an  
8 Indiana law enforcement department or agency. If the individual is not  
9 employed as a law enforcement officer for at least two (2) years after  
10 completing the basic training course, the individual must successfully  
11 retake and complete the basic training course as set forth in subsection  
12 (d).
- 13 (s) The board shall adopt rules under IC 4-22-2 to establish a  
14 refresher course for an individual who:
- 15 (1) is appointed as a board certified instructor of law enforcement  
16 training; and  
17 (2) has not provided law enforcement training instruction for  
18 more than one (1) year after the date the individual's instructor  
19 certification expired.
- 20 An individual to whom this subsection applies must successfully  
21 complete the refresher course established by the board in order to  
22 renew the individual's instructor certification.
- 23 (t) This subsection applies only to a gaming agent employed as a  
24 law enforcement officer by the Indiana gaming commission. A gaming  
25 agent appointed after June 30, 2005, may exercise the police powers  
26 described in subsection (d) if:
- 27 (1) the agent successfully completes the pre-basic course  
28 established in subsection (f); and  
29 (2) the agent successfully completes any other training courses  
30 established by the Indiana gaming commission in conjunction  
31 with the board.
- 32 (u) This subsection applies only to a securities enforcement officer  
33 designated as a law enforcement officer by the securities  
34 commissioner. A securities enforcement officer may exercise the police  
35 powers described in subsection (d) if:
- 36 (1) the securities enforcement officer successfully completes the  
37 pre-basic course established in subsection (f); and  
38 (2) the securities enforcement officer successfully completes any  
39 other training courses established by the securities commissioner  
40 in conjunction with the board.
- 41 (v) This subsection applies only to a correctional police officer  
42 employed by the department of correction. A correctional police officer



- 1 may exercise the police powers described in subsection (d) if:
- 2 (1) the officer successfully completes the pre-basic course
- 3 described in subsection (f); and
- 4 (2) the officer successfully completes any other training courses
- 5 established by the department of correction in conjunction with
- 6 the board.
- 7 (w) This subsection applies only to the sexual assault training
- 8 described in subsection (a)(14). The board shall:
- 9 (1) consult with experts on the neurobiology of trauma, trauma
- 10 informed interviewing, and investigative techniques in developing
- 11 the sexual assault training; and
- 12 (2) develop the sexual assault training and begin offering the
- 13 training not later than July 1, 2022.
- 14 (x) After July 1, 2023, a law enforcement officer who regularly
- 15 investigates sexual assaults involving adult victims must complete the
- 16 training requirements described in subsection (a)(14) within one (1)
- 17 year of being assigned to regularly investigate sexual assaults involving
- 18 adult victims.
- 19 (y) A law enforcement officer who regularly investigates sexual
- 20 assaults involving adult victims may complete the training
- 21 requirements described in subsection (a)(14) by attending a:
- 22 (1) statewide or national training; or
- 23 (2) department hosted local training.
- 24 (z) Notwithstanding any other provisions of this section, the board
- 25 is authorized to establish certain required standards of training and
- 26 procedure.
- 27 SECTION 7. IC 5-2-8-1, AS AMENDED BY P.L.59-2019,
- 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2024]: Sec. 1. (a) The following definitions apply in this
- 30 section:
- 31 (1) "Abuse" means:
- 32 (A) conduct that causes bodily injury (as defined in
- 33 IC 35-31.5-2-29) or damage to property; or
- 34 (B) a threat of conduct that would cause bodily injury (as
- 35 defined in IC 35-31.5-2-29) or damage to property.
- 36 (2) "County law enforcement agency" includes:
- 37 (A) postsecondary educational institution police officers
- 38 appointed under IC 21-17-5 or IC 21-39-4; and
- 39 (B) school corporation police officers appointed under
- 40 IC 20-26-16.
- 41 (b) There is established in each county a county law enforcement
- 42 continuing education program. The program is funded by amounts



1 appropriated under IC 33-37-8-4 or IC 33-37-8-6.

2 (c) A county law enforcement agency receiving amounts based upon  
3 claims for law enforcement continuing education funds under  
4 IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the  
5 county law enforcement continuing education fund.

6 (d) Distribution of money in the county law enforcement continuing  
7 education fund shall be made to a county law enforcement agency  
8 without the necessity of first obtaining an appropriation from the  
9 county fiscal body.

10 (e) Money in excess of one hundred dollars (\$100) that is  
11 unencumbered and remains in a county law enforcement continuing  
12 education fund for at least one (1) entire calendar year from the date of  
13 its deposit shall, at the end of a county's fiscal year, be deposited by the  
14 county auditor in the law enforcement academy fund established under  
15 IC 5-2-1-13.

16 (f) To make a claim under IC 33-37-8-6, a law enforcement agency  
17 shall submit to the fiscal body a verified statement of cause numbers  
18 for fees collected that are attributable to the law enforcement efforts of  
19 that agency.

20 (g) A law enforcement agency shall submit a claim for fees under  
21 this section in the same county fiscal year in which the fees are  
22 collected under IC 33-37-4.

23 (h) A county law enforcement agency program shall provide to each  
24 law enforcement officer employed by the county and may provide to  
25 each law enforcement officer employed by a city or town law  
26 enforcement agency within the county continuing education concerning  
27 the following:

28 (1) Duties of a law enforcement officer in enforcing restraining  
29 orders, protective orders, temporary injunctions, and permanent  
30 injunctions involving abuse.

31 (2) Guidelines for making felony and misdemeanor arrests in  
32 cases involving abuse.

33 (3) Techniques for handling incidents of abuse that:

34 (A) minimize the likelihood of injury to the law enforcement  
35 officer; and

36 (B) promote the safety of a victim.

37 (4) Information about the nature and extent of abuse.

38 (5) Information about the legal rights of and remedies available  
39 to victims of abuse, including the U nonimmigrant visa created  
40 under the federal Victims of Trafficking and Violence Protection  
41 Act of 2000 (P.L. 106-386).

42 (6) How to document and collect evidence in an abuse case.



- 1 (7) The legal consequences of abuse.
- 2 (8) The impact on children of law enforcement intervention in
- 3 abuse cases.
- 4 (9) Services and facilities available to victims of abuse and
- 5 abusers.
- 6 (10) Verification of restraining orders, protective orders,
- 7 temporary injunctions, and permanent injunctions.
- 8 (11) Policies concerning arrest or release of suspects in abuse
- 9 cases.
- 10 (12) Emergency assistance to victims of abuse and criminal
- 11 justice options for victims of abuse.
- 12 (13) Landlord-tenant concerns in abuse cases.
- 13 (14) The taking of an abused child into protective custody.
- 14 (15) Assessment of a situation in which a child may be seriously
- 15 endangered if the child is left in the child's home.
- 16 (16) Assessment of a situation involving an endangered adult (as
- 17 defined in IC 12-10-3-2).
- 18 (17) Response to a sudden, unexpected infant death.
- 19 (18) Performing cardiopulmonary resuscitation and the Heimlich
- 20 maneuver.
- 21 (19) Cultural diversity awareness that includes an understanding
- 22 of cultural issues related to race, religion, **gender, biological sex,**
- 23 age, domestic violence, national origin, and physical and mental
- 24 disabilities.
- 25 (i) A county law enforcement agency may provide continuing
- 26 education under subsection (h) to each police reserve officer (described
- 27 in IC 36-8-3-20) appointed by the county law enforcement agency.
- 28 (j) A county law enforcement agency may enter into an agreement
- 29 with other law enforcement agencies to provide the continuing
- 30 education required by this section and section 2(f) of this chapter.
- 31 SECTION 8. IC 5-2-17-6, AS ADDED BY P.L.92-2007, SECTION
- 32 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 33 2024]: Sec. 6. (a) Upon receipt of a report of a missing person, a law
- 34 enforcement agency shall attempt to gather relevant information that
- 35 will assist in locating the missing person. This information must
- 36 include the following, if available:
- 37 (1) The name of the missing person, including any aliases.
- 38 (2) The date of birth of the missing person.
- 39 (3) Any identifying marks, such as a birthmark, mole, tattoo, or
- 40 scar.
- 41 (4) The height and weight of the missing person.
- 42 (5) The **gender biological sex** of the missing person.





- 1 (6) The race of the missing person.
- 2 (7) The color of the missing person's hair at the time of the
- 3 disappearance, and, if applicable, the natural color of the missing
- 4 person's hair.
- 5 (8) The eye color of the missing person.
- 6 (9) Any prosthetic devices or surgical or cosmetic implants that
- 7 the missing person may have.
- 8 (10) Any physical anomalies of the missing person.
- 9 (11) The blood type of the missing person.
- 10 (12) The driver's license number of the missing person.
- 11 (13) A recent photograph of the missing person.
- 12 (14) A description of the clothing that the missing person was
- 13 wearing when last seen.
- 14 (15) A description of any other items, including jewelry or other
- 15 accessories, that the missing person may have possessed at the
- 16 time of the disappearance.
- 17 (16) Contact information for the missing person, including
- 18 electronic mail addresses and cellular telephone numbers.
- 19 (17) Why the person submitting the report believes that the
- 20 missing person is missing.
- 21 (18) The name and location of the missing person's school or
- 22 employer.
- 23 (19) The names and locations of the missing person's dentist and
- 24 physician.
- 25 (20) Any reason to believe that the missing person's
- 26 disappearance was not voluntary.
- 27 (21) Any reason to believe that the missing person may be in
- 28 danger.
- 29 (22) A detailed description of the missing person's vehicle.
- 30 (23) Information concerning:
  - 31 (A) the person with whom the missing person was last seen; or
  - 32 (B) a possible abductor.
- 33 (24) The date of last contact with the missing person.
- 34 (25) Any other information that will assist in locating the missing
- 35 person.
- 36 (b) A law enforcement agency shall determine as soon as possible
- 37 after receipt of a report of a missing person whether the missing person
- 38 is a high risk missing person. If a law enforcement agency determines
- 39 that a missing person is not a high risk missing person and new
- 40 information suggests that the missing person may be a high risk
- 41 missing person, the law enforcement agency shall make a new
- 42 determination as to whether the person is a high risk missing person.



1 (c) A law enforcement agency that determines after a diligent  
2 investigation that a missing person is either voluntarily missing or not  
3 missing may stop the investigation.

4 (d) A law enforcement agency stopping an investigation under  
5 subsection (c) must document the investigative steps and the results of  
6 the investigation that led to the conclusion that the person reported  
7 missing is either voluntarily missing or not missing.

8 (e) A law enforcement agency that stops an investigation under  
9 subsection (c) may not disclose the location of the missing person to  
10 the person who made the missing person report if the missing person  
11 requests that the information not be disclosed.

12 SECTION 9. IC 5-2-18.2-8, AS ADDED BY P.L.171-2011,  
13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2024]: Sec. 8. This chapter shall be enforced without regard  
15 to race, religion, ~~gender~~, **biological sex**, ethnicity, or national origin.

16 SECTION 10. IC 6-3.6-7-12.5, AS ADDED BY P.L.184-2018,  
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2024]: Sec. 12.5. (a) This section applies to Jennings County.

19 (b) The county council may, by ordinance, determine that additional  
20 local income tax revenue is needed in the county to do the following:

21 (1) Finance, construct, acquire, improve, renovate, and equip the  
22 county jail and related buildings and parking facilities, including  
23 costs related to the demolition of existing buildings, the  
24 acquisition of land, and any other reasonably related costs.

25 (2) Repay bonds issued or leases entered into for the purposes  
26 described in subdivision (1).

27 Before the county council may adopt an ordinance and make a  
28 determination under this subsection, the county council must first study  
29 the feasibility of, the need for, and the desire of contiguous counties to  
30 establish a regional ~~single gender~~ **jail for the detention or**  
31 **incarceration of individuals of the same biological sex.**

32 (c) If the county council makes the determination set forth in  
33 subsection (b), the county council may adopt an ordinance to impose  
34 a local income tax rate of:

- 35 (1) fifteen-hundredths percent (0.15%);  
36 (2) two-tenths percent (0.2%);  
37 (3) twenty-five hundredths percent (0.25%);  
38 (4) three-tenths percent (0.3%);  
39 (5) thirty-five hundredths percent (0.35%);  
40 (6) four-tenths percent (0.4%);  
41 (7) forty-five hundredths percent (0.45%);  
42 (8) five-tenths percent (0.5%);



1 (9) fifty-five hundredths percent (0.55%);

2 (10) six-tenths percent (0.6%); or

3 (11) sixty-five hundredths percent (0.65%).

4 The tax rate may not be greater than the rate necessary to pay for the  
5 purposes described in subsection (b).

6 (d) The tax rate under this section may be imposed only until the  
7 latest of the following dates:

8 (1) The date on which the financing, construction, acquisition,  
9 improvement, renovation, and equipping of the facilities as  
10 described in subsection (b) are completed.

11 (2) The date on which the last of any bonds issued (including  
12 refunding bonds) or leases entered into to finance the  
13 construction, acquisition, improvement, renovation, and  
14 equipping of the facilities described in subsection (b) are fully  
15 paid.

16 (3) The date on which an ordinance adopted under subsection (c)  
17 is rescinded.

18 (e) The tax rate under this section may be imposed beginning on the  
19 effective date of the ordinance as provided in IC 6-3.6-3-3 and until the  
20 date specified in subsection (d).

21 (f) The term of a bond issued (including any refunding bond) or a  
22 lease entered into under subsection (b) may not exceed twenty-five (25)  
23 years.

24 (g) The county treasurer shall establish a county jail revenue fund  
25 to be used only for the purposes described in this section. Local income  
26 tax revenues derived from the tax rate imposed under this section shall  
27 be deposited in the county jail revenue fund.

28 (h) Local income tax revenues derived from the tax rate imposed  
29 under this section:

30 (1) may be used only for the purposes described in this section;

31 (2) may not be considered by the department of local government  
32 finance in determining the county's maximum permissible  
33 property tax levy limit under IC 6-1.1-18.5; and

34 (3) may be pledged to the repayment of bonds issued or leases  
35 entered into for the purposes described in subsection (b).

36 (i) The use of local income tax revenues as provided in this section  
37 is necessary for the county to provide adequate jail capacity in the  
38 county and to maintain low property tax rates essential to economic  
39 development. The use of local income tax revenues as provided in this  
40 section to pay any bonds issued or leases entered into to finance the  
41 construction, acquisition, improvement, renovation, and equipping of  
42 the facilities described in subsection (b), rather than the use of property



1 taxes, promotes those purposes.

2 (j) Money accumulated from the local income tax rate imposed  
3 under this section after the termination of the tax under this section  
4 shall be transferred to the county rainy day fund under IC 36-1-8-5.1.

5 SECTION 11. IC 9-24-9-2, AS AMENDED BY P.L.211-2023,  
6 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2024]: Sec. 2. (a) Except as provided in subsection (b), each  
8 application for a driver's license or permit under this chapter must  
9 require the following information:

10 (1) The full legal name of the applicant.

11 (2) The applicant's date of birth.

12 (3) The ~~gender~~ **biological sex** of the applicant.

13 (4) The applicant's height, weight, hair color, and eye color.

14 (5) The address of the applicant.

15 (6) A:

16 (A) valid Social Security number; or

17 (B) verification of an applicant's:

18 (i) ineligibility to be issued a Social Security number;

19 (ii) identity; and

20 (iii) lawful status, except for an individual granted parole.

21 (7) Whether the applicant has been subject to fainting spells or  
22 seizures.

23 (8) Whether the applicant has been issued a driver's license or has  
24 been the holder of a permit, and if so, when and by what  
25 jurisdiction.

26 (9) Whether the applicant's driver's license or permit has ever  
27 been suspended or revoked, and if so, the date of and the reason  
28 for the suspension or revocation.

29 (10) Whether the applicant has been convicted of:

30 (A) a crime punishable as a felony under Indiana motor  
31 vehicle law; or

32 (B) any other felony in the commission of which a motor  
33 vehicle was used;

34 that has not been expunged by a court.

35 (11) Whether the applicant has a physical or mental disability,  
36 and if so, the nature of the disability.

37 (12) The signature of the applicant showing the applicant's legal  
38 name as it appears or will appear on the driver's license or permit.

39 (13) A digital photograph of the applicant.

40 (14) Any other information the bureau requires.

41 (b) For purposes of subsection (a), an individual certified as a  
42 program participant in the address confidentiality program under



1 IC 5-26.5 is not required to provide the individual's address, but may  
 2 provide an address designated by the office of the attorney general  
 3 under IC 5-26.5 as the individual's address.

4 (c) In addition to the information required by subsection (a), an  
 5 applicant who is required to complete at least fifty (50) hours of  
 6 supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or  
 7 IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time  
 8 logged in practice driving.

9 SECTION 12. IC 9-24-11-5, AS AMENDED BY P.L.211-2023,  
 10 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2024]: Sec. 5. (a) Except as provided in subsection (d), a  
 12 learner's permit or driver's license issued under this article must contain  
 13 the following information:

- 14 (1) The full legal name of the permittee or licensee.
- 15 (2) The date of birth of the permittee or licensee.
- 16 (3) The address of the principal residence of the permittee or  
 17 licensee.
- 18 (4) The hair color and eye color of the permittee or licensee.
- 19 (5) The date of issue and expiration date of the permit or license.
- 20 (6) The **gender biological sex** of the permittee or licensee.
- 21 (7) The unique identifying number of the permit or license.
- 22 (8) The weight of the permittee or licensee.
- 23 (9) The height of the permittee or licensee.
- 24 (10) A reproduction of the signature of the permittee or licensee.
- 25 (11) If the permittee or licensee is less than eighteen (18) years of  
 26 age at the time of issuance, the dates, notated prominently, on  
 27 which the permittee or licensee will become:
  - 28 (A) eighteen (18) years of age; and
  - 29 (B) twenty-one (21) years of age.
- 30 (12) If the permittee or licensee is at least eighteen (18) years of  
 31 age but less than twenty-one (21) years of age at the time of  
 32 issuance, the date, notated prominently, on which the permittee or  
 33 licensee will become twenty-one (21) years of age.
- 34 (13) Except as provided in subsection (b), a digital photograph of  
 35 the permittee or licensee.

36 (b) The bureau may provide for the omission of a photograph or  
 37 computerized image from any driver's license or learner's permit issued  
 38 in the form of a physical credential if there is good cause for the  
 39 omission. However, a driver's license or learner's permit issued without  
 40 a digital photograph may not be issued in the form of a mobile  
 41 credential and must include a statement that indicates that the driver's  
 42 license or learner's permit issued without a digital photograph may not



1 be accepted by a federal agency for federal identification or any other  
2 federal purpose.

3 (c) A driver's license or learner's permit issued to an individual who  
4 has:

- 5 (1) temporary lawful status as indicated by:  
6 (A) a valid, unexpired nonimmigrant visa or has nonimmigrant  
7 visa status for entry in the United States;  
8 (B) a pending application for asylum in the United States;  
9 (C) a pending or approved application for temporary protected  
10 status in the United States;  
11 (D) having an approved deferred action status; or  
12 (E) a pending application for adjustment of status to that of an  
13 alien lawfully admitted for permanent residence in the United  
14 States or conditional permanent residence status in the United  
15 States; or

16 (2) been granted parole;

17 must be clearly identified as a temporary driver's license or learner's  
18 permit. A temporary driver's license or learner's permit issued under  
19 this subsection may not be renewed without the presentation of valid  
20 documentary evidence proving that the licensee's or permittee's  
21 temporary status has been extended.

22 (d) For purposes of subsection (a), an individual certified as a  
23 program participant in the address confidentiality program under  
24 IC 5-26.5 is not required to provide the address of the individual's  
25 principal residence, but may provide an address designated by the  
26 office of the attorney general under IC 5-26.5 as the address of the  
27 individual's principal residence.

28 SECTION 13. IC 9-24-16-2, AS AMENDED BY P.L.211-2023,  
29 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2024]: Sec. 2. (a) An application for an identification card to  
31 be issued under this chapter in the form of a physical credential must  
32 contain the following questions:

- 33 (1) "Have you served in the armed forces of the United States?".  
34 (2) "Are you the surviving spouse of someone who served in the  
35 armed forces of the United States or their reserves, in the National  
36 Guard, or in the Indiana National Guard?".

37 (b) In addition to the questions set forth in subsection (a), an  
38 application for an identification card issued under this chapter in the  
39 form of a physical credential must require the following information  
40 concerning an applicant:

- 41 (1) The full legal name of the applicant.  
42 (2) The applicant's date of birth.



- 1 (3) The ~~gender~~ **biological sex** of the applicant.
- 2 (4) The applicant's height, weight, hair color, and eye color.
- 3 (5) The principal address and mailing address of the applicant.
- 4 (6) A:
- 5 (A) valid Social Security number; or
- 6 (B) verification of an applicant's:
- 7 (i) ineligibility to be issued a Social Security number;
- 8 (ii) identity; and
- 9 (iii) lawful status, except for an individual granted parole.
- 10 (7) A digital photograph of the applicant.
- 11 (8) The signature of the applicant showing the applicant's legal
- 12 name as it will appear on the identification card issued in the form
- 13 of a physical credential.
- 14 (9) If the applicant is also applying for a motor driven cycle
- 15 endorsement, verification that the applicant has satisfactorily
- 16 completed the test required under section 3.6 of this chapter.
- 17 (c) The bureau may invalidate an identification card issued in the
- 18 form of a physical credential that the bureau believes to have been
- 19 issued as a result of fraudulent documentation.
- 20 (d) The bureau:
- 21 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
- 22 verify an applicant's identity and lawful status; and
- 23 (2) may adopt rules to establish a procedure to temporarily
- 24 invalidate an identification card issued in the form of a physical
- 25 credential that it believes to have been issued based on fraudulent
- 26 documentation.
- 27 (e) For purposes of subsection (b), an individual certified as a
- 28 program participant in the address confidentiality program under
- 29 IC 5-26.5 is not required to provide the individual's principal address
- 30 and mailing address, but may provide an address designated by the
- 31 office of the attorney general under IC 5-26.5 as the individual's
- 32 principal address and mailing address.
- 33 (f) In addition to the information required under subsection (b), an
- 34 application for an identification card to be issued under this chapter in
- 35 the form of a physical credential must enable the applicant to indicate
- 36 that the applicant is a veteran and wishes to have an indication of the
- 37 applicant's veteran status appear on the identification card issued in the
- 38 form of a physical credential. An applicant who wishes to have an
- 39 indication of the applicant's veteran status appear on the identification
- 40 card issued in the form of a physical credential must:
- 41 (1) indicate on the application that the applicant:
- 42 (A) is a veteran; and



- 1 (B) wishes to have an indication of the applicant's veteran  
 2 status appear on the identification card; and  
 3 (2) provide proof at the time of application of the applicant's  
 4 veteran status.
- 5 (g) In addition to the information required under subsection (b), an  
 6 application for an identification card to be issued under this chapter in  
 7 the form of a physical credential must enable the applicant to indicate  
 8 that the applicant is a surviving spouse of a veteran and wishes to have  
 9 an indication of the applicant's status as a surviving spouse of a veteran  
 10 appear on the identification card issued in the form of a physical  
 11 credential. An applicant who wishes to have an indication of the  
 12 applicant's status as a surviving spouse of a veteran appear on the  
 13 identification card issued in the form of a physical credential must:  
 14 (1) indicate on the application that the applicant:  
 15 (A) is the surviving spouse of a veteran of the armed forces of  
 16 the United States; and  
 17 (B) wishes to have an indication of the applicant's status as a  
 18 surviving spouse of a veteran appear on the identification card  
 19 issued in the form of a physical credential; and  
 20 (2) provide the documentation necessary to verify that the  
 21 applicant was married, at the time of the decedent's death, to a  
 22 veteran.
- 23 (h) The bureau shall keep in a data base and share the information  
 24 submitted under subsections (a) and (g) at least annually with the  
 25 Indiana department of veterans' affairs. The information submitted  
 26 under subsections (a) and (g) may be used by the Indiana department  
 27 of veterans' affairs to develop outreach programs for veterans and their  
 28 families.
- 29 (i) The application for an identification card to be issued under this  
 30 chapter in the form of a physical credential must indicate that an  
 31 applicant has the option whether or not to answer the questions set  
 32 forth in subsection (a).
- 33 SECTION 14. IC 9-24-16-3, AS AMENDED BY P.L.211-2023,  
 34 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2024]: Sec. 3. (a) An identification card:  
 36 (1) issued in the form of a physical credential must have the same  
 37 dimensions and shape as a driver's license; and  
 38 (2) in the form of a mobile credential must contain the same data  
 39 contained in a driver's license;  
 40 but the card must have markings sufficient to distinguish the card from  
 41 a driver's license.  
 42 (b) Except as provided in subsection (g), the front side of an





1 identification card issued in the form of a physical credential must  
 2 contain the expiration date of the identification card and the following  
 3 information about the individual to whom the card is being issued:

- 4 (1) Full legal name.
- 5 (2) The address of the principal residence.
- 6 (3) Date of birth.
- 7 (4) Date of issue and date of expiration.
- 8 (5) Unique identification number.
- 9 (6) ~~Gender.~~ **Biological sex.**
- 10 (7) Weight.
- 11 (8) Height.
- 12 (9) Color of eyes and hair.
- 13 (10) Reproduction of the signature of the individual identified.
- 14 (11) Whether the individual is blind (as defined in
- 15 IC 12-7-2-21(1)).
- 16 (12) If the individual is less than eighteen (18) years of age at the
- 17 time of issuance, the dates on which the individual will become:
- 18 (A) eighteen (18) years of age; and
- 19 (B) twenty-one (21) years of age.
- 20 (13) If the individual is at least eighteen (18) years of age but less
- 21 than twenty-one (21) years of age at the time of issuance, the date
- 22 on which the individual will become twenty-one (21) years of age.
- 23 (14) Digital photograph of the individual.

24 (c) The information contained on the identification card as required  
 25 by subsection (b)(12) or (b)(13) for an individual who is less than  
 26 twenty-one (21) years of age at the time of issuance shall be notated  
 27 prominently on the identification card issued in the form of a physical  
 28 credential.

29 (d) If the individual complies with section 2(f) or 2(g) of this  
 30 chapter, an indication of the individual's veteran status or status as the  
 31 surviving spouse of a veteran of the armed forces of the United States,  
 32 as applicable, shall be shown on the identification card issued in the  
 33 form of a physical credential.

34 (e) If the applicant for an identification card issued in the form of a  
 35 physical credential submits information to the bureau concerning the  
 36 applicant's medical condition, the bureau shall place an identifying  
 37 symbol on the face of the identification card issued in the form of a  
 38 physical credential to indicate that the applicant has a medical  
 39 condition of note. The bureau shall include information on the  
 40 identification card issued in the form of a physical credential that  
 41 briefly describes the medical condition of the holder of the card issued  
 42 in the form of a physical credential. The information must be printed



1 in a manner that alerts a person reading the card issued in the form of  
 2 a physical credential to the existence of the medical condition. The  
 3 applicant for an identification card issued in the form of a physical  
 4 credential is responsible for the accuracy of the information concerning  
 5 the medical condition submitted under this subsection. The bureau  
 6 shall inform an applicant that submission of information under this  
 7 subsection is voluntary.

8 (f) An identification card issued by the state to an individual who  
 9 has:

- 10 (1) temporary lawful status as indicated by:  
 11 (A) a valid, unexpired nonimmigrant visa or has nonimmigrant  
 12 visa status for entry in the United States;  
 13 (B) a pending application for asylum in the United States;  
 14 (C) a pending or approved application for temporary protected  
 15 status in the United States;  
 16 (D) having an approved deferred action status; or  
 17 (E) a pending application for adjustment of status to that of an  
 18 alien lawfully admitted for permanent residence in the United  
 19 States or conditional permanent residence status in the United  
 20 States; or

21 (2) been granted parole;

22 must be issued in the form of a physical credential and clearly  
 23 identified as a temporary identification card. A temporary identification  
 24 card issued under this subsection may not be renewed without the  
 25 presentation of valid documentary evidence proving that the holder of  
 26 the identification card's temporary status has been extended.

27 (g) For purposes of subsection (b), an individual certified as a  
 28 program participant in the address confidentiality program under  
 29 IC 5-26.5 is not required to provide the address of the individual's  
 30 principal residence, but may provide an address designated by the  
 31 office of the attorney general under IC 5-26.5 as the address of the  
 32 individual's principal residence.

33 (h) The bureau shall validate an identification card issued in the  
 34 form of a physical credential for motor driven cycle operation upon a  
 35 highway by endorsement to an individual who:

- 36 (1) applies for or has previously been issued an identification card  
 37 under this chapter;  
 38 (2) makes the appropriate application for endorsement; and  
 39 (3) satisfactorily completes the test required under section 3.6 of  
 40 this chapter.

41 The bureau shall place a designation on the face of the identification  
 42 card issued in the form of a physical credential to indicate that the



1 individual has received a motor driven cycle endorsement.

2 SECTION 15. IC 9-24-16.5-2, AS AMENDED BY P.L.198-2016,  
3 SECTION 516, IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) An application for a photo  
5 exempt identification card issued under this chapter must require the  
6 following information concerning an applicant:

- 7 (1) The full legal name of the applicant.  
8 (2) The applicant's date of birth.  
9 (3) The **gender biological sex** of the applicant.  
10 (4) The applicant's height, weight, hair color, and eye color.  
11 (5) The principal address and mailing address of the applicant.  
12 (6) A:  
13 (A) valid Social Security number;  
14 (B) verification of the applicant's ineligibility to be issued a  
15 Social Security number; or  
16 (C) statement from the applicant in which the applicant swears  
17 or affirms that the applicant has a sincerely held religious  
18 belief against the issuance of a Social Security number to the  
19 applicant and a copy of Form 4029 from the United States  
20 Internal Revenue Service concerning the applicant.  
21 (7) A digital image of the applicant.  
22 (8) A statement:  
23 (A) from the applicant in which the applicant swears or affirms  
24 that the applicant has a sincerely held religious belief against  
25 the taking of a photograph of the applicant; and  
26 (B) from a member of the clergy of the religious organization  
27 of which the applicant is a member regarding the prohibition  
28 of photography of members of the religious organization.  
29 (9) The signature of the applicant.  
30 (10) Valid documentary evidence that the applicant is a citizen or  
31 national of the United States. The bureau shall maintain records  
32 of the information provided under this subdivision.  
33 (b) The image required under subsection (a)(7) is a confidential  
34 public record in accordance with IC 5-14-3-4(a) and IC 9-14-13-2.  
35 (c) The bureau may invalidate a photo exempt identification card  
36 that the bureau believes to have been issued as a result of fraudulent  
37 documentation.  
38 (d) The bureau:  
39 (1) shall adopt rules under IC 4-22-2 to establish a procedure to  
40 verify an applicant's identity; and  
41 (2) may adopt rules to establish a procedure to temporarily  
42 invalidate a photo exempt identification card that the bureau



- 1 believes to have been issued based on fraudulent documentation.
- 2 SECTION 16. IC 9-24-16.5-3, AS ADDED BY P.L.197-2015,  
 3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2024]: Sec. 3. (a) A photo exempt identification card must  
 5 have the same dimensions and shape as a driver's license and an  
 6 identification card issued under IC 9-24-16, but the photo exempt  
 7 identification card must have markings sufficient to distinguish the  
 8 card from a driver's license or an identification card.
- 9 (b) The front side of a photo exempt identification card must contain  
 10 the following information about the individual to whom the card is  
 11 being issued:
- 12 (1) Full legal name.
  - 13 (2) The address of the principal residence.
  - 14 (3) Date of birth.
  - 15 (4) Date of issue and date of expiration.
  - 16 (5) Unique identification number.
  - 17 (6) ~~Gender.~~ **Biological sex.**
  - 18 (7) Weight.
  - 19 (8) Height.
  - 20 (9) Color of eyes and hair.
  - 21 (10) A reproduction of the signature of the individual identified.
  - 22 (11) If the individual is less than eighteen (18) years of age at the  
 23 time of issuance, the dates on which the individual will become:
    - 24 (A) eighteen (18) years of age; and
    - 25 (B) twenty-one (21) years of age.  - 26 (12) If the individual is at least eighteen (18) years of age but less  
 27 than twenty-one (21) years of age at the time of issuance, the date  
 28 on which the individual will become twenty-one (21) years of age.
- 29 (c) The front side of a photo exempt identification card may not bear  
 30 an image of the holder of the photo exempt identification card.
- 31 (d) The information contained on the photo exempt identification  
 32 card as required by subsection (b)(11) or (b)(12) for an individual who  
 33 is less than twenty-one (21) years of age at the time of issuance must  
 34 be printed prominently on the photo exempt identification card.
- 35 SECTION 17. IC 11-8-2-9 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The department  
 37 shall establish a program of research and statistics, alone or in  
 38 cooperation with others, for the purpose of assisting in the  
 39 identification and achievement of realistic short term and long term  
 40 departmental goals, the making of administrative decisions, and the  
 41 evaluation of the facilities and programs of the entire state correctional  
 42 system. Information relating to the following must be compiled:



- 1 (1) An inventory of current facilities and programs, including
- 2 residential and nonresidential community programs and offender
- 3 participation.
- 4 (2) Population characteristics and trends, including the following
- 5 concerning offenders:
- 6 (A) Ethnicity.
- 7 (B) ~~Gender.~~ **Biological sex.**
- 8 (3) Judicial sentencing practices.
- 9 (4) Service area resources, needs, and capabilities.
- 10 (5) Recidivism of offenders.
- 11 (6) Projected operating and capital expenditures.

12 (b) The department may conduct research into the causes, detection,  
 13 and treatment of criminality and delinquency and disseminate the  
 14 results of that research.

15 SECTION 18. IC 12-9-2-3, AS AMENDED BY P.L.35-2016,  
 16 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2024]: Sec. 3. (a) The secretary or the secretary's designee  
 18 may do the following:

- 19 (1) Employ experts and consultants to assist the division in
- 20 carrying out the division's functions.
- 21 (2) Issue orders under IC 4-21.5-3-6.
- 22 (3) Perform any other acts necessary to carry out the functions of
- 23 the division.

- 24 (b) The director may do the following:
- 25 (1) Utilize, with their consent, the services and facilities of other
- 26 state agencies without reimbursement.
- 27 (2) Accept in the name of the division, for use in carrying out the
- 28 functions of the division, money or property received by gift,
- 29 bequest, or otherwise.
- 30 (3) Accept voluntary and uncompensated services.
- 31 (4) Expend money made available to the division according to
- 32 policies enforced by the budget agency.
- 33 (5) Establish and implement the policies and procedures
- 34 necessary to carry out the functions of the division.
- 35 (6) Perform any other acts necessary to carry out the functions of
- 36 the division as delegated by the secretary or consistent with the
- 37 director's duties.

38 (c) The director shall compile information and statistics from each  
 39 bureau concerning the ethnicity and ~~gender~~ **biological sex** of a program  
 40 or service recipient.

41 SECTION 19. IC 12-9.1-2-3, AS AMENDED BY P.L.35-2016,  
 42 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 3. (a) The secretary or the secretary's designee  
2 may do the following:

- 3 (1) Employ experts and consultants to assist the division in  
4 carrying out the division's functions.  
5 (2) Issue orders under IC 4-21.5-3-6.  
6 (3) Perform any other acts necessary to carry out the functions of  
7 the division.

8 (b) The director may do the following:

- 9 (1) Use, with their consent, the services and facilities of other  
10 state agencies without reimbursement.  
11 (2) Accept in the name of the division, for use in carrying out the  
12 functions of the division, money or property received by gift,  
13 bequest, or otherwise.  
14 (3) Accept voluntary and uncompensated services.  
15 (4) Expend money made available to the division according to  
16 policies enforced by the budget agency.  
17 (5) Establish and implement the policies and procedures  
18 necessary to carry out the functions of the division.  
19 (6) Perform any other acts necessary to carry out the functions of  
20 the division as delegated by the secretary or consistent with the  
21 director's statutory duties.

22 (c) The director shall compile information and statistics from each  
23 bureau concerning the ethnicity and **gender biological sex** of a program  
24 or service recipient.

25 SECTION 20. IC 12-13-5-1, AS AMENDED BY P.L.210-2015,  
26 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2024]: Sec. 1. (a) The division shall administer or supervise  
28 the public welfare activities of the state. The division has the following  
29 powers and duties:

- 30 (1) The administration of old age assistance, TANF, and  
31 assistance to the needy blind and persons with disabilities,  
32 excluding assistance to children with special health care needs.  
33 (2) The administration of the licensing and inspection under  
34 IC 12-17.2.  
35 (3) The provision of services to county governments, including  
36 the following:  
37 (A) Organizing and supervising county offices for the effective  
38 administration of public welfare functions.  
39 (B) Compiling statistics and necessary information concerning  
40 public welfare problems throughout Indiana.  
41 (C) Researching and encouraging research into crime,  
42 delinquency, physical and mental disability, and the cause of



- 1 dependency.
- 2 (4) Prescribing the form of, printing, and supplying to the county  
3 offices blanks for applications, reports, affidavits, and other forms  
4 the division considers necessary and advisable.
- 5 (5) Cooperating with the federal Social Security Administration  
6 and with any other agency of the federal government in any  
7 reasonable manner necessary and in conformity with IC 12-13  
8 through IC 12-19 to qualify for federal aid for assistance to  
9 persons who are entitled to assistance under the federal Social  
10 Security Act. The responsibilities include the following:
- 11 (A) Making reports in the form and containing the information  
12 that the federal Social Security Administration Board or any  
13 other agency of the federal government requires.
- 14 (B) Complying with the requirements that a board or agency  
15 finds necessary to assure the correctness and verification of  
16 reports.
- 17 (6) Appointing from eligible lists established by the state  
18 personnel board employees of the division necessary to effectively  
19 carry out IC 12-13 through IC 12-19. The division may not  
20 appoint a person who is not a citizen of the United States and who  
21 has not been a resident of Indiana for at least one (1) year  
22 immediately preceding the person's appointment unless a  
23 qualified person cannot be found in Indiana for a position as a  
24 result of holding an open competitive examination.
- 25 (7) Assisting the office of Medicaid policy and planning in fixing  
26 fees to be paid to ophthalmologists and optometrists for the  
27 examination of applicants for and recipients of assistance as  
28 needy blind persons.
- 29 (8) When requested, assisting other departments, agencies,  
30 divisions, and institutions of the state and federal government in  
31 performing services consistent with this article.
- 32 (9) Acting as the agent of the federal government for the  
33 following:
- 34 (A) In welfare matters of mutual concern under IC 12-13  
35 through IC 12-19, except for responsibilities of the department  
36 of child services under IC 31-25-2.
- 37 (B) In the administration of federal money granted to Indiana  
38 in aiding welfare functions of the state government.
- 39 (10) Administering additional public welfare functions vested in  
40 the division by law and providing for the progressive codification  
41 of the laws the division is required to administer.
- 42 (11) Supervising day care centers.



- 1 (12) Compiling information and statistics concerning the ethnicity  
 2 and **gender biological sex** of a program or service recipient.
- 3 (b) In the administration of the public welfare programs, the  
 4 division and the department of workforce development may enter into  
 5 a written memorandum of understanding concerning administering and  
 6 implementing federal work requirements for public welfare programs.
- 7 SECTION 21. IC 12-15-44.5-3.5, AS AMENDED BY  
 8 P.L.180-2022(ss), SECTION 16, IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) The plan must  
 10 include the following in a manner and to the extent determined by the  
 11 office:
- 12 (1) Mental health care services.
  - 13 (2) Inpatient hospital services.
  - 14 (3) Prescription drug coverage, including coverage of a long  
 15 acting, nonaddictive medication assistance treatment drug if the  
 16 drug is being prescribed for the treatment of substance abuse.
  - 17 (4) Emergency room services.
  - 18 (5) Physician office services.
  - 19 (6) Diagnostic services.
  - 20 (7) Outpatient services, including therapy services.
  - 21 (8) Comprehensive disease management.
  - 22 (9) Home health services, including case management.
  - 23 (10) Urgent care center services.
  - 24 (11) Preventative care services.
  - 25 (12) Family planning services:
    - 26 (A) including contraceptives and sexually transmitted disease  
 27 testing, as described in federal Medicaid law (42 U.S.C. 1396  
 28 et seq.); and
    - 29 (B) not including abortion or abortifacients.
  - 30 (13) Hospice services.
  - 31 (14) Substance abuse services.
  - 32 (15) Donated breast milk that meets requirements developed by  
 33 the office of Medicaid policy and planning.
  - 34 (16) A service determined by the secretary to be required by  
 35 federal law as a benchmark service under the federal Patient  
 36 Protection and Affordable Care Act.
- 37 (b) The plan may not permit treatment limitations or financial  
 38 requirements on the coverage of mental health care services or  
 39 substance abuse services if similar limitations or requirements are not  
 40 imposed on the coverage of services for other medical or surgical  
 41 conditions.
- 42 (c) The plan may provide vision services and dental services only





1 to individuals who regularly make the required monthly contributions  
2 for the plan as set forth in section 4.7(c) of this chapter.

3 (d) The benefit package offered in the plan:

4 (1) must be benchmarked to a commercial health plan described  
5 in 45 CFR 155.100(a)(1) or 45 CFR 155.100(a)(4); and

6 (2) may not include a benefit that is not present in at least one (1)  
7 of these commercial benchmark options.

8 (e) The office shall provide to an individual who participates in the  
9 plan a list of health care services that qualify as preventative care  
10 services for the age, ~~gender~~, **biological sex**, and preexisting conditions  
11 of the individual. The office shall consult with the federal Centers for  
12 Disease Control and Prevention for a list of recommended preventative  
13 care services.

14 (f) The plan shall, at no cost to the individual, provide payment of  
15 preventative care services described in 42 U.S.C. 300gg-13 for an  
16 individual who participates in the plan.

17 (g) The plan shall, at no cost to the individual, provide payments of  
18 not more than five hundred dollars (\$500) per year for preventative  
19 care services not described in subsection (f). Any additional  
20 preventative care services covered under the plan and received by the  
21 individual during the year are subject to the deductible and payment  
22 requirements of the plan.

23 (h) The office shall apply to the United States Department of Health  
24 and Human Services for any amendment to the waiver necessary to  
25 implement the providing of the services or supplies described in  
26 subsection (a)(15). This subsection expires July 1, 2024.

27 SECTION 22. IC 12-20-5.5-1, AS AMENDED BY P.L.162-2021,  
28 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2024]: Sec. 1. (a) The township trustee shall process all  
30 applications for township assistance according to uniform written  
31 standards and without consideration of the race, creed, nationality, or  
32 ~~gender~~ **biological sex** of the applicant or any member of the applicant's  
33 household.

34 (b) The township's standards for the issuance of township assistance  
35 and the processing of applications must be:

36 (1) governed by the requirements of this article;

37 (2) proposed by the township trustee, adopted by the township  
38 board, and filed with the board of county commissioners;

39 (3) reviewed and updated annually to reflect changes in the cost  
40 of basic necessities in the township and changes in the law;

41 (4) published in a single written document, including addenda  
42 attached to the document; and



1 (5) posted in a place prominently visible to the public in all  
 2 offices of the township trustee where township assistance  
 3 applications are taken or processed.

4 (c) The township trustee shall annually certify that the uniform  
 5 written standards for the issuance of township assistance have been  
 6 filed with the board of county commissioners as required under  
 7 subsection (b)(2). The certification shall be noted in the township's  
 8 budget submitted to the department of local government finance's  
 9 computer gateway under IC 6-1.1-17-3.

10 SECTION 23. IC 12-21-2-3, AS AMENDED BY P.L.127-2020,  
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 3. The secretary or the secretary's designee shall  
 13 do the following:

14 (1) Organize the division, create the appropriate personnel  
 15 positions, and employ personnel necessary to discharge the  
 16 statutory duties and powers of the division or a bureau of the  
 17 division.

18 (2) Subject to the approval of the state personnel department,  
 19 establish personnel qualifications for all deputy directors,  
 20 assistant directors, bureau heads, and superintendents.

21 (3) Subject to the approval of the budget director and the  
 22 governor, establish the compensation of all deputy directors,  
 23 assistant directors, bureau heads, and superintendents.

24 (4) Study the entire problem of mental health, mental illness, and  
 25 addictions existing in Indiana.

26 (5) Adopt rules under IC 4-22-2 for the following:

27 (A) Standards for the operation of private institutions that are  
 28 licensed under IC 12-25 for the diagnosis, treatment, and care  
 29 of individuals with psychiatric disorders, addictions, or other  
 30 abnormal mental conditions.

31 (B) Licensing or certifying community residential programs  
 32 described in IC 12-22-2-3.5 for individuals with serious  
 33 mental illness (SMI), serious emotional disturbance (SED), or  
 34 chronic addiction (CA) with the exception of psychiatric  
 35 residential treatment facilities.

36 (C) Certifying community mental health centers to operate in  
 37 Indiana.

38 (D) Establish exclusive geographic primary service areas for  
 39 community mental health centers. The rules must include the  
 40 following:

41 (i) Criteria and procedures to justify the change to the  
 42 boundaries of a community mental health center's primary



- 1 service area.
- 2 (ii) Criteria and procedures to justify the change of an
- 3 assignment of a community mental health center to a
- 4 primary service area.
- 5 (iii) A provision specifying that the criteria and procedures
- 6 determined in items (i) and (ii) must include an option for
- 7 the county and the community mental health center to
- 8 initiate a request for a change in primary service area or
- 9 provider assignment.
- 10 (iv) A provision specifying the criteria and procedures
- 11 determined in items (i) and (ii) may not limit an eligible
- 12 consumer's right to choose or access the services of any
- 13 provider who is certified by the division of mental health
- 14 and addiction to provide public supported mental health
- 15 services.
- 16 (6) Institute programs, in conjunction with an accredited college
- 17 or university and with the approval, if required by law, of the
- 18 commission for higher education, for the instruction of students
- 19 of mental health and other related occupations. The programs may
- 20 be designed to meet requirements for undergraduate and
- 21 postgraduate degrees and to provide continuing education and
- 22 research.
- 23 (7) Develop programs to educate the public in regard to the
- 24 prevention, diagnosis, treatment, and care of all abnormal mental
- 25 conditions.
- 26 (8) Make the facilities of the state institutions available for the
- 27 instruction of medical students, student nurses, interns, and
- 28 resident and fellow physicians under the supervision of the faculty
- 29 of any accredited school of medicine or osteopathy located in
- 30 Indiana or an accredited residency or fellowship training program
- 31 in connection with research and instruction in psychiatric
- 32 disorders.
- 33 (9) Institute a stipend program designed to improve the quality
- 34 and quantity of staff that state institutions employ.
- 35 (10) Establish, supervise, and conduct community programs,
- 36 either directly or by contract, for the diagnosis, treatment, and
- 37 prevention of psychiatric disorders.
- 38 (11) Adopt rules under IC 4-22-2 concerning the records and data
- 39 to be kept concerning individuals admitted to state institutions,
- 40 community mental health centers, or other providers.
- 41 (12) Compile information and statistics concerning the ethnicity
- 42 and **gender biological sex** of a program or service recipient.



- 1 (13) Establish standards for services described in IC 12-7-2-40.6
- 2 for community mental health centers and other providers.
- 3 (14) Provide that the standards for services provided by recovery
- 4 residences for residential care and supported housing for chronic
- 5 addiction, when used as a recovery residence, to:
- 6 (A) be certified through an entity approved by the division to
- 7 ensure adherence to standards determined by the National
- 8 Alliance for Recovery Residences (NARR) or a similar entity;
- 9 and
- 10 (B) meet other standards established by the division under
- 11 rules adopted under IC 4-22-2.
- 12 (15) Require the division to:
- 13 (A) provide best practice recommendations to community
- 14 mental health centers; and
- 15 (B) work with community mental health centers in a
- 16 collaborative manner in order to ensure improved health
- 17 outcomes as a part of reviews or audits.
- 18 Documentation developed as a part of an incident or death
- 19 reporting audit or review is confidential and may only be shared
- 20 between the division and the community mental health center.
- 21 SECTION 24. IC 12-23-18-8, AS AMENDED BY P.L.51-2019,
- 22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2024]: Sec. 8. (a) As used in this section, "dispense" means to
- 24 deliver a controlled substance to an ultimate user.
- 25 (b) Subject to the federal patient confidentiality requirements under
- 26 42 CFR Part 2, when an opioid treatment program dispenses a
- 27 controlled substance designated by the Indiana board of pharmacy
- 28 under IC 35-48-2-5 through IC 35-48-2-10, the opioid treatment
- 29 program shall provide the following information upon request from the
- 30 division:
- 31 (1) The medications dispensed by the program.
- 32 (2) The medication delivery process, which includes whether the
- 33 medication was in liquid, film, or another form.
- 34 (3) The number of doses dispensed of each medication.
- 35 (4) The dosage quantities for each medication.
- 36 (5) The number of patients receiving take home medications.
- 37 (6) The number of days of supply dispensed.
- 38 (7) Patient demographic information for each medication,
- 39 including ~~gender~~, **biological sex**, age, and time in treatment.
- 40 (8) The dispenser's United States Drug Enforcement Agency
- 41 registration number.
- 42 (9) The average number of patients served by:



- 1 (A) the opioid treatment program annually; and  
 2 (B) each employed or contracted prescriber of the opioid  
 3 treatment program.
- 4 (10) The annual ratio of employed or contracted prescribers to  
 5 patients served at each opioid treatment program.
- 6 (11) The number of patients and the average length of treatment  
 7 for each medication dispensed by the opioid treatment program.
- 8 (12) The number of patients completing an opiate treatment  
 9 program treatment service having transitioned to opioid  
 10 abstinence, including the use of long acting, nonaddictive  
 11 medication for relapse prevention.
- 12 (13) The number of patients demonstrating improvement in  
 13 functioning, as defined by the division, while in treatment at an  
 14 opiate treatment program.
- 15 (14) An annual submission of each opiate treatment program's  
 16 policy concerning:  
 17 (A) the use of INSPECT (as defined in IC 25-26-24-7);  
 18 (B) the protocol for addressing patients who are found, using  
 19 INSPECT data, to have prescriptions for a controlled  
 20 substance, including benzodiazepines or other opiate  
 21 medications; and  
 22 (C) the protocol for addressing patients who have illicit urine  
 23 drug screens indicating the use of a controlled substance,  
 24 including benzodiazepines or other opiates, whether  
 25 prescribed or not.
- 26 (15) The number of patients denied access to services due to  
 27 inability to pay, including the demographic information of the  
 28 patient concerning race.
- 29 (16) The number of patients who are receiving behavioral health  
 30 services in addition to medication.
- 31 (17) The average mileage a patient is traveling to receive  
 32 treatment.
- 33 (18) The patient relapse rate or the average time an individual is  
 34 receiving treatment from the opioid treatment program.
- 35 (19) The number of admissions and discharges of patients at the  
 36 opioid treatment program.
- 37 (20) The number of pregnant women being treated.
- 38 (21) Whether an individual is employed at the time of admission  
 39 and whether the patient obtains employment during treatment.
- 40 (22) The number of patients who are eligible for the Medicaid  
 41 program.
- 42 (23) A description of programs offered by the opioid treatment



- 1 program.
- 2 (24) A description of any community outreach or education to the
- 3 public offered by the opioid treatment program.
- 4 (25) The number of patients who have eliminated the use of an
- 5 illegal substance after the first year of treatment at the opioid
- 6 treatment program.
- 7 (c) An opioid treatment program shall provide the information
- 8 required under this section to the division in a manner prescribed by
- 9 the division.
- 10 (d) The division shall annually report the information collected
- 11 under this section to the legislative council in an electronic format
- 12 under IC 5-14-6 not later than October 1.
- 13 SECTION 25. IC 12-32-1-4, AS ADDED BY P.L.171-2011,
- 14 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2024]: Sec. 4. This chapter shall be enforced without regard
- 16 to race, religion, ~~gender~~, **biological sex**, ethnicity, or national origin.
- 17 SECTION 26. IC 16-19-10-2 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this
- 19 chapter, "health data" means information on the following:
- 20 (1) A person's:
- 21 (A) health status;
- 22 (B) ethnicity; and
- 23 (C) ~~gender~~. **biological sex**.
- 24 (2) The cost, availability, and use of health resources and
- 25 services.
- 26 The term includes vital statistics and vital records as described in this
- 27 title.
- 28 SECTION 27. IC 16-19-10-4, AS AMENDED BY P.L.164-2023,
- 29 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2024]: Sec. 4. The center shall do the following:
- 31 (1) Collect and process health data.
- 32 (2) Maintain statistics concerning ~~gender~~ **biological sex** and
- 33 ethnicity and provide the information to the state department
- 34 annually.
- 35 (3) Improve the quality, timeliness, and comparability of health
- 36 statistics.
- 37 (4) Analyze and disseminate information about the health status
- 38 of Indiana residents.
- 39 (5) Provide access to health data to persons who are permitted to
- 40 obtain the data under this chapter.
- 41 (6) Ensure the security and protection of health data maintained
- 42 by the state department.



- 1 (7) Support the goals and objectives of the Cooperative Health  
 2 Statistics System established by the federal National Center for  
 3 Health Statistics.
- 4 SECTION 28. IC 16-21-6-6, AS AMENDED BY P.L.156-2011,  
 5 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2024]: Sec. 6. In addition to the report filed under section 3 of  
 7 this chapter, each hospital shall, not more than one hundred twenty  
 8 (120) days after the end of each calendar quarter, file with the state  
 9 department, or the state department's designated contractor, inpatient  
 10 and outpatient discharge information at the patient level, in a format  
 11 prescribed by the state health commissioner, including the following:
- 12 (1) The patient's:
- 13 (A) length of stay;
  - 14 (B) diagnoses and surgical procedures performed during the
  - 15 patient's stay;
  - 16 (C) date of:
    - 17 (i) admission;
    - 18 (ii) discharge; and
    - 19 (iii) birth;
  - 20 (D) type of admission;
  - 21 (E) admission source;
  - 22 (F) ~~gender~~; **biological sex**;
  - 23 (G) race;
  - 24 (H) discharge disposition; and
  - 25 (I) payor, including:
    - 26 (i) Medicare;
    - 27 (ii) Medicaid;
    - 28 (iii) a local government program;
    - 29 (iv) commercial insurance;
    - 30 (v) self-pay; and
    - 31 (vi) charity care.
- 32 (2) The total charge for the patient's stay.
- 33 (3) The ZIP code of the patient's residence.
- 34 (4) Beginning October 1, 2013, all diagnosed external causes of  
 35 injury codes.
- 36 SECTION 29. IC 16-34-2-5, AS AMENDED BY P.L.56-2023,  
 37 SECTION 154, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Every health care provider  
 39 who performs a surgical abortion or provides, prescribes, administers,  
 40 or dispenses an abortion inducing drug for the purposes of inducing an  
 41 abortion shall report the performance of the abortion or the provision,  
 42 prescribing, administration, or dispensing of an abortion inducing drug



1 on a form drafted by the state department, the purpose and function of  
 2 which shall be the improvement of maternal health and life through the  
 3 compilation of relevant maternal life and health factors and data, and  
 4 a further purpose and function shall be to monitor all abortions  
 5 performed in Indiana to assure the abortions are done only under the  
 6 authorized provisions of the law. For each abortion performed and  
 7 abortion inducing drug provided, prescribed, administered, or  
 8 dispensed, the report shall include, among other things, the following:

- 9 (1) The age of the patient.  
 10 (2) Whether a waiver of consent under section 4 of this chapter  
 11 was obtained.  
 12 (3) Whether a waiver of notification under section 4 of this  
 13 chapter was obtained.  
 14 (4) The date and location, including the facility name and city or  
 15 town, where the:  
 16 (A) pregnant woman:  
 17 (i) provided consent; and  
 18 (ii) received all information;  
 19 required under section 1.1 of this chapter; and  
 20 (B) abortion was performed or the abortion inducing drug was  
 21 provided, prescribed, administered, or dispensed.  
 22 (5) The health care provider's full name and address, including the  
 23 name of the physicians performing the abortion or providing,  
 24 prescribing, administering, or dispensing the abortion inducing  
 25 drug.  
 26 (6) The city and county where the pregnancy termination  
 27 occurred.  
 28 (7) The age of the father, or the approximate age of the father if  
 29 the father's age is unknown.  
 30 (8) The patient's county and state of residence.  
 31 (9) The marital status of the patient.  
 32 (10) The educational level of the patient.  
 33 (11) The race of the patient.  
 34 (12) The ethnicity of the patient.  
 35 (13) The number of the patient's previous live births.  
 36 (14) The number of the patient's deceased children.  
 37 (15) The number of the patient's spontaneous pregnancy  
 38 terminations.  
 39 (16) The number of the patient's previous induced terminations.  
 40 (17) The date of the patient's last menses.  
 41 (18) The physician's determination of the gestation of the fetus in  
 42 weeks.





- 1 (19) The reason for the abortion.  
 2 (20) Whether the patient indicated that the patient was seeking an  
 3 abortion as a result of being:  
 4 (A) abused;  
 5 (B) coerced;  
 6 (C) harassed; or  
 7 (D) trafficked.  
 8 (21) The following information concerning the abortion or the  
 9 provision, prescribing, administration, or dispensing of the  
 10 abortion inducing drug:  
 11 (A) The postfertilization age of the fetus (in weeks).  
 12 (B) The manner in which the postfertilization age was  
 13 determined.  
 14 (C) The **gender biological sex** of the fetus, if detectable.  
 15 (D) Whether the fetus has been diagnosed with or has a  
 16 potential diagnosis of having Down syndrome or any other  
 17 disability.  
 18 (E) If after the earlier of the time the fetus obtains viability or  
 19 the time the postfertilization age of the fetus is at least twenty  
 20 (20) weeks, the medical reason for the performance of the  
 21 abortion.  
 22 (22) For a surgical abortion, the medical procedure used for the  
 23 abortion and, if the fetus had a postfertilization age of at least  
 24 twenty (20) weeks:  
 25 (A) whether the procedure, in the reasonable judgment of the  
 26 health care provider, gave the fetus the best opportunity to  
 27 survive;  
 28 (B) the basis for the determination that the pregnant woman  
 29 had a condition described in this chapter that required the  
 30 abortion to avert the death of or serious impairment to the  
 31 pregnant woman; and  
 32 (C) the name of the second doctor present, as required under  
 33 IC 16-34-2-3(a)(3).  
 34 (23) For a nonsurgical abortion, the precise drugs provided,  
 35 prescribed, administered, or dispensed, and the means of delivery  
 36 of the drugs to the patient.  
 37 (24) For a nonsurgical abortion, that the manufacturer's  
 38 instructions were provided to the patient and that the patient  
 39 signed the patient agreement.  
 40 (25) For an abortion performed before twenty (20) weeks of  
 41 postfertilization age of the fetus, the medical indication by  
 42 diagnosis code for the fetus and the mother.



- 1 (26) The mother's obstetrical history, including dates of other  
2 abortions, if any.
- 3 (27) Any preexisting medical conditions of the patient that may  
4 complicate the abortion.
- 5 (28) The results of pathological examinations if performed.
- 6 (29) For a surgical abortion, whether the fetus was delivered  
7 alive, and if so, how long the fetus lived.
- 8 (30) Records of all maternal deaths occurring at the location  
9 where the abortion was performed or the abortion inducing drug  
10 was provided, prescribed, administered, or dispensed.
- 11 (31) The date the form was transmitted to the state department  
12 and, if applicable, separately to the department of child services.
- 13 (b) The health care provider shall complete the form provided for in  
14 subsection (a) and shall transmit the completed form to the state  
15 department, in the manner specified on the form, within thirty (30) days  
16 after the date of each abortion. However, if an abortion is for a female  
17 who is less than sixteen (16) years of age, the health care provider shall  
18 transmit the form to the state department and separately to the  
19 department of child services within three (3) days after the abortion is  
20 performed.
- 21 (c) The dates supplied on the form may not be redacted for any  
22 reason before the form is transmitted as provided in this section.
- 23 (d) Each failure to complete or timely transmit a form, as required  
24 under this section, for each abortion performed or abortion inducing  
25 drug that was provided, prescribed, administered, or dispensed, is a  
26 Class B misdemeanor.
- 27 (e) On a quarterly basis, the state department shall compile a public  
28 report providing the following:
- 29 (1) Statistics for the previous calendar quarter from the  
30 information submitted under this section.
- 31 (2) Statistics for previous calendar years compiled by the state  
32 department under this subsection, with updated information for  
33 the calendar quarter that was submitted to the state department  
34 after the compilation of the statistics.
- 35 The state department shall ensure that no identifying information of a  
36 pregnant woman is contained in the report.
- 37 (f) The state department shall:
- 38 (1) summarize aggregate data from all data submitted under this  
39 section; and
- 40 (2) submit the data, before July 1 of each year, to the United  
41 States Centers for Disease Control and Prevention for its inclusion  
42 in the annual Vital Statistics Report.



1 SECTION 30. IC 16-38-5-2, AS AMENDED BY P.L.2-2014,  
 2 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2024]: Sec. 2. (a) Except as provided in subsection (c), a  
 4 provider, a physician's designee, a pharmacist's designee, or a person  
 5 approved by the state department may provide immunization data to the  
 6 immunization data registry in a manner prescribed by the state  
 7 department and for the purposes allowed under this chapter.

8 (b) This subsection takes effect July 1, 2015. Except as provided in  
 9 subsections (c) and (e), a provider who is licensed under IC 25 and who  
 10 is authorized within the provider's scope of practice to administer  
 11 immunizations or the provider's designee shall electronically provide  
 12 immunization data to the immunization data registry for all  
 13 immunizations administered to individuals who are less than nineteen  
 14 (19) years of age:

15 (1) not later than seven (7) business days after providing the  
 16 immunization;

17 (2) in a manner prescribed by the state department, after  
 18 reasonable notice; and

19 (3) for the purposes allowed under this chapter.

20 (c) A person is exempt from providing immunization data to the  
 21 immunization data registry if:

22 (1) the patient or the patient's parent or guardian, if the patient is  
 23 less than eighteen (18) years of age, has completed and filed a  
 24 written immunization data exemption form with either the person  
 25 who provides the immunization or the state department; or

26 (2) the patient is a resident of or is receiving services from a  
 27 facility licensed under IC 16-28.

28 (d) The minimum immunization data that must be provided under  
 29 subsection (b) are the following:

30 (1) Patient identification number.

31 (2) Patient first and last name.

32 (3) Patient date of birth.

33 (4) Patient address.

34 (5) Patient race.

35 (6) Patient ~~gender~~: **biological sex**.

36 (7) Vaccine for Children program eligibility, if the patient is  
 37 eligible for the Vaccine for Children program.

38 (8) Dose at the administration level under the Vaccine for  
 39 Children program, if the patient is eligible for the Vaccine for  
 40 Children program.

41 (9) Vaccination presentation or vaccination code using approved  
 42 Immunization Information System (IIS) code type.



- 1           (10) Vaccination date administered.
- 2           (11) Lot number of the administered vaccine.
- 3           The state department may expand or modify the list of minimum  
4 immunization data that must be provided under this section based on  
5 Centers for Disease Control Immunization Information System (IIS)  
6 minimum field requirements.
- 7           (e) A provider who is unable to electronically provide immunization  
8 data to the immunization data registry by July 1, 2015, shall submit a  
9 detailed plan for compliance with the requirements of subsection (b) to  
10 the state department no later than March 31, 2015. The state  
11 department will assist the provider so the provider is able to  
12 electronically provide immunization data in a reasonable amount of  
13 time.
- 14           (f) The state department shall create and provide copies of  
15 immunization data exemption forms to:
- 16           (1) providers who are:
- 17               (A) licensed under IC 25; and
- 18               (B) authorized within the provider's scope of practice to  
19 administer immunizations; and
- 20           (2) individuals;
- 21 who request the form.
- 22           (g) The state department shall distribute, upon request, written  
23 information to be disseminated to patients that describes the  
24 immunization data registry. The written information must include the  
25 following:
- 26           (1) That, beginning July 1, 2015, the provider is required to report  
27 immunization data to the immunization data registry.
- 28           (2) That the patient or the patient's parent or guardian, if the  
29 patient is less than eighteen (18) years of age, has a right to  
30 exempt disclosure of immunization data to the registry and may  
31 prevent disclosure by signing an immunization data exemption  
32 form.
- 33           (3) That the patient or the patient's parent or guardian, if the  
34 patient is less than eighteen (18) years of age, may have the  
35 individual's information removed from the immunization data  
36 registry.
- 37           (4) Instructions on how to have the information removed.
- 38           SECTION 31. IC 16-41-39.4-3, AS AMENDED BY P.L.102-2008,  
39 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2024]: Sec. 3. (a) A person that examines the blood of an  
41 individual described in section 2 of this chapter for the presence of lead  
42 must report to the state department the results of the examination not



1 later than one (1) week after completing the examination. The report  
2 must include at least the following:

3 (1) With respect to the individual whose blood is examined:

4 (A) the name;

5 (B) the date of birth;

6 (C) the ~~gender~~; **biological sex**;

7 (D) the race; and

8 (E) any other information that is required to be included to  
9 qualify to receive federal funding.

10 (2) With respect to the examination:

11 (A) the date;

12 (B) the type of blood test performed;

13 (C) the person's normal limits for the test;

14 (D) the results of the test; and

15 (E) the person's interpretation of the results of the test.

16 (3) The names, addresses, and telephone numbers of:

17 (A) the person; and

18 (B) the attending physician, hospital, clinic, or other specimen  
19 submitter.

20 (b) If a person required to report under subsection (a) has submitted  
21 more than fifty (50) results in the previous calendar year, the person  
22 must submit subsequent reports in an electronic format determined by  
23 the state department.

24 (c) Except as provided in subsection (d), if a person required to  
25 report under subsection (a) fails to provide complete information  
26 within ten (10) days after notification by the state department, the state  
27 department may, in accordance with IC 4-21.5, assess a civil penalty  
28 against the person in an amount equal to one thousand five hundred  
29 dollars (\$1,500) for each incomplete report that is submitted after  
30 receipt of the notification. Money received by the state department  
31 under this subsection shall be deposited in the fund.

32 (d) Subsection (c) does not apply to a person who acts in good faith  
33 to provide a complete report required under subsection (a), but who:

34 (1) is unable to collect all of the information required for a  
35 complete report; or

36 (2) provides incorrect information on a completed report.

37 SECTION 32. IC 20-19-3-4, AS AMENDED BY P.L.269-2019,  
38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2024]: Sec. 4. (a) The department shall:

40 (1) perform the duties required by statute;

41 (2) implement the policies and procedures established by the state  
42 board;



- 1 (3) conduct analytical research to assist the state board in  
 2 determining the state's educational policy;
- 3 (4) compile statistics concerning the ethnicity, ~~gender~~, **biological**  
 4 **sex**, and disability status of students in Indiana schools, including  
 5 statistics for all information that the department receives from  
 6 school corporations on enrollment, number of suspensions, and  
 7 number of expulsions; and
- 8 (5) provide technical assistance to school corporations.
- 9 (b) In compiling statistics by ~~gender~~, **biological sex**, ethnicity, and  
 10 disability status under subsection (a)(4), the department shall also  
 11 categorize suspensions and expulsions by cause as follows:
- 12 (1) Alcohol.  
 13 (2) Drugs.  
 14 (3) Deadly weapons (other than firearms).  
 15 (4) Handguns.  
 16 (5) Rifles or shotguns.  
 17 (6) Other firearms.  
 18 (7) Tobacco.  
 19 (8) Attendance.  
 20 (9) Destruction of property.  
 21 (10) Legal settlement (under IC 20-33-8-17).  
 22 (11) Fighting (incident does not rise to the level of battery).  
 23 (12) A battery offense included in IC 35-42-2.  
 24 (13) Intimidation (IC 35-45-2-1).  
 25 (14) Verbal aggression or profanity.  
 26 (15) Defiance.  
 27 (16) Other.
- 28 (c) The department shall provide the state board any data, including  
 29 fiscal data, as determined by the state board, in a reasonable time frame  
 30 established by the state board after consultation with the department,  
 31 necessary to conduct an audit or evaluation of any federal or state  
 32 supported program principally engaged in the provision of education,  
 33 including, but not limited to:
- 34 (1) early childhood education;  
 35 (2) elementary and secondary education;  
 36 (3) postsecondary education;  
 37 (4) special education;  
 38 (5) job training;  
 39 (6) career and technical education; and  
 40 (7) adult education;
- 41 or for the enforcement of or compliance with federal legal requirements  
 42 related to those education programs as determined by the state board.



1 The state board and the department are considered state educational  
 2 authorities within the meaning of the federal Family Educational Rights  
 3 and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99) for the purpose  
 4 of allowing the free exchange of information between the department  
 5 and the state board.

6 (d) The department may, upon request by a new school, assign an  
 7 identification number for the new school.

8 (e) The department shall develop guidelines necessary to implement  
 9 this section.

10 SECTION 33. IC 20-19-3-17, AS AMENDED BY P.L.246-2023,  
 11 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 17. (a) As used in this section, "foster care" has  
 13 the meaning set forth in IC 31-9-2-46.7.

14 (b) As used in this section, "foster care youth" means students in  
 15 foster care.

16 (c) As used in this section, "graduation rate" has the meaning set  
 17 forth in IC 20-26-13-6.

18 (d) The state board shall, in collaboration with the department and  
 19 the department of child services, annually prepare a report on foster  
 20 care youth educational outcomes that includes the following:

21 (1) The annual graduation rate of foster care youth, including the  
 22 following information:

23 (A) The graduation rate for each of the following:

24 (i) Foster care youth who received a graduation waiver  
 25 under IC 20-32-4-4.

26 (ii) Foster care youth who did not receive a graduation  
 27 waiver under IC 20-32-4-4.

28 (B) The number and percentage of foster care youth who  
 29 received each type of diploma.

30 (2) The adjusted cohort graduation rate for foster care youth,  
 31 including the adjusted cohort graduation rate for each of the  
 32 following:

33 (A) Foster care youth who received a graduation waiver under  
 34 IC 20-32-4-4.

35 (B) Foster care youth who did not receive a graduation waiver  
 36 under IC 20-32-4-4.

37 (3) The number and percentage for each of the following:

38 (A) Foster care youth who were promoted to the next grade  
 39 level at the end of the school year.

40 (B) Foster care youth who were retained in the same grade  
 41 level for the next school year.

42 (C) Foster care youth who were suspended during the school



- 1 year.
- 2 (D) Foster care youth who were expelled during the school  
3 year.
- 4 (E) Foster care youth who met academic standards on  
5 statewide assessment program tests (as defined in  
6 IC 20-32-2-2.3) administered during the school year.
- 7 The information reported under this subdivision must also be  
8 disaggregated by race, grade, ~~gender~~, **biological sex**, free or  
9 reduced price lunch status, and eligibility for special education.
- 10 (4) The number and percentage of eligible foster care youth who  
11 are enrolled in the prekindergarten program under IC 12-17.2-7.2.
- 12 (5) The number and percentage of foster care youth who passed  
13 the reading skills evaluation administered under IC 20-32-8.5-2.
- 14 (6) The number and percentage of foster care youth enrolled in  
15 schools, disaggregated by the category or designation of the  
16 school under IC 20-31-8-3.
- 17 (7) The number and percentage of foster care youth enrolled in  
18 schools, disaggregated by the type of school, including public  
19 schools, charter schools, and secure private facilities (as defined  
20 in IC 31-9-2-115).
- 21 (e) Not later than June 30, 2019, the department shall:
- 22 (1) after consulting with the department of child services, develop  
23 a remediation plan concerning foster care youth; and
- 24 (2) submit a copy of the remediation plan to the following:
- 25 (A) The state board.
- 26 (B) The department of child services.
- 27 (C) The legislative council in an electronic format under  
28 IC 5-14-6.
- 29 (f) Before April 1, 2019, and before April 1 each year thereafter, the  
30 department shall submit the report described in subsection (d) to the  
31 following:
- 32 (1) Department of child services.
- 33 (2) Legislative council in an electronic format under IC 5-14-6.
- 34 SECTION 34. IC 20-19-3-18, AS AMENDED BY P.L.246-2023,  
35 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2024]: Sec. 18. (a) As used in this section, "graduation rate"  
37 has the meaning set forth in IC 20-26-13-6.
- 38 (b) The state board shall, in collaboration with the department and  
39 the department of child services, annually prepare a report on homeless  
40 youth educational outcomes that includes the following:
- 41 (1) The annual graduation rate of homeless youth, including the  
42 following information:





- 1 (A) The graduation rate for each of the following:
- 2 (i) Homeless youth who received a graduation waiver under
- 3 IC 20-32-4-4.
- 4 (ii) Homeless youth who did not receive a graduation waiver
- 5 under IC 20-32-4-4.
- 6 (B) The number and percentage of homeless youth who
- 7 received each type of diploma.
- 8 (2) The adjusted cohort graduation rate for homeless youth,
- 9 including the adjusted cohort graduation rate for each of the
- 10 following:
- 11 (A) Homeless youth who received a graduation waiver under
- 12 IC 20-32-4-4.
- 13 (B) Homeless youth who did not receive a graduation waiver
- 14 under IC 20-32-4-4.
- 15 (3) The number and percentage of each of the following:
- 16 (A) Homeless youth who were promoted to the next grade
- 17 level at the end of the school year.
- 18 (B) Homeless youth who were retained in the same grade level
- 19 for the next school year.
- 20 (C) Homeless youth who were suspended during the school
- 21 year.
- 22 (D) Homeless youth who were expelled during the school year.
- 23 (E) Homeless youth who met academic standards on statewide
- 24 assessment program tests (as defined in IC 20-32-2-2.3)
- 25 administered during the school year.
- 26 The information reported under this subdivision must also be
- 27 disaggregated by race, grade, ~~gender~~, **biological sex**, free or
- 28 reduced price lunch status, and eligibility for special education.
- 29 (4) The number and percentage of eligible homeless youth who
- 30 are enrolled in the prekindergarten program under IC 12-17.2-7.2.
- 31 (5) The number and percentage of homeless youth who passed the
- 32 reading skills evaluation administered under IC 20-32-8.5-2.
- 33 (6) The number and percentage of homeless youth enrolled in
- 34 schools, disaggregated by the category or designation of the
- 35 school under IC 20-31-8-3.
- 36 (7) The number and percentage of homeless youth enrolled in
- 37 schools, disaggregated by the type of school, including public
- 38 schools, charter schools, and secure private facilities (as defined
- 39 in IC 31-9-2-115).
- 40 (c) Not later than August 31, 2019, the department shall:
- 41 (1) develop a remediation plan concerning homeless youth; and
- 42 (2) submit a copy of the remediation plan to the following:



- 1 (A) The state board.  
 2 (B) The Indiana housing and community development  
 3 authority established by IC 5-20-1-3.  
 4 (C) The legislative council in an electronic format under  
 5 IC 5-14-6.  
 6 (d) Before June 1, 2019, and before June 1 each year thereafter, the  
 7 department shall submit the report described in subsection (b) to the  
 8 following:  
 9 (1) The Indiana housing and community development authority.  
 10 (2) The legislative council in an electronic format under  
 11 IC 5-14-6.  
 12 SECTION 35. IC 20-24-2-2, AS ADDED BY P.L.1-2005,  
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2024]: Sec. 2. A charter school is subject to all federal and  
 15 state laws and constitutional provisions that prohibit discrimination on  
 16 the basis of the following:  
 17 (1) Disability.  
 18 (2) Race.  
 19 (3) Color.  
 20 (4) ~~Gender.~~ **Biological sex.**  
 21 (5) National origin.  
 22 (6) Religion.  
 23 (7) Ancestry.  
 24 SECTION 36. IC 20-24-5-4, AS AMENDED BY P.L.280-2013,  
 25 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2024]: Sec. 4. (a) Except as provided in this chapter, a charter  
 27 school may not establish admission policies or limit student admissions  
 28 in any manner in which a public school is not permitted to establish  
 29 admission policies or limit student admissions.  
 30 (b) Notwithstanding subsection (a), a charter school may operate as  
 31 a single ~~gender sex~~ school if approved to do so by the authorizer. A  
 32 single ~~gender sex~~ charter school must be open to any student of the  
 33 ~~gender biological sex~~ the school serves who resides in Indiana.  
 34 SECTION 37. IC 20-24-5-5, AS AMENDED BY P.L.216-2021,  
 35 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2024]: Sec. 5. (a) Except as provided in subsections (b), (c),  
 37 (d), (e), (f), and (g) and section 4.5 of this chapter, a charter school  
 38 must enroll any eligible student who submits a timely application for  
 39 enrollment.  
 40 (b) This subsection applies if the number of applications for a  
 41 program, class, grade level, or building exceeds the capacity of the  
 42 program, class, grade level, or building. If a charter school receives a



1 greater number of applications than there are spaces for students, each  
 2 timely applicant must be given an equal chance of admission. The  
 3 organizer must determine which of the applicants will be admitted to  
 4 the charter school or the program, class, grade level, or building by  
 5 random drawing in a public meeting, with each timely applicant limited  
 6 to one (1) entry in the drawing. However, the organizer of a charter  
 7 school located in a county with a consolidated city shall determine  
 8 which of the applicants will be admitted to the charter school or the  
 9 program, class, grade level, or building by using a publicly verifiable  
 10 random selection process.

11 (c) A charter school may limit new admissions to the charter school  
 12 to:

13 (1) ensure that a student who attends the charter school during a  
 14 school year may continue to attend the charter school in  
 15 subsequent years;

16 (2) ensure that a student who attends a charter school during a  
 17 school year may continue to attend a different charter school held  
 18 by the same organizer in subsequent years;

19 (3) allow the siblings of a student alumnus or a current student  
 20 who attends a charter school or a charter school held by the same  
 21 organizer to attend the same charter school the student is  
 22 attending or the student alumnus attended;

23 (4) allow preschool students who attend a Level 3 or Level 4  
 24 Paths to QUALITY program preschool to attend kindergarten at  
 25 a charter school if the charter school and the preschool provider  
 26 have entered into an agreement to share services or facilities;

27 (5) allow each student who qualifies for free or reduced price  
 28 lunch under the national school lunch program to receive  
 29 preference for admission to a charter school if the preference is  
 30 specifically provided for in the charter school's charter and is  
 31 approved by the authorizer; and

32 (6) allow each student who attends a charter school that is  
 33 co-located with the charter school to receive preference for  
 34 admission to the charter school if the preference is specifically  
 35 provided for in the charter school's charter and is approved by the  
 36 charter school's authorizer.

37 (d) This subsection applies to an existing school that converts to a  
 38 charter school under IC 20-24-11. During the school year in which the  
 39 existing school converts to a charter school, the charter school may  
 40 limit admission to:

41 (1) those students who were enrolled in the charter school on the  
 42 date of the conversion; and



- 1 (2) siblings of students described in subdivision (1).  
 2 (e) A charter school may give enrollment preference to children of  
 3 the charter school's founders, governing body members, and charter  
 4 school employees, as long as the enrollment preference under this  
 5 subsection is not given to more than ten percent (10%) of the charter  
 6 school's total population.  
 7 (f) A charter school may give enrollment preference to children who  
 8 attend another charter school that is closed or non-renewed under  
 9 IC 20-24-4-3 or IC 20-24-9-4.  
 10 (g) A charter school may not suspend or expel a charter school  
 11 student or otherwise request a charter school student to transfer to  
 12 another school on the basis of the following:  
 13 (1) Disability.  
 14 (2) Race.  
 15 (3) Color.  
 16 (4) ~~Gender.~~ **Biological sex.**  
 17 (5) National origin.  
 18 (6) Religion.  
 19 (7) Ancestry.  
 20 A charter school student may be expelled or suspended only in a  
 21 manner consistent with discipline rules established under IC 20-24-5.5.  
 22 SECTION 38. IC 20-26-18-6, AS AMENDED BY P.L.25-2016,  
 23 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2024]: Sec. 6. (a) Not later than June 1, 2017, and before June  
 25 2 of each year thereafter, each school corporation shall submit to the  
 26 department a written report, on forms developed by the department,  
 27 outlining the activities undertaken as part of the school corporation's  
 28 compliance with this chapter. The report must include school based  
 29 data to monitor for disproportionality, with each school reporting the  
 30 number of investigations disposed of internally and the number of  
 31 cases referred to local law enforcement, disaggregated by race,  
 32 ethnicity, age, and ~~gender.~~ **biological sex.**  
 33 (b) Not later than November 1, 2017, and before November 2 of  
 34 each year thereafter, the department shall submit a comprehensive  
 35 report concerning criminal organization activity in schools to the  
 36 governor and the general assembly. A report submitted to the general  
 37 assembly under this subsection must be in an electronic format under  
 38 IC 5-14-6. The report must include the following:  
 39 (1) A summary of the activities reported to the department under  
 40 subsection (a).  
 41 (2) Any recommendations or conclusions made by the department  
 42 to assist in the prevention of, education about, and intervention in



1 criminal organization activity in schools.

2 SECTION 39. IC 20-30-5-23, AS AMENDED BY P.L.76-2020,  
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 23. (a) After June 30, 2021, each public high  
5 school, including each charter school, shall offer at least one (1)  
6 computer science course as a one (1) semester elective in the public  
7 high school's curriculum at least once each school year for high school  
8 students.

9 (b) After June 30, 2021, each public school, including each charter  
10 school, shall include computer science in the public school's  
11 curriculum for students in kindergarten through grade 12. A public  
12 high school fulfills the requirements under this subsection by meeting  
13 the requirements under subsection (a).

14 (c) If a public school fails to comply with this section, the  
15 department shall assist the public school in meeting the requirements  
16 under this section.

17 (d) The department shall:

18 (1) prepare an annual report concerning the implementation of  
19 computer science courses in public high schools, including  
20 charter schools, that includes the information described in  
21 subsection (e); and  
22 (2) submit, before December 1 of each year, the report to the  
23 following:

24 (A) The state board.

25 (B) The general assembly.

26 (C) The commission for higher education.

27 The department shall submit the written report to the general assembly  
28 in an electronic format under IC 5-14-6.

29 (e) The report under subsection (d) must include the following  
30 information:

31 (1) The total number and percentage of computer science unique  
32 student course enrollments and course completions for each  
33 public high school, including each charter school, and by each  
34 course title approved by the department.

35 (2) The number and percentage of unique student enrollments and  
36 course completions in a computer science course by each course  
37 title approved by the department and disaggregated by:

38 (A) race;

39 (B) ~~gender~~; **biological sex**;

40 (C) grade;

41 (D) ethnicity;

42 (E) limited English language proficiency;



- 1 (F) free or reduced price lunch status; and  
 2 (G) eligibility for special education.  
 3 (3) The number of computer science instructors at each school  
 4 disaggregated by:  
 5 (A) ~~gender~~; **biological sex**;  
 6 (B) certification, if applicable; and  
 7 (C) academic degree.  
 8 (4) Any other pertinent matters.  
 9 (f) The department shall post the report described in subsections (d)  
 10 and (e) on the department's Internet web site.  
 11 SECTION 40. IC 20-34-6-1, AS AMENDED BY P.L.83-2018,  
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2024]: Sec. 1. (a) By July 1 of each year, each school  
 14 corporation shall submit a report to the department detailing the  
 15 following information for the current school year for each school in the  
 16 school corporation and for the entire school corporation:  
 17 (1) The number of arrests of students on school corporation  
 18 property, including arrests made by law enforcement officers,  
 19 security guards, school safety specialists, and other school  
 20 corporation employees, and any citizen arrests.  
 21 (2) The offenses for which students were arrested on school  
 22 corporation property.  
 23 (3) The number of contacts with law enforcement personnel from  
 24 a school corporation employee that have resulted in arrests of  
 25 students not on school corporation property.  
 26 (4) Statistics concerning the age, race, and ~~gender~~ **biological sex**  
 27 of students arrested on school corporation property and  
 28 categorizing the statistics by offenses.  
 29 (5) Whether the school corporation has established and employs  
 30 a school corporation police department under IC 20-26-16, and if  
 31 so, report:  
 32 (A) the number of officers in the school corporation police  
 33 department; and  
 34 (B) the training the officers must complete.  
 35 (6) If the school corporation employs private security guards to  
 36 enforce rules or laws on school property, a detailed explanation  
 37 of the use of private security guards by the school corporation.  
 38 (7) If the school corporation has an agreement with a local law  
 39 enforcement agency regarding procedures to arrest students on  
 40 school property, a detailed explanation of the use of the local law  
 41 enforcement agency by the school corporation.  
 42 (8) The number of reported bullying incidents involving a student



1 of the school corporation by category. However, nothing in this  
 2 subdivision may be construed to require all bullying incidents to  
 3 be reported to a law enforcement agency.

4 (b) By August 1 of each year, the department shall submit a report  
 5 to:

- 6 (1) the legislative council;
- 7 (2) the board for the coordination of programs serving vulnerable  
 8 individuals established by IC 4-23-30.2-8; and
- 9 (3) the criminal justice institute;

10 providing a summary of the reports submitted to the department under  
 11 subsection (a). The report to the legislative council must be in an  
 12 electronic format under IC 5-14-6.

13 (c) By August 1 of each year, the department must post the reports  
 14 described in subsections (a) and (b) on the department's Internet web  
 15 site.

16 (d) Information reported under subsection (a)(8) may not be used in  
 17 the calculation of a school corporation's improvement under  
 18 IC 20-31-8.

19 SECTION 41. IC 20-36-3-10, AS AMENDED BY P.L.86-2018,  
 20 SECTION 182, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2024]: Sec. 10. The department shall prepare  
 22 an annual report concerning the implementation of the program and  
 23 shall submit the report to the state board before December 1 of each  
 24 year. The report must include the pertinent details of the program,  
 25 including the following:

- 26 (1) The number of students participating in the program.
- 27 (2) The number of teachers attending a summer institute offered  
 28 by the College Board.
- 29 (3) Recent trends in the field of advanced placement.
- 30 (4) The distribution of money under this program.
- 31 (5) ~~Gender~~ **Biological sex** and minority participation.
- 32 (6) Other pertinent matters.

33 SECTION 42. IC 20-51.4-5-3, AS AMENDED BY P.L.202-2023,  
 34 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2024]: Sec. 3. (a) Each qualified school that is an ESA  
 36 participating entity that accepts payments for tuition and fees made  
 37 from an ESA account under the ESA program shall administer to its  
 38 eligible students, for the applicable grade levels as provided under  
 39 IC 20-32-5.1, the statewide assessment unless otherwise prescribed by  
 40 the eligible student's:

- 41 (1) individualized education program;
- 42 (2) service plan developed under 511 IAC 7-34;



1 (3) choice special education plan developed under 511 IAC 7-49;

2 or

3 (4) plan developed under Section 504 of the federal Rehabilitation  
4 Act of 1973, 29 U.S.C. 794.

5 (b) Upon receipt of the statewide assessment test results, the  
6 department shall, subject to the federal Family Educational Rights and  
7 Privacy Act (20 U.S.C. 1232g) and any regulations adopted under that  
8 act:

9 (1) aggregate the statewide assessment test results according to  
10 the grade level, ~~gender~~, **biological sex**, race, and family income  
11 level of all eligible students; and

12 (2) make the results determined under subdivision (1) available  
13 on the department's website.

14 SECTION 43. IC 27-2-17-6 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) An insurance  
16 company that issues property or casualty insurance shall not  
17 discriminate in the appointment of an independent insurance producer  
18 on the basis of race, color, national origin, or ~~gender~~. **biological sex**.

19 (b) Except as provided in subsection (c), the department has  
20 exclusive jurisdiction to investigate any complaints of discrimination  
21 in the appointment of independent insurance producers in violation of  
22 subsection (a).

23 (c) If the commissioner of the department determines after a hearing  
24 that an insurance company has violated subsection (a), the  
25 commissioner may order one (1) of the following remedies:

26 (1) Payment of a civil penalty of not more than two thousand  
27 dollars (\$2,000) for each violation.

28 (2) Suspension or revocation of the insurance company's  
29 certificate of authority if the commissioner determines that the  
30 violation was willful or wanton and that similar violations have  
31 been committed by that company with a frequency that constitutes  
32 a general business practice.

33 (3) Any other remedy agreed to by the department and the  
34 insurance company.

35 (d) Any determination made by the commissioner under this section  
36 is subject to IC 4-21.5.

37 (e) Findings of the department under this section may not be  
38 considered as evidence in any civil action other than an appeal as  
39 provided under IC 4-21.5.

40 SECTION 44. IC 27-2-21-16, AS AMENDED BY P.L.84-2009,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2024]: Sec. 16. (a) An insurer that uses credit information to





- 1 underwrite or rate risks shall not do the following:
- 2 (1) Use an insurance score that is calculated using income,
- 3 ~~gender~~, **biological sex**, address, ZIP code, ethnic group, religion,
- 4 marital status, or nationality of the consumer as a factor.
- 5 (2) Deny, cancel, or decline to renew a personal insurance policy
- 6 solely on the basis of credit information.
- 7 (3) Base an insured's renewal rate for a personal insurance policy
- 8 solely on credit information.
- 9 (4) Take an adverse action against a consumer solely because the
- 10 consumer does not have a credit card account.
- 11 (5) Consider an absence of credit information or an inability to
- 12 calculate an insurance score in underwriting or rating a personal
- 13 insurance policy, unless the insurer does one (1) of the following:
- 14 (A) Presents to the commissioner information that the absence
- 15 or inability relates to the risk for the insurer and treats the
- 16 consumer as approved by the commissioner.
- 17 (B) Treats the consumer as if the consumer had neutral credit
- 18 information, as defined by the insurer.
- 19 (6) Take an adverse action against a consumer based on credit
- 20 information unless the insurer obtains and uses:
- 21 (A) a credit report issued; or
- 22 (B) an insurance score calculated;
- 23 not more than ninety (90) days before the date the personal
- 24 insurance policy is first written or the renewal is issued.
- 25 (7) Use the following as a negative factor in an insurance scoring
- 26 methodology or in reviewing credit information for the purpose
- 27 of underwriting or rating a personal insurance policy:
- 28 (A) A credit inquiry:
- 29 (i) not initiated by the consumer; or
- 30 (ii) requested by the consumer for the consumer's own credit
- 31 information.
- 32 (B) A credit inquiry relating to insurance coverage.
- 33 (C) A late payment or a collection account with a medical
- 34 industry code on the consumer's credit report.
- 35 (D) Multiple lender inquiries:
- 36 (i) coded by the consumer reporting agency on the
- 37 consumer's credit report as being from the home mortgage
- 38 industry; and
- 39 (ii) made within thirty (30) days of one another.
- 40 (E) Multiple lender inquiries:
- 41 (i) coded by the consumer reporting agency on the
- 42 consumer's credit report as being from the automobile



- 1 lending industry; and  
 2 (ii) made within thirty (30) days of one another.
- 3 (b) An insurer that uses credit information to underwrite or rate risks  
 4 shall, at annual renewal upon the request of an insured or an insured's  
 5 agent, re-underwrite and re-rate the insured's personal insurance policy  
 6 based on a current credit report or insurance score unless one (1) of the  
 7 following applies:
- 8 (1) The insurer's treatment of the consumer is otherwise approved  
 9 by the commissioner.
- 10 (2) The insured is in the most favorably priced tier of the insurer,  
 11 within a group of affiliated insurers.
- 12 (3) Credit information was not used for underwriting or rating the  
 13 insured when the personal insurance policy was initially written.
- 14 (4) The insurer reevaluates the insured at least every thirty-six  
 15 (36) months after a personal insurance policy is issued based on  
 16 underwriting or rating factors other than credit information.
- 17 (5) The insurer has re-underwritten and re-rated the insured's  
 18 personal insurance policy based on a credit report obtained or an  
 19 insurance score recalculated less than twelve (12) months before  
 20 the date of the request by the insured or the insured's agent.
- 21 (c) An insurer that uses credit information to underwrite or rate risks  
 22 may obtain current credit information upon the renewal of a personal  
 23 insurance policy when renewal occurs more frequently than every  
 24 thirty-six (36) months if consistent with the insurer's underwriting  
 25 guidelines.
- 26 SECTION 45. IC 27-2-27-12, AS ADDED BY P.L.130-2020,  
 27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2024]: Sec. 12. As used in this chapter, "nonpublic  
 29 information" means electronic information that is not publicly available  
 30 information and is described in either of the following subdivisions:
- 31 (1) Any information concerning a consumer, which because of  
 32 name, number, personal mark, or other identifier can be used, in  
 33 combination with any one (1) or more of the following data  
 34 elements, to identify the consumer:
- 35 (A) Social Security number.
- 36 (B) Driver's license number or nondriver identification card  
 37 number.
- 38 (C) Financial account number, credit card number, or debit  
 39 card number.
- 40 (D) Any security code, access code, or password that would  
 41 permit access to a consumer's financial account.
- 42 (E) Biometric records.



- 1 (2) Any information or data, except age or ~~gender~~, **biological sex**,  
 2 in any form or medium created by or derived from a health care  
 3 provider or a consumer that can be used to identify a consumer  
 4 and relates to:
- 5 (A) the past, present, or future physical, mental, or behavioral  
 6 health or condition of the consumer or a member of the  
 7 consumer's family;  
 8 (B) the provision of health care to the consumer; or  
 9 (C) payment for the provision of health care provided to the  
 10 consumer.
- 11 SECTION 46. IC 31-11-1-1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Only a female  
 13 may marry a male. Only a male may marry a female.
- 14 (b) A marriage between persons of the same ~~gender~~ **biological sex**  
 15 is void in Indiana even if the marriage is lawful in the place where it is  
 16 solemnized.
- 17 SECTION 47. IC 31-11-1-7, AS ADDED BY P.L.94-2020,  
 18 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2024]: Sec. 7. (a) A minor who is sixteen (16) or seventeen  
 20 (17) years of age may petition the juvenile court in the county in which  
 21 the minor resides for an order granting the minor approval to marry and  
 22 completely emancipating the minor. The petition must contain the  
 23 following information:
- 24 (1) The minor's name, ~~gender~~, **biological sex**, and age.  
 25 (2) Documentary proof of the minor's date of birth.  
 26 (3) The minor's address, and how long the minor has resided at  
 27 that address.  
 28 (4) The following information with regard to the intended spouse:  
 29 (A) The intended spouse's name, ~~gender~~, **biological sex**, and  
 30 age.  
 31 (B) Documentary proof of the intended spouse's date of birth.  
 32 (C) The intended spouse's address, and how long the intended  
 33 spouse has resided at that address.  
 34 (5) A statement of:  
 35 (A) the reasons the minor desires to marry;  
 36 (B) how the minor and the intended spouse came to know each  
 37 other; and  
 38 (C) how long the minor and the intended spouse have known  
 39 each other.  
 40 (6) Copies of:  
 41 (A) any criminal records of the minor and of the intended  
 42 spouse; and



- 1 (B) any protective order:
- 2 (i) issued to protect or restrain either the minor or the
- 3 intended spouse; and
- 4 (ii) relating to domestic or family violence, a sexual offense,
- 5 or stalking.
- 6 (7) Evidence that the minor has demonstrated maturity and
- 7 capacity for self-sufficiency and self-support independent of the
- 8 minor's parents or legal guardians or the intended spouse,
- 9 including proof that the minor:
- 10 (A) has graduated from high school;
- 11 (B) has obtained a high school equivalency diploma;
- 12 (C) has a plan for continued education;
- 13 (D) has completed a vocational training or certificate program;
- 14 (E) has attained a professional licensure or certification; or
- 15 (F) has maintained stable housing or employment for at least
- 16 three (3) consecutive months prior to filing the petition.
- 17 (b) A court with which a petition under subsection (a) is filed shall:
- 18 (1) set a date for an evidentiary hearing on the petition;
- 19 (2) provide reasonable notice of the hearing to the minor and the
- 20 minor's parents or legal guardians; and
- 21 (3) appoint an attorney to serve as guardian ad litem for the
- 22 minor.
- 23 (c) At the evidentiary hearing, the court shall conduct an in camera
- 24 interview with the minor separate from the minor's parents or legal
- 25 guardians and intended spouse.
- 26 (d) Following the evidentiary hearing, and subject to subsection (e),
- 27 the court may grant the petition if the court finds all of the following:
- 28 (1) The minor is a county resident who is at least sixteen (16)
- 29 years of age.
- 30 (2) The intended spouse is not more than four (4) years older than
- 31 the minor.
- 32 (3) The minor's decision to marry is voluntary, and free from
- 33 force, fraud, or coercion.
- 34 (4) The minor is mature enough to make a decision to marry.
- 35 (5) The minor has established the minor's capacity to be
- 36 self-sufficient and self-supporting independent of the minor's
- 37 parents, legal guardians, and intended spouse.
- 38 (6) The minor understands the rights and responsibilities of
- 39 parties to marriage and of completely emancipated minors.
- 40 (7) It is in the best interests of the minor for the court to grant the
- 41 petition to marry and to completely emancipate the minor. In
- 42 making the determination under this subdivision, the court shall



- 1 consider how marriage and emancipation may affect the minor's  
 2 health, safety, education, and welfare.
- 3 A court that grants a petition under this section shall issue written  
 4 findings regarding the court's conclusions under subdivisions (1)  
 5 through (7).
- 6 (e) The following, considered independently or together, are not  
 7 sufficient to determine the best interests of a minor for purposes of this  
 8 section:
- 9 (1) The fact that the minor or the intended spouse is pregnant or  
 10 has had a child.
- 11 (2) The wishes of the parents or legal guardians of the minor.
- 12 However, there is a rebuttable presumption that marriage and  
 13 emancipation are not in the best interests of the minor if both parents  
 14 of the minor oppose the minor's marriage and emancipation.
- 15 (f) The juvenile court shall deny a petition under this section if the  
 16 court finds any of the following:
- 17 (1) The intended spouse:
- 18 (A) is or was in a position of authority or special trust in  
 19 relation to the minor; or
- 20 (B) has or had a professional relationship with the minor, as  
 21 defined in IC 35-42-4-7.
- 22 (2) The intended spouse has been convicted of, or entered into a  
 23 diversion program for, an offense under IC 35-42:
- 24 (A) that involves an act of violence;
- 25 (B) of which a child was the victim; or
- 26 (C) that is an offense under:
- 27 (i) IC 35-42-3.5; or
- 28 (ii) IC 35-42-4.
- 29 (3) Either the minor or the intended spouse is pregnant or is the  
 30 mother of a child, and the court finds by a preponderance of  
 31 evidence that:
- 32 (A) the other party to the marriage is the father of the child or  
 33 unborn child; and
- 34 (B) the conception of the child or unborn child resulted from  
 35 the commission of an offense under:
- 36 (i) IC 35-42-4-3 (child molesting);
- 37 (ii) IC 35-42-4-6 (child solicitation);
- 38 (iii) IC 35-42-4-7 (child seduction); or
- 39 (iv) IC 35-42-4-9 (sexual misconduct with a minor).
- 40 (4) The intended spouse has previously been enjoined by a  
 41 protective order relating to domestic or family violence, a sexual  
 42 offense, or stalking, regardless of whether the person protected by



1           the order was the minor.

2           (g) If a court grants a petition under this section, the court shall also

3 issue an order of complete emancipation of the minor and provide a

4 certified copy of the order to the minor.

5           (h) A minor emancipated under this section is considered to have all

6 the rights and responsibilities of an adult, except as provided under

7 specific constitutional or statutory age requirements that apply to the

8 minor because of the minor's age, including requirements related to

9 voting, use of alcoholic beverages or tobacco products, and other health

10 and safety regulations.

11           (i) A court hearing a petition under this section may issue any other

12 order the court considers appropriate for the minor's protection.

13           (j) A court that grants a petition under this section may require that

14 both parties to the marriage complete premarital counseling with a

15 marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8,

16 or IC 25-33.

17           (k) A court that grants a petition under this section may impose any

18 other condition on the grant of the petition that the court determines is

19 reasonable under the circumstances.

20           SECTION 48. IC 31-33-18-1.5, AS AMENDED BY P.L.77-2023,

21 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

22 JULY 1, 2024]: Sec. 1.5. (a) This section applies to records held by:

23           (1) a local office;

24           (2) the department; or

25           (3) the department of child services ombudsman established by

26 IC 4-13-19-3;

27 regarding a child whose death or near fatality may have been the result

28 of abuse, abandonment, or neglect.

29           (b) For purposes of subsection (a), a child's death or near fatality

30 may have been the result of abuse, abandonment, or neglect if:

31           (1) an entity described in subsection (a) determines that the child's

32 death or near fatality is the result of abuse, abandonment, or

33 neglect; or

34           (2) a prosecuting attorney files:

35           (A) an indictment or information; or

36           (B) a complaint alleging the commission of a delinquent act;

37 that, if proven, would cause a reasonable person to believe that

38 the child's death or near fatality may have been the result of

39 abuse, abandonment, or neglect.

40 Upon the request of any person, or upon its own motion, the court

41 exercising juvenile jurisdiction in the county in which the child's death

42 or near fatality occurred shall determine whether the allegations



1 contained in the indictment, information, or complaint described in  
 2 subdivision (2), if proven, would cause a reasonable person to believe  
 3 that the child's death or near fatality may have been the result of abuse,  
 4 abandonment, or neglect.

5 (c) If the juvenile court finds that the child's death or near fatality  
 6 was the result of abuse, abandonment, or neglect, the court shall make  
 7 written findings and provide a copy of the findings and the indictment,  
 8 information, or complaint described under subsection (b)(2) to the  
 9 department.

10 (d) As used in this section:

11 (1) "case" means:

12 (A) any intake report or other documentation such as a referral  
 13 or other matter received or generated by the department;

14 (B) any investigation or assessment conducted by the  
 15 department; or

16 (C) ongoing involvement between the department and a child  
 17 or family that is the result of:

18 (i) a program of informal adjustment; or

19 (ii) a child in need of services action;

20 for which related records and documents have not been expunged  
 21 as required by law or by a court at the time the department is  
 22 notified of a fatality or near fatality;

23 (2) "contact" means in person communication about a case in  
 24 which:

25 (A) the child who is the victim of a fatality or near fatality is  
 26 alleged to be a victim; or

27 (B) the perpetrator of the fatality or near fatality is alleged to  
 28 be the perpetrator;

29 (3) "identifying information" means information that identifies an  
 30 individual, including an individual's:

31 (A) name, address, date of birth, occupation, place of  
 32 employment, and telephone number;

33 (B) employer identification number, mother's maiden name,  
 34 Social Security number, or any identification number issued by  
 35 a governmental entity;

36 (C) unique biometric data, including the individual's  
 37 fingerprint, voice print, or retina or iris image;

38 (D) unique electronic identification number, address, or  
 39 routing code;

40 (E) telecommunication identifying information; or

41 (F) telecommunication access device, including a card, a plate,  
 42 a code, an account number, a personal identification number,



- 1 an electronic serial number, a mobile identification number, or  
 2 another telecommunications service or device or means of  
 3 account access;
- 4 (4) "life threatening" means an injury or condition that is  
 5 categorized as "serious" or "critical" in patient hospital records;  
 6 and
- 7 (5) "near fatality" means a severe childhood injury or condition  
 8 that is certified by a physician as being life threatening.
- 9 (e) Unless:
- 10 (1) a police investigation or criminal prosecution is ongoing; or  
 11 (2) information in a record is otherwise confidential under state  
 12 or federal law;
- 13 a record described in subsection (a) that has been redacted in  
 14 accordance with this section is not confidential and may be disclosed  
 15 to any person who requests the record. The person requesting the  
 16 record may be required to pay the reasonable expenses of copying the  
 17 record.
- 18 (f) When a person requests a record described in subsection (a), the  
 19 entity having control of the record shall immediately transmit a copy of  
 20 the record to the court exercising juvenile jurisdiction in the county in  
 21 which the death or near fatality of the child occurred. However, if the  
 22 court requests that the entity having control of a record transmit the  
 23 original record, the entity shall transmit the original record.
- 24 (g) Upon receipt of the record described in subsection (a), the court  
 25 shall, within thirty (30) days, redact the record to exclude:
- 26 (1) identifying information described in subsection (d)(3)(B)  
 27 through (d)(3)(F) of a person; and  
 28 (2) all identifying information of a child less than eighteen (18)  
 29 years of age.
- 30 (h) The court shall disclose the record redacted in accordance with  
 31 subsection (g) to any person who requests the record, if the person has  
 32 paid:
- 33 (1) to the entity having control of the record, the reasonable  
 34 expenses of copying under IC 5-14-3-8; and  
 35 (2) to the court, the reasonable expenses of copying the record.
- 36 (i) The data and information in a record disclosed under this section  
 37 must include the following:
- 38 (1) A summary of the report of abuse or neglect and a factual  
 39 description of the contents of the report.  
 40 (2) The age and ~~gender~~ **biological sex** of the child.  
 41 (3) The cause of the fatality or near fatality, if the cause has been  
 42 determined.





1 (4) Whether the department had any contact with the child or the  
 2 perpetrator before the fatality or near fatality, and, if the  
 3 department had contact, the following:

4 (A) The frequency of the contact with the child or the  
 5 perpetrator before the fatality or near fatality and the date on  
 6 which the last contact occurred before the fatality or near  
 7 fatality.

8 (B) A summary of the status of the child's case at the time of  
 9 the fatality or near fatality, including:

10 (i) whether the child's case was closed by the department  
 11 before the fatality or near fatality; and

12 (ii) if the child's case was closed as described under item (i),  
 13 the date of closure and the reasons that the case was closed.

14 (j) The court's determination under subsection (g) that certain  
 15 identifying information or other information is not relevant to  
 16 establishing the facts and circumstances leading to the death or near  
 17 fatality of a child is not admissible in a criminal proceeding or civil  
 18 action.

19 SECTION 49. IC 31-34-21-7.3, AS AMENDED BY P.L.128-2012,  
 20 SECTION 168, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2024]: Sec. 7.3. (a) This section applies after:

22 (1) a court authorizes the filing of a petition to terminate the  
 23 parent-child relationship; or

24 (2) a petition to terminate the parent-child relationship is filed;  
 25 in relation to a child in need of services.

26 (b) The department shall post the following nonidentifying  
 27 information on the Internet to facilitate a potential adoptive placement  
 28 of the child:

29 (1) The child's age, ~~gender~~, **biological sex**, and summary of the  
 30 child's educational, social, and medical background, including  
 31 known disabilities.

32 (2) The reason the child was removed from the child's home.

33 (3) Whether a person has expressed an interest in adopting the  
 34 child.

35 (4) The name, address, and telephone number of a contact person  
 36 from:

37 (A) the department;

38 (B) the appropriate local office; or

39 (C) licensed child placing agency;

40 where a person who may be interested in adopting the child may  
 41 obtain further information about adopting the child.

42 (5) Whether a petition to terminate the rights of the child's parents



1 has been authorized or filed, and whether the rights of the child's  
 2 parents have been terminated.

3 (6) An address and telephone number of:

4 (A) the department;

5 (B) the appropriate local office; or

6 (C) licensed child placing agency;

7 where a person who may be interested in adopting the child may  
 8 obtain further information about adopting the child.

9 (c) The information posted under subsection (b) may not identify the  
 10 name of any of the following persons:

11 (1) The child.

12 (2) The child's biological or adoptive parents.

13 (3) A sibling of the child.

14 (4) A caretaker of the child.

15 (d) The department shall update any relevant information under this  
 16 section after either of the following:

17 (1) Each of the child's periodic reviews that occur after the  
 18 information under this section is required to be posted.

19 (2) The rights of the child's parents have been terminated.

20 (e) The department shall remove the information required under  
 21 subsection (b) from the Internet whenever the child is reunited with the  
 22 child's family or an adoption of the child is filed under IC 31-19-2.

23 (f) Upon request, the department shall inform the person making the  
 24 request of the address of the Internet web site containing the  
 25 information described in this section.

26 SECTION 50. IC 31-35-1.5-5, AS ADDED BY P.L.45-2023,  
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2024]: Sec. 5. Notice of a petition to terminate the  
 29 parent-child relationship under section 4 of this chapter must be given  
 30 to:

31 (1) each known living parent of a child born in wedlock, including  
 32 a man who is presumed to be the child's biological father under  
 33 IC 31-14-7-1, in accordance with IC 31-19-2.5-6; and

34 (2) an unnamed or unknown putative parent;

35 in substantially the following form:

36 "NOTICE TO UNNAMED PARENT

37 The unnamed putative parent of a \_\_\_\_\_ (gender) (biological sex)  
 38 infant that was voluntarily surrendered on \_\_\_\_\_ (date) in  
 39 \_\_\_\_\_ (county) and born on approximately \_\_\_\_\_ (birth date  
 40 range), or the person who claims to be a parent of the infant, is notified  
 41 that a petition to terminate the parent-child relationship was filed in the  
 42 office of the clerk of \_\_\_\_\_ court, \_\_\_\_\_ (address of court).



1 If the unnamed putative parent seeks to contest the petition to  
 2 terminate the parent-child relationship of the infant, the unnamed  
 3 putative parent must file a motion to contest the petition in accordance  
 4 with IC 31-35-1.5-8 in the above named court within twenty-eight (28)  
 5 days after the date of service of this notice. This notice may be served  
 6 by publication.

7 If the unnamed putative parent does not file a motion to contest the  
 8 adoption within twenty-eight (28) days after service of this notice, the  
 9 above named court shall hear and determine the petition to terminate  
 10 the parent-child relationship. The unnamed putative parent's consent is  
 11 irrevocably implied and the unnamed putative parent loses the right to  
 12 contest the petition to terminate the parent-child relationship or the  
 13 validity of the unnamed putative parent's implied consent to the  
 14 termination of the parent-child relationship. The unnamed putative  
 15 parent loses the right to establish a biological relationship with the  
 16 child in Indiana or any other jurisdiction.

17 Nothing anyone else says to the unnamed putative parent of the  
 18 infant relieves the unnamed putative parent of his or her obligations  
 19 under this notice.

20 Under Indiana law, a putative parent is a person who claims that he  
 21 or she may be the father or mother of an infant who has been  
 22 voluntarily surrendered but who has not yet been legally proven to be  
 23 the child's father or mother.

24 This notice complies with IC 31-35-1.5-5 but does not exhaustively  
 25 set forth the unnamed putative parent's legal obligations under the  
 26 Indiana adoption statutes. A person being served with this notice  
 27 should consult the Indiana adoption statutes."

28 SECTION 51. IC 31-37-8.5-6, AS ADDED BY P.L.101-2022,  
 29 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2024]: Sec. 6. (a) A local probation department shall collect  
 31 individual data on any child diverted through juvenile diversion  
 32 described in this chapter, including:

- 33 (1) demographic data on age, race, ethnicity, and ~~gender~~;
- 34 **biological sex**;
- 35 (2) risk screening information;
- 36 (3) offense;
- 37 (4) service participation; and
- 38 (5) outcome and completion data;

39 and report the information to the office of judicial administration on an  
 40 annual basis.

41 (b) The office of judicial administration shall provide an annual  
 42 report that includes the information described in subsection (a). The



1 report shall be provided to the governor, the chief justice, and the  
 2 legislative council before December 1 of each year. The report  
 3 provided to the legislative council must be in an electronic format  
 4 under IC 5-14-6.

5 SECTION 52. IC 31-40-5-4, AS AMENDED BY P.L.201-2023,  
 6 SECTION 242, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The Indiana criminal justice  
 8 institute (as described in IC 5-2-6) may use available funds to  
 9 strengthen the agency's grant management capacity to:

- 10 (1) serve as an efficient pass through to counties;  
 11 (2) provide quality assurance and technical assistance to counties;  
 12 and  
 13 (3) support and coordinate data collection.

14 (b) The Indiana criminal justice institute shall prepare an annual  
 15 report that details the performance measures collected and reported  
 16 under IC 2-5-36-9.3(b)(4), including an analysis of the performance  
 17 measures by race, ethnicity, ~~gender~~, **biological sex**, and other  
 18 demographic factors. The report shall be provided to the governor, the  
 19 chief justice, the legislative council, the oversight committee, and the  
 20 Indiana criminal justice institute before December 1 of each year. The  
 21 report provided to the legislative council must be in an electronic  
 22 format under IC 5-14-6.

23 SECTION 53. IC 33-33-45-35, AS AMENDED BY P.L.204-2021,  
 24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2024]: Sec. 35. In selecting the five (5) nominees to be  
 26 submitted to the governor, the commission shall comply with the  
 27 following requirements:

- 28 (1) The commission shall submit only the names of the five (5)  
 29 most highly qualified candidates from among all those eligible  
 30 individuals considered. To be eligible for nomination as a judge  
 31 of the superior court of Lake County, a person must be domiciled  
 32 in the county of Lake, a citizen of the United States, and admitted  
 33 to the practice of law in Indiana.  
 34 (2) In abiding by the mandate in subdivision (1), the commission  
 35 shall evaluate in writing each eligible individual on the following  
 36 factors:  
 37 (A) Law school record, including any academic honors and  
 38 achievements.  
 39 (B) Contribution to scholarly journals and publications,  
 40 legislative drafting, and legal briefs.  
 41 (C) Activities in public service, including:  
 42 (i) writings and speeches concerning public or civic affairs



- 1 that are on public record, including but not limited to  
 2 campaign speeches or writings, letters to newspapers, and  
 3 testimony before public agencies;  
 4 (ii) government service;  
 5 (iii) efforts and achievements in improving the  
 6 administration of justice; and  
 7 (iv) other conduct relating to the individual's profession.  
 8 (D) Legal experience, including the number of years of  
 9 practicing law, the kind of practice involved, and reputation as  
 10 a trial lawyer or judge.  
 11 (E) Probable judicial temperament.  
 12 (F) Physical condition, including age, stamina, and possible  
 13 habitual intemperance.  
 14 (G) Personality traits, including the exercise of sound  
 15 judgment, ability to compromise and conciliate, patience,  
 16 decisiveness, and dedication.  
 17 (H) Membership on boards of directors, financial interests, and  
 18 any other consideration that might create conflict of interest  
 19 with a judicial office.  
 20 (I) Any other pertinent information that the commission feels  
 21 is important in selecting the best qualified individuals for  
 22 judicial office.  
 23 (3) These written evaluations shall not be made on an individual  
 24 until the individual states in writing that the individual desires to  
 25 hold a judicial office that is or will be created by vacancy.  
 26 (4) The political affiliations of any candidate may not be  
 27 considered by the commission in evaluating and determining  
 28 which eligible candidates shall be recommended to the governor  
 29 for a vacancy on the superior court of Lake County.  
 30 (5) In determining which eligible candidates are recommended to  
 31 the governor, the commission shall consider that racial ~~and gender~~  
 32 diversity **and diversity of biological sex** enhances the quality of  
 33 the judiciary.  
 34 SECTION 54. IC 33-41-1-2 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A person may not  
 36 be considered ineligible to serve as official reporter because of the  
 37 person's ~~gender~~ **biological sex**.  
 38 (b) A judge may not appoint the judge's son or daughter as an  
 39 official reporter.

