HOUSE BILL No. 1291

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.

Judy, King, Davis, Morris

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

SECTION 1. IC 1-1-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) The following definitions apply to the construction of all Indiana statutes concerning sex discrimination and benefits or services that are designated based upon sex:

1. "Boy" means a male person less than eighteen (18) years of age.
2. "Father" means a male parent of a child.
3. "Female" means a person with a reproductive system that, but for a medically verifiable genetic disorder of sex development, at some point produces ova.
4. "Girl" means a female person less than eighteen (18) years of age.
5. "Male" means a person with a reproductive system that, but for a medically verifiable genetic disorder of sex development, at some point produces sperm for fertilization of ova.
(6) "Man" means a male person at least eighteen (18) years of age.
(7) "Medically verifiable genetic disorder of sex development" means having:
   (A) both ovarian and testicular tissue; or
   (B) external biological characteristics that are ambiguous resulting from having a 46,XX karyotype with virilization or 46,XY karyotype with undervirilization.
(8) "Mother" means a female parent of a child.
(9) "Sex" means the biological, genetic identity of a person as either male or female. This term does not include gender identity or any other term that conveys a person's subjective identification of a term other than male or female.
(10) "Woman" means a female person at least eighteen (18) years of age.

(b) The definitions in this section do not apply to any state or federal requirements for an entity to report statistics based upon an individual's sex or gender.

SECTION 2. IC 3-6-11-2.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.6. An organization or individual conducting activities under section 2.5 of this chapter shall follow the following procedures:
(1) Submit a list of poll takers to the person designated by the college or university.
(2) If the student housing is not covered by a policy limiting visitation by members of the other gender biological sex in the living areas of the student housing, conduct the activities permitted under section 2.5 of this chapter between 10 a.m. and 8 p.m.
(3) If the student housing is covered by a policy limiting visitation by members of the other gender biological sex in the living areas of the student housing, conduct the activities permitted under section 2.5 of this chapter during the most restrictive of the following times:
   (A) Between 10 a.m. and 8 p.m.
   (B) During the hours visitation is permitted.

SECTION 3. IC 3-7-26.4-8, AS ADDED BY P.L.81-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) This section applies to a person other than a registered voter requesting information about the registered voter.
(b) After a person files a request with the election division for voter registration information compiled under this chapter, the election
division shall provide a compilation of the information from the
computerized list to the person, redacting the information described in
subsection (c).
(c) The election division shall not provide information under this
section concerning any of the following information concerning a
voter:

(1) Date of birth.

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

(3) Telephone number or electronic mail address.

(4) Voting history.

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

(6) The date of registration of the voter.

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

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

(2) The provision of equitable and adequate compensation.

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

(4) The retention of employees based on:

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

   (B) the correction of inadequate performance;

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

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

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

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

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

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

(c) The personnel administration systems adopted under this chapter
govern and limit all other state employment matters and every appointing authority.

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

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

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

(1) A consistent and uniform statewide deadly force policy and training program, that is consistent with state and federal law. Upon adoption by the law enforcement training board, the policy and training program must be implemented, without modification, by all Indiana law enforcement agencies, offices, or departments.

(2) A consistent and uniform statewide defensive tactics policy and training program, that is consistent with state and federal law. Upon adoption by the law enforcement training board, the policy and training program must be implemented, without modification, by all Indiana law enforcement agencies, offices, or departments.

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

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

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

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

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

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

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

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

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

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

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

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

(C) persons with Alzheimer’s disease or related senile dementia;

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

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

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

(B) Identification of human and sexual trafficking.

(C) Communicating with traumatized persons.

(D) Therapeutically appropriate investigative techniques.
(E) Collaboration with federal law enforcement officials.
(F) Rights of and protections afforded to victims.
(G) Providing documentation that satisfies the Declaration of
Law Enforcement Officer for Victim of Trafficking in Persons
(Form I-914, Supplement B) requirements established under
federal law.
(H) The availability of community resources to assist human
and sexual trafficking victims.

(14) Minimum standards for ongoing specialized, intensive, and
integrative training for persons responsible for investigating
sexual assault cases involving adult victims. This training must
include instruction on:
   (A) the neurobiology of trauma;
   (B) trauma informed interviewing; and
   (C) investigative techniques.

(15) Minimum standards for de-escalation training. De-escalation
training shall be taught as a part of existing use-of-force training
and not as a separate topic.

(16) Minimum standards regarding best practices for crowd
control, protests, and First Amendment activities.

(17) Minimum standards for basic training and inservice training
programs, which may be completed online or by other means of
virtual instruction, that occur after December 31, 2024, and that
address the mental health and wellness of law enforcement
officers including:
   (A) healthy coping skills to preserve the mental health of law
       enforcement officers and manage the stress and trauma of
       policing;
   (B) recognizing:
       (i) symptoms of posttraumatic stress disorder; and
       (ii) signs of suicidal behavior; and
   (C) information on mental health resources available for law
       enforcement officers.

All statewide policies and minimum standards shall be documented in
writing and published on the Indiana law enforcement academy (ILEA)
website. Any policy, standard, or training program implemented,
adopted, or promulgated by a vote of the board may only subsequently
be modified or rescinded by a two-thirds (2/3) majority vote of the
board.

(b) A law enforcement officer appointed after July 5, 1972, and
before July 1, 1993, may not enforce the laws or ordinances of the state
or any political subdivision unless the officer has, within one (1) year
from the date of appointment, successfully completed the minimum basic training requirements established under this chapter by the board. If a person fails to successfully complete the basic training requirements within one (1) year from the date of employment, the officer may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until the officer has successfully completed the training requirements. This subsection does not apply to any law enforcement officer appointed before July 6, 1972, or after June 30, 1993.

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

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

(1) make an arrest;
(2) conduct a search or a seizure of a person or property; or
(3) carry a firearm;
unless the law enforcement officer successfully completes, at a board certified law enforcement academy or at a law enforcement training center under section 10.5 or 15.2 of this chapter, the basic training requirements established by the board under this chapter.

(e) This subsection does not apply to:

(1) a gaming agent employed as a law enforcement officer by the Indiana gaming commission; or
(2) an:
   (A) attorney; or
   (B) investigator;
designated by the securities commissioner as a police officer of the state under IC 23-19-6-1(k).

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

(f) The board shall adopt rules under IC 4-22-2 to establish a
pre-basic course for the purpose of training:

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

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

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

(1) training:
   (A) in interacting with persons with mental illness, addictive
disorders, intellectual disabilities, autism, developmental
disabilities, and Alzheimer's disease or related senile
dementia; and
   (B) provided by persons approved by the secretary of family
   and social services and the board;
(2) after December 31, 2024, annual training, which may be
completed online or by other means of virtual instruction, that
addresses the mental health and wellness of law enforcement
officers including:
   (A) healthy coping skills to preserve the mental health of law
   enforcement officers and manage the stress and trauma of
   policing;
   (B) recognizing:
   (i) symptoms of posttraumatic stress disorder; and

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

(4) The limitation imposed by subdivision (3) does not apply to an officer who has successfully completed the mandated basic training program.

(5) The time limitations imposed by subsections (b) and (c) for completing the training are also applicable to the marshal basic training program.

(6) The program must require training in interacting with individuals with autism.

(j) The board shall adopt rules under IC 4-22-2 to establish an executive training program. The executive training program must include training in the following areas:

(1) Liability.

(2) Media relations.

(3) Accounting and administration.

(4) Discipline.

(5) Department policy making.

(6) Lawful use of force and de-escalation training.

(7) Department programs.

(8) Emergency vehicle operation.

(9) Cultural diversity.

(10) After December 31, 2024, mental health and wellness and suicide prevention of law enforcement officers. The training requirement under this subdivision may be provided as part of an online course or by other means of virtual instruction.

(k) A police chief shall apply for admission to the executive training program within two (2) months of the date the police chief initially takes office. A police chief must successfully complete the executive training program within six (6) months of the date the police chief initially takes office. However, if space in the executive training program is not available at a time that will allow completion of the executive training program within six (6) months of the date the police chief initially takes office, the police chief must successfully complete the next available executive training program that is offered after the police chief initially takes office.

(l) A police chief who fails to comply with subsection (k) may not continue to serve as the police chief until completion of the executive training program. For the purposes of this subsection and subsection (k), "police chief" refers to:

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

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

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

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

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

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

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

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

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

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

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

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

(1) arrest;

(2) search; and

(3) seizure.

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

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

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

(A) completing the pre-basic course; or

(B) leaving the individual's last appointment as a reserve police officer.
An officer to whom this subsection applies must successfully complete the refresher course established by the board in order to work as a reserve police officer.

(r) This subsection applies to an individual who, at the time the individual completes a board certified or recognized basic training course, has not been appointed as a law enforcement officer by an Indiana law enforcement department or agency. If the individual is not employed as a law enforcement officer for at least two (2) years after completing the basic training course, the individual must successfully retake and complete the basic training course as set forth in subsection (d).

(s) The board shall adopt rules under IC 4-22-2 to establish a refresher course for an individual who:

(1) is appointed as a board certified instructor of law enforcement training; and

(2) has not provided law enforcement training instruction for more than one (1) year after the date the individual's instructor certification expired.

An individual to whom this subsection applies must successfully complete the refresher course established by the board in order to renew the individual's instructor certification.

(t) This subsection applies only to a gaming agent employed as a law enforcement officer by the Indiana gaming commission. A gaming agent appointed after June 30, 2005, may exercise the police powers described in subsection (d) if:

(1) the agent successfully completes the pre-basic course established in subsection (f); and

(2) the agent successfully completes any other training courses established by the Indiana gaming commission in conjunction with the board.

(u) This subsection applies only to a securities enforcement officer designated as a law enforcement officer by the securities commissioner. A securities enforcement officer may exercise the police powers described in subsection (d) if:

(1) the securities enforcement officer successfully completes the pre-basic course established in subsection (f); and

(2) the securities enforcement officer successfully completes any other training courses established by the securities commissioner in conjunction with the board.

(v) This subsection applies only to a correctional police officer employed by the department of correction. A correctional police officer
may exercise the police powers described in subsection (d) if:

(1) the officer successfully completes the pre-basic course described in subsection (f); and
(2) the officer successfully completes any other training courses established by the department of correction in conjunction with the board.

(w) This subsection applies only to the sexual assault training described in subsection (a)(14). The board shall:

(1) consult with experts on the neurobiology of trauma, trauma informed interviewing, and investigative techniques in developing the sexual assault training; and
(2) develop the sexual assault training and begin offering the training not later than July 1, 2022.

(x) After July 1, 2023, a law enforcement officer who regularly investigates sexual assaults involving adult victims must complete the training requirements described in subsection (a)(14) within one (1) year of being assigned to regularly investigate sexual assaults involving adult victims.

(y) A law enforcement officer who regularly investigates sexual assaults involving adult victims may complete the training requirements described in subsection (a)(14) by attending a:

(1) statewide or national training; or
(2) department hosted local training.

(z) Notwithstanding any other provisions of this section, the board is authorized to establish certain required standards of training and procedure.

SECTION 7. IC 5-2-8-1, AS AMENDED BY P.L.59-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The following definitions apply in this section:

(1) "Abuse" means:

(A) conduct that causes bodily injury (as defined in IC 35-31.5-2-29) or damage to property; or
(B) a threat of conduct that would cause bodily injury (as defined in IC 35-31.5-2-29) or damage to property.

(2) "County law enforcement agency" includes:

(A) postsecondary educational institution police officers appointed under IC 21-17-5 or IC 21-39-4; and
(B) school corporation police officers appointed under IC 20-26-16.

(b) There is established in each county a county law enforcement continuing education program. The program is funded by amounts
appropriated under IC 33-37-8-4 or IC 33-37-8-6.

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

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

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

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

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

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

1. Duties of a law enforcement officer in enforcing restraining
   orders, protective orders, temporary injunctions, and permanent
   injunctions involving abuse.
2. Guidelines for making felony and misdemeanor arrests in
   cases involving abuse.
3. Techniques for handling incidents of abuse that:
   A. minimize the likelihood of injury to the law enforcement
      officer; and
   B. promote the safety of a victim.
4. Information about the nature and extent of abuse.
5. Information about the legal rights of and remedies available
   to victims of abuse, including the U nonimmigrant visa created
   under the federal Victims of Trafficking and Violence Protection
6. How to document and collect evidence in an abuse case.
(7) The legal consequences of abuse.
(8) The impact on children of law enforcement intervention in abuse cases.
(9) Services and facilities available to victims of abuse and abusers.
(10) Verification of restraining orders, protective orders, temporary injunctions, and permanent injunctions.
(11) Policies concerning arrest or release of suspects in abuse cases.
(12) Emergency assistance to victims of abuse and criminal justice options for victims of abuse.
(13) Landlord-tenant concerns in abuse cases.
(14) The taking of an abused child into protective custody.
(15) Assessment of a situation in which a child may be seriously endangered if the child is left in the child's home.
(16) Assessment of a situation involving an endangered adult (as defined in IC 12-10-3-2).
(17) Response to a sudden, unexpected infant death.
(18) Performing cardiopulmonary resuscitation and the Heimlich maneuver.
(19) Cultural diversity awareness that includes an understanding of cultural issues related to race, religion, gender, biological sex, age, domestic violence, national origin, and physical and mental disabilities.

(i) A county law enforcement agency may provide continuing education under subsection (h) to each police reserve officer (described in IC 36-8-3-20) appointed by the county law enforcement agency.

(j) A county law enforcement agency may enter into an agreement with other law enforcement agencies to provide the continuing education required by this section and section 2(f) of this chapter.

SECTION 8. IC 5-2-17-6, AS ADDED BY P.L.92-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) Upon receipt of a report of a missing person, a law enforcement agency shall attempt to gather relevant information that will assist in locating the missing person. This information must include the following, if available:

(1) The name of the missing person, including any aliases.
(2) The date of birth of the missing person.
(3) Any identifying marks, such as a birthmark, mole, tattoo, or scar.
(4) The height and weight of the missing person.
(5) The gender biological sex of the missing person.
(6) The race of the missing person.
(7) The color of the missing person's hair at the time of the disappearance, and, if applicable, the natural color of the missing person's hair.
(8) The eye color of the missing person.
(9) Any prosthetic devices or surgical or cosmetic implants that the missing person may have.
(10) Any physical anomalies of the missing person.
(11) The blood type of the missing person.
(12) The driver's license number of the missing person.
(13) A recent photograph of the missing person.
(14) A description of the clothing that the missing person was wearing when last seen.
(15) A description of any other items, including jewelry or other accessories, that the missing person may have possessed at the time of the disappearance.
(16) Contact information for the missing person, including electronic mail addresses and cellular telephone numbers.
(17) Why the person submitting the report believes that the missing person is missing.
(18) The name and location of the missing person's school or employer.
(19) The names and locations of the missing person's dentist and physician.
(20) Any reason to believe that the missing person's disappearance was not voluntary.
(21) Any reason to believe that the missing person may be in danger.
(22) A detailed description of the missing person's vehicle.
(23) Information concerning:
   (A) the person with whom the missing person was last seen; or
   (B) a possible abductor.
(24) The date of last contact with the missing person.
(25) Any other information that will assist in locating the missing person.

(b) A law enforcement agency shall determine as soon as possible after receipt of a report of a missing person whether the missing person is a high risk missing person. If a law enforcement agency determines that a missing person is not a high risk missing person and new information suggests that the missing person may be a high risk missing person, the law enforcement agency shall make a new determination as to whether the person is a high risk missing person.
(c) A law enforcement agency that determines after a diligent investigation that a missing person is either voluntarily missing or not missing may stop the investigation.

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

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

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

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

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

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

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

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

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

(1) fifteen-hundredths percent (0.15%);

(2) two-tenths percent (0.2%);

(3) twenty-five hundredths percent (0.25%);

(4) three-tenths percent (0.3%);

(5) thirty-five hundredths percent (0.35%);

(6) four-tenths percent (0.4%);

(7) forty-five hundredths percent (0.45%);

(8) five-tenths percent (0.5%);
(9) fifty-five hundredths percent (0.55%); 
(10) six-tenths percent (0.6%); or 
(11) sixty-five hundredths percent (0.65%). 
The tax rate may not be greater than the rate necessary to pay for the 
purposes described in subsection (b).
(d) The tax rate under this section may be imposed only until the 
latest of the following dates:
(1) The date on which the financing, construction, acquisition, 
   improvement, renovation, and equipping of the facilities as 
described in subsection (b) are completed.
(2) The date on which the last of any bonds issued (including 
   refunding bonds) or leases entered into to finance the 
   construction, acquisition, improvement, renovation, and 
   equipping of the facilities described in subsection (b) are fully 
   paid.
(3) The date on which an ordinance adopted under subsection (c) 
is rescinded.
(e) The tax rate under this section may be imposed beginning on the 
effective date of the ordinance as provided in IC 6-3.6-3-3 and until the 
date specified in subsection (d).
(f) The term of a bond issued (including any refunding bond) or a 
lease entered into under subsection (b) may not exceed twenty-five (25) 
years.
(g) The county treasurer shall establish a county jail revenue fund 
to be used only for the purposes described in this section. Local income 
tax revenues derived from the tax rate imposed under this section shall 
be deposited in the county jail revenue fund.
(h) Local income tax revenues derived from the tax rate imposed 
under this section:
(1) may be used only for the purposes described in this section;
(2) may not be considered by the department of local government 
   finance in determining the county's maximum permissible 
   property tax levy limit under IC 6-1.1-18.5; and
(3) may be pledged to the repayment of bonds issued or leases 
   entered into for the purposes described in subsection (b).
(i) The use of local income tax revenues as provided in this section 
is necessary for the county to provide adequate jail capacity in the 
county and to maintain low property tax rates essential to economic 
development. The use of local income tax revenues as provided in this 
section to pay any bonds issued or leases entered into to finance the 
construction, acquisition, improvement, renovation, and equipping of 
the facilities described in subsection (b), rather than the use of property
taxes, promotes those purposes.

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

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

   (1) The full legal name of the applicant.
   (2) The applicant's date of birth.
   (3) The gender biological sex of the applicant.
   (4) The applicant's height, weight, hair color, and eye color.
   (5) The address of the applicant.
   (6) A:
      (A) valid Social Security number; or
      (B) verification of an applicant's:
          (i) ineligibility to be issued a Social Security number;
          (ii) identity; and
          (iii) lawful status, except for an individual granted parole.
   (7) Whether the applicant has been subject to fainting spells or
seizures.
   (8) Whether the applicant has been issued a driver's license or has
been the holder of a permit, and if so, when and by what
jurisdiction.
   (9) Whether the applicant's driver's license or permit has ever
been suspended or revoked, and if so, the date of and the reason
for the suspension or revocation.
   (10) Whether the applicant has been convicted of:
      (A) a crime punishable as a felony under Indiana motor
      vehicle law; or
      (B) any other felony in the commission of which a motor
      vehicle was used;
that has not been expunged by a court.
   (11) Whether the applicant has a physical or mental disability,
and if so, the nature of the disability.
   (12) The signature of the applicant showing the applicant's legal
name as it appears or will appear on the driver's license or permit.
   (13) A digital photograph of the applicant.
   (14) Any other information the bureau requires.
(b) For purposes of subsection (a), an individual certified as a
program participant in the address confidentiality program under
IC 5-26.5 is not required to provide the individual's address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's address.

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

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

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

(b) The bureau may provide for the omission of a photograph or computerized image from any driver's license or learner's permit issued in the form of a physical credential if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph may not be issued in the form of a mobile credential and must include a statement that indicates that the driver's license or learner's permit issued without a digital photograph may not
be accepted by a federal agency for federal identification or any other federal purpose.

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

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

(2) been granted parole;

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

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

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

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

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

(1) The full legal name of the applicant.
(2) The applicant's date of birth.
(3) The gender biological sex of the applicant.
(4) The applicant's height, weight, hair color, and eye color.
(5) The principal address and mailing address of the applicant.
(6) A:
   (A) valid Social Security number; or
   (B) verification of an applicant's:
      (i) ineligibility to be issued a Social Security number;
      (ii) identity; and
      (iii) lawful status, except for an individual granted parole.
(7) A digital photograph of the applicant.
(8) The signature of the applicant showing the applicant's legal
   name as it will appear on the identification card issued in the form
   of a physical credential.
(9) If the applicant is also applying for a motor driven cycle
   endorsement, verification that the applicant has satisfactorily
   completed the test required under section 3.6 of this chapter.
(c) The bureau may invalidate an identification card issued in the
   form of a physical credential that the bureau believes to have been
   issued as a result of fraudulent documentation.
(d) The bureau:
   (1) shall adopt rules under IC 4-22-2 to establish a procedure to
       verify an applicant's identity and lawful status; and
   (2) may adopt rules to establish a procedure to temporarily
       invalidate an identification card issued in the form of a physical
       credential that it believes to have been issued based on fraudulent
       documentation.
(e) For purposes of subsection (b), an individual certified as a
   program participant in the address confidentiality program under
   IC 5-26.5 is not required to provide the individual's principal address
   and mailing address, but may provide an address designated by the
   office of the attorney general under IC 5-26.5 as the individual's
   principal address and mailing address.
(f) In addition to the information required under subsection (b), an
   application for an identification card to be issued under this chapter in
   the form of a physical credential must enable the applicant to indicate
   that the applicant is a veteran and wishes to have an indication of the
   applicant's veteran status appear on the identification card issued in the
   form of a physical credential. An applicant who wishes to have an
   indication of the applicant's veteran status appear on the identification
   card issued in the form of a physical credential must:
      (1) indicate on the application that the applicant:
         (A) is a veteran; and
(B) wishes to have an indication of the applicant's veteran status appear on the identification card; and

(2) provide proof at the time of application of the applicant's veteran status.

(g) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter in the form of a physical credential must enable the applicant to indicate that the applicant is a surviving spouse of a veteran and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential. An applicant who wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential must:

(1) indicate on the application that the applicant:

(A) is the surviving spouse of a veteran of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card issued in the form of a physical credential; and

(2) provide the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran.

(h) The bureau shall keep in a data base and share the information submitted under subsections (a) and (g) at least annually with the Indiana department of veterans' affairs. The information submitted under subsections (a) and (g) may be used by the Indiana department of veterans' affairs to develop outreach programs for veterans and their families.

(i) The application for an identification card to be issued under this chapter in the form of a physical credential must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a).

SECTION 14. IC 9-24-16-3, AS AMENDED BY P.L.211-2023, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) An identification card:

(1) issued in the form of a physical credential must have the same dimensions and shape as a driver's license; and

(2) in the form of a mobile credential must contain the same data contained in a driver's license;

but the card must have markings sufficient to distinguish the card from a driver's license.

(b) Except as provided in subsection (g), the front side of an
identification card issued in the form of a physical credential must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

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

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

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

(e) If the applicant for an identification card issued in the form of a physical credential submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card issued in the form of a physical credential to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card issued in the form of a physical credential that briefly describes the medical condition of the holder of the card issued in the form of a physical credential. The information must be printed.
in a manner that alerts a person reading the card issued in the form of a physical credential to the existence of the medical condition. The applicant for an identification card issued in the form of a physical credential is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

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

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

(2) been granted parole;

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

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

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

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

The bureau shall place a designation on the face of the identification card issued in the form of a physical credential to indicate that the
individual has received a motor driven cycle endorsement.

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

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

SECTION 16. IC 9-24-16.5-3, AS ADDED BY P.L.197-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A photo exempt identification card must have the same dimensions and shape as a driver's license and an identification card issued under IC 9-24-16, but the photo exempt identification card must have markings sufficient to distinguish the card from a driver's license or an identification card.

(b) The front side of a photo exempt identification card must contain the following information about the individual to whom the card is being issued:

(1) Full legal name.
(2) The address of the principal residence.
(3) Date of birth.
(4) Date of issue and date of expiration.
(5) Unique identification number.
(6) **Gender**: Biological sex.
(7) Weight.
(8) Height.
(9) Color of eyes and hair.
(10) A reproduction of the signature of the individual identified.
(11) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:

(A) eighteen (18) years of age; and
(B) twenty-one (21) years of age.

(12) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(c) The front side of a photo exempt identification card may not bear an image of the holder of the photo exempt identification card.

(d) The information contained on the photo exempt identification card as required by subsection (b)(11) or (b)(12) for an individual who is less than twenty-one (21) years of age at the time of issuance must be printed prominently on the photo exempt identification card.

SECTION 17. IC 11-8-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The department shall establish a program of research and statistics, alone or in cooperation with others, for the purpose of assisting in the identification and achievement of realistic short term and long term departmental goals, the making of administrative decisions, and the evaluation of the facilities and programs of the entire state correctional system. Information relating to the following must be compiled:
(1) An inventory of current facilities and programs, including residential and nonresidential community programs and offender participation.

(2) Population characteristics and trends, including the following concerning offenders:

   (A) Ethnicity.

   (B) **Biological sex.**

(3) Judicial sentencing practices.

(4) Service area resources, needs, and capabilities.

(5) Recidivism of offenders.

(6) Projected operating and capital expenditures.

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

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

(1) Employ experts and consultants to assist the division in carrying out the division's functions.

(2) Issue orders under IC 4-21.5-3-6.

(3) Perform any other acts necessary to carry out the functions of the division.

(b) The director may do the following:

(1) Utilize, with their consent, the services and facilities of other state agencies without reimbursement.

(2) Accept in the name of the division, for use in carrying out the functions of the division, money or property received by gift, bequest, or otherwise.

(3) Accept voluntary and uncompensated services.

(4) Expend money made available to the division according to policies enforced by the budget agency.

(5) Establish and implement the policies and procedures necessary to carry out the functions of the division.

(6) Perform any other acts necessary to carry out the functions of the division as delegated by the secretary or consistent with the director's duties.

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

SECTION 19. IC 12-9.1-2-3, AS AMENDED BY P.L.35-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE...
JULY 1, 2024]: Sec. 3. (a) The secretary or the secretary's designee may do the following:

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

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

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

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

1. The administration of old age assistance, TANF, and assistance to the needy blind and persons with disabilities, excluding assistance to children with special health care needs.
2. The administration of the licensing and inspection under IC 12-17.2.
3. The provision of services to county governments, including the following:

   (A) Organizing and supervising county offices for the effective administration of public welfare functions.
   (B) Compiling statistics and necessary information concerning public welfare problems throughout Indiana.
   (C) Researching and encouraging research into crime, delinquency, physical and mental disability, and the cause of
dependency.

(4) Prescribing the form of, printing, and supplying to the county offices blanks for applications, reports, affidavits, and other forms the division considers necessary and advisable.

(5) Cooperating with the federal Social Security Administration and with any other agency of the federal government in any reasonable manner necessary and in conformity with IC 12-13 through IC 12-19 to qualify for federal aid for assistance to persons who are entitled to assistance under the federal Social Security Act. The responsibilities include the following:

(A) Making reports in the form and containing the information that the federal Social Security Administration Board or any other agency of the federal government requires.

(B) Complying with the requirements that a board or agency finds necessary to assure the correctness and verification of reports.

(6) Appointing from eligible lists established by the state personnel board employees of the division necessary to effectively carry out IC 12-13 through IC 12-19. The division may not appoint a person who is not a citizen of the United States and who has not been a resident of Indiana for at least one (1) year immediately preceding the person’s appointment unless a qualified person cannot be found in Indiana for a position as a result of holding an open competitive examination.

(7) Assisting the office of Medicaid policy and planning in fixing fees to be paid to ophthalmologists and optometrists for the examination of applicants for and recipients of assistance as needy blind persons.

(8) When requested, assisting other departments, agencies, divisions, and institutions of the state and federal government in performing services consistent with this article.

(9) Acting as the agent of the federal government for the following:

(A) In welfare matters of mutual concern under IC 12-13 through IC 12-19, except for responsibilities of the department of child services under IC 31-25-2.

(B) In the administration of federal money granted to Indiana in aiding welfare functions of the state government.

(10) Administering additional public welfare functions vested in the division by law and providing for the progressive codification of the laws the division is required to administer.

(11) Supervising day care centers.
Compiling information and statistics concerning the ethnicity and **gender biological sex** of a program or service recipient.

(b) In the administration of the public welfare programs, the division and the department of workforce development may enter into a written memorandum of understanding concerning administering and implementing federal work requirements for public welfare programs.

SECTION 21. IC 12-15-44.5-3.5, AS AMENDED BY P.L.180-2022(ss), SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) The plan must include the following in a manner and to the extent determined by the office:

1. Mental health care services.
2. Inpatient hospital services.
3. Prescription drug coverage, including coverage of a long acting, nonaddictive medication assistance treatment drug if the drug is being prescribed for the treatment of substance abuse.
4. Emergency room services.
5. Physician office services.
6. Diagnostic services.
7. Outpatient services, including therapy services.
8. Comprehensive disease management.
9. Home health services, including case management.
10. Urgent care center services.
11. Preventative care services.
12. Family planning services:
   - (A) including contraceptives and sexually transmitted disease testing, as described in federal Medicaid law (42 U.S.C. 1396 et seq.); and
   - (B) not including abortion or abortifacients.
13. Hospice services.
14. Substance abuse services.
15. Donated breast milk that meets requirements developed by the office of Medicaid policy and planning.
16. A service determined by the secretary to be required by federal law as a benchmark service under the federal Patient Protection and Affordable Care Act.

(b) The plan may not permit treatment limitations or financial requirements on the coverage of mental health care services or substance abuse services if similar limitations or requirements are not imposed on the coverage of services for other medical or surgical conditions.

(c) The plan may provide vision services and dental services only
to individuals who regularly make the required monthly contributions for the plan as set forth in section 4.7(c) of this chapter.

(d) The benefit package offered in the plan:
(1) must be benchmarked to a commercial health plan described in 45 CFR 155.100(a)(1) or 45 CFR 155.100(a)(4); and
(2) may not include a benefit that is not present in at least one (1) of these commercial benchmark options.
(e) The office shall provide to an individual who participates in the plan a list of health care services that qualify as preventative care services for the age, gender, biological sex, and preexisting conditions of the individual. The office shall consult with the federal Centers for Disease Control and Prevention for a list of recommended preventative care services.

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

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

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

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

(b) The township's standards for the issuance of township assistance and the processing of applications must be:
(1) governed by the requirements of this article;
(2) proposed by the township trustee, adopted by the township board, and filed with the board of county commissioners;
(3) reviewed and updated annually to reflect changes in the cost of basic necessities in the township and changes in the law;
(4) published in a single written document, including addenda attached to the document; and
(5) posted in a place prominently visible to the public in all offices of the township trustee where township assistance applications are taken or processed.

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Criteria and procedures to justify the change of an assignment of a community mental health center to a primary service area.

(iii) A provision specifying that the criteria and procedures determined in items (i) and (ii) must include an option for the county and the community mental health center to initiate a request for a change in primary service area or provider assignment.

(iv) A provision specifying the criteria and procedures determined in items (i) and (ii) may not limit an eligible consumer's right to choose or access the services of any provider who is certified by the division of mental health and addiction to provide public supported mental health services.

(6) Institute programs, in conjunction with an accredited college or university and with the approval, if required by law, of the commission for higher education, for the instruction of students of mental health and other related occupations. The programs may be designed to meet requirements for undergraduate and postgraduate degrees and to provide continuing education and research.

(7) Develop programs to educate the public in regard to the prevention, diagnosis, treatment, and care of all abnormal mental conditions.

(8) Make the facilities of the state institutions available for the instruction of medical students, student nurses, interns, and resident and fellow physicians under the supervision of the faculty of any accredited school of medicine or osteopathy located in Indiana or an accredited residency or fellowship training program in connection with research and instruction in psychiatric disorders.

(9) Institute a stipend program designed to improve the quality and quantity of staff that state institutions employ.

(10) Establish, supervise, and conduct community programs, either directly or by contract, for the diagnosis, treatment, and prevention of psychiatric disorders.

(11) Adopt rules under IC 4-22-2 concerning the records and data to be kept concerning individuals admitted to state institutions, community mental health centers, or other providers.

(12) Compile information and statistics concerning the ethnicity and gender biological sex of a program or service recipient.
(13) Establish standards for services described in IC 12-7-2-40.6 for community mental health centers and other providers.

(14) Provide that the standards for services provided by recovery residences for residential care and supported housing for chronic addiction, when used as a recovery residence, to:

(A) be certified through an entity approved by the division to ensure adherence to standards determined by the National Alliance for Recovery Residences (NARR) or a similar entity; and

(B) meet other standards established by the division under rules adopted under IC 4-22-2.

(15) Require the division to:

(A) provide best practice recommendations to community mental health centers; and

(B) work with community mental health centers in a collaborative manner in order to ensure improved health outcomes as a part of reviews or audits.

Documentation developed as a part of an incident or death reporting audit or review is confidential and may only be shared between the division and the community mental health center.

SECTION 24. IC 12-23-18-8, AS AMENDED BY P.L.51-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) As used in this section, "dispense" means to deliver a controlled substance to an ultimate user.

(b) Subject to the federal patient confidentiality requirements under 42 CFR Part 2, when an opioid treatment program dispenses a controlled substance designated by the Indiana board of pharmacy under IC 35-48-2-5 through IC 35-48-2-10, the opioid treatment program shall provide the following information upon request from the division:

(1) The medications dispensed by the program.

(2) The medication delivery process, which includes whether the medication was in liquid, film, or another form.

(3) The number of doses dispensed of each medication.

(4) The dosage quantities for each medication.

(5) The number of patients receiving take home medications.

(6) The number of days of supply dispensed.

(7) Patient demographic information for each medication, including gender, biological sex, age, and time in treatment.

(8) The dispenser's United States Drug Enforcement Agency registration number.

(9) The average number of patients served by:
(A) the opioid treatment program annually; and
(B) each employed or contracted prescriber of the opioid treatment program.

(10) The annual ratio of employed or contracted prescribers to patients served at each opioid treatment program.

(11) The number of patients and the average length of treatment for each medication dispensed by the opioid treatment program.

(12) The number of patients completing an opiate treatment program treatment service having transitioned to opioid abstinence, including the use of long acting, nonaddictive medication for relapse prevention.

(13) The number of patients demonstrating improvement in functioning, as defined by the division, while in treatment at an opiate treatment program.

(14) An annual submission of each opiate treatment program's policy concerning:
(A) the use of INSPECT (as defined in IC 25-26-24-7);
(B) the protocol for addressing patients who are found, using INSPECT data, to have prescriptions for a controlled substance, including benzodiazepines or other opiate medications; and
(C) the protocol for addressing patients who have illicit urine drug screens indicating the use of a controlled substance, including benzodiazepines or other opiates, whether prescribed or not.

(15) The number of patients denied access to services due to inability to pay, including the demographic information of the patient concerning race.

(16) The number of patients who are receiving behavioral health services in addition to medication.

(17) The average mileage a patient is traveling to receive treatment.

(18) The patient relapse rate or the average time an individual is receiving treatment from the opioid treatment program.

(19) The number of admissions and discharges of patients at the opioid treatment program.

(20) The number of pregnant women being treated.

(21) Whether an individual is employed at the time of admission and whether the patient obtains employment during treatment.

(22) The number of patients who are eligible for the Medicaid program.

(23) A description of programs offered by the opioid treatment
program.

(24) A description of any community outreach or education to the public offered by the opioid treatment program.

(25) The number of patients who have eliminated the use of an illegal substance after the first year of treatment at the opioid treatment program.

(c) An opioid treatment program shall provide the information required under this section to the division in a manner prescribed by the division.

(d) The division shall annually report the information collected under this section to the legislative council in an electronic format under IC 5-14-6 not later than October 1.

SECTION 25. IC 12-32-1-4, AS ADDED BY P.L.171-2011, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. This chapter shall be enforced without regard to race, religion, gender, biological sex, ethnicity, or national origin.

SECTION 26. IC 16-19-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this chapter, "health data" means information on the following:

(1) A person's:
   (A) health status;
   (B) ethnicity; and
   (C) gender, biological sex.

(2) The cost, availability, and use of health resources and services.

The term includes vital statistics and vital records as described in this title.

SECTION 27. IC 16-19-10-4, AS AMENDED BY P.L.164-2023, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The center shall do the following:

(1) Collect and process health data.

(2) Maintain statistics concerning gender biological sex and ethnicity and provide the information to the state department annually.

(3) Improve the quality, timeliness, and comparability of health statistics.

(4) Analyze and disseminate information about the health status of Indiana residents.

(5) Provide access to health data to persons who are permitted to obtain the data under this chapter.

(6) Ensure the security and protection of health data maintained by the state department.
(7) Support the goals and objectives of the Cooperative Health Statistics System established by the federal National Center for Health Statistics.

SECTION 28. IC 16-21-6-6, AS AMENDED BY P.L.156-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. In addition to the report filed under section 3 of this chapter, each hospital shall, not more than one hundred twenty (120) days after the end of each calendar quarter, file with the state department, or the state department's designated contractor, inpatient and outpatient discharge information at the patient level, in a format prescribed by the state health commissioner, including the following:

(1) The patient's:
   (A) length of stay;
   (B) diagnoses and surgical procedures performed during the patient's stay;
   (C) date of:
      (i) admission;
      (ii) discharge; and
      (iii) birth;
   (D) type of admission;
   (E) admission source;
   (F) gender: biological sex;
   (G) race;
   (H) discharge disposition; and
   (I) payor, including:
      (i) Medicare;
      (ii) Medicaid;
      (iii) a local government program;
      (iv) commercial insurance;
      (v) self-pay; and
      (vi) charity care.

(2) The total charge for the patient's stay.

(3) The ZIP code of the patient's residence.

(4) Beginning October 1, 2013, all diagnosed external causes of injury codes.

SECTION 29. IC 16-34-2-5, AS AMENDED BY P.L.56-2023, SECTION 154, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Every health care provider who performs a surgical abortion or provides, prescribes, administers, or dispenses an abortion inducing drug for the purposes of inducing an abortion shall report the performance of the abortion or the provision, prescribing, administration, or dispensing of an abortion inducing drug
on a form drafted by the state department, the purpose and function of
which shall be the improvement of maternal health and life through the
compilation of relevant maternal life and health factors and data, and
a further purpose and function shall be to monitor all abortions
performed in Indiana to assure the abortions are done only under the
authorized provisions of the law. For each abortion performed and
abortion inducing drug provided, prescribed, administered, or
dispensed, the report shall include, among other things, the following:

(1) The age of the patient.

(2) Whether a waiver of consent under section 4 of this chapter
was obtained.

(3) Whether a waiver of notification under section 4 of this
chapter was obtained.

(4) The date and location, including the facility name and city or
town, where the:

(A) pregnant woman:

(i) provided consent; and

(ii) received all information;

required under section 1.1 of this chapter; and

(B) abortion was performed or the abortion inducing drug was
provided, prescribed, administered, or dispensed.

(5) The health care provider's full name and address, including the
name of the physicians performing the abortion or providing,
prescribing, administering, or dispensing the abortion inducing
drug.

(6) The city and county where the pregnancy termination
occurred.

(7) The age of the father, or the approximate age of the father if
the father's age is unknown.

(8) The patient's county and state of residence.

(9) The marital status of the patient.

(10) The educational level of the patient.

(11) The race of the patient.

(12) The ethnicity of the patient.

(13) The number of the patient's previous live births.

(14) The number of the patient's deceased children.

(15) The number of the patient's spontaneous pregnancy
terminations.

(16) The number of the patient's previous induced terminations.

(17) The date of the patient's last menses.

(18) The physician's determination of the gestation of the fetus in
weeks.
(19) The reason for the abortion.

(20) Whether the patient indicated that the patient was seeking an abortion as a result of being:
   (A) abused;
   (B) coerced;
   (C) harassed; or
   (D) trafficked.

(21) The following information concerning the abortion or the provision, prescribing, administration, or dispensing of the abortion inducing drug:
   (A) The postfertilization age of the fetus (in weeks).
   (B) The manner in which the postfertilization age was determined.
   (C) The gender biological sex of the fetus, if detectable.
   (D) Whether the fetus has been diagnosed with or has a potential diagnosis of having Down syndrome or any other disability.
   (E) If after the earlier of the time the fetus obtains viability or the time the postfertilization age of the fetus is at least twenty (20) weeks, the medical reason for the performance of the abortion.

(22) For a surgical abortion, the medical procedure used for the abortion and, if the fetus had a postfertilization age of at least twenty (20) weeks:
   (A) whether the procedure, in the reasonable judgment of the health care provider, gave the fetus the best opportunity to survive;
   (B) the basis for the determination that the pregnant woman had a condition described in this chapter that required the abortion to avert the death of or serious impairment to the pregnant woman; and
   (C) the name of the second doctor present, as required under IC 16-34-2-3(a)(3).

(23) For a nonsurgical abortion, the precise drugs provided, prescribed, administered, or dispensed, and the means of delivery of the drugs to the patient.

(24) For a nonsurgical abortion, that the manufacturer’s instructions were provided to the patient and that the patient signed the patient agreement.

(25) For an abortion performed before twenty (20) weeks of postfertilization age of the fetus, the medical indication by diagnosis code for the fetus and the mother.
(26) The mother's obstetrical history, including dates of other abortions, if any.
(27) Any preexisting medical conditions of the patient that may complicate the abortion.
(28) The results of pathological examinations if performed.
(29) For a surgical abortion, whether the fetus was delivered alive, and if so, how long the fetus lived.
(30) Records of all maternal deaths occurring at the location where the abortion was performed or the abortion inducing drug was provided, prescribed, administered, or dispensed.
(31) The date the form was transmitted to the state department and, if applicable, separately to the department of child services.
(b) The health care provider shall complete the form provided for in subsection (a) and shall transmit the completed form to the state department, in the manner specified on the form, within thirty (30) days after the date of each abortion. However, if an abortion is for a female who is less than sixteen (16) years of age, the health care provider shall transmit the form to the state department and separately to the department of child services within three (3) days after the abortion is performed.
(c) The dates supplied on the form may not be redacted for any reason before the form is transmitted as provided in this section.
(d) Each failure to complete or timely transmit a form, as required under this section, for each abortion performed or abortion inducing drug that was provided, prescribed, administered, or dispensed, is a Class B misdemeanor.
(e) On a quarterly basis, the state department shall compile a public report providing the following:
(1) Statistics for the previous calendar quarter from the information submitted under this section.
(2) Statistics for previous calendar years compiled by the state department under this subsection, with updated information for the calendar quarter that was submitted to the state department after the compilation of the statistics.
The state department shall ensure that no identifying information of a pregnant woman is contained in the report.
(f) The state department shall:
(1) summarize aggregate data from all data submitted under this section; and
(2) submit the data, before July 1 of each year, to the United States Centers for Disease Control and Prevention for its inclusion in the annual Vital Statistics Report.
SECTION 30. IC 16-38-5-2, AS AMENDED BY P.L.2-2014, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Except as provided in subsection (c), a provider, a physician's designee, a pharmacist's designee, or a person approved by the state department may provide immunization data to the immunization data registry in a manner prescribed by the state department and for the purposes allowed under this chapter.

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

1. not later than seven (7) business days after providing the immunization;
2. in a manner prescribed by the state department, after reasonable notice; and
3. for the purposes allowed under this chapter.

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

1. the patient or the patient's parent or guardian, if the patient is less than eighteen (18) years of age, has completed and filed a written immunization data exemption form with either the person who provides the immunization or the state department; or
2. the patient is a resident of or is receiving services from a facility licensed under IC 16-28.

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

1. Patient identification number.
2. Patient first and last name.
3. Patient date of birth.
4. Patient address.
5. Patient race. biological sex.
6. Vaccine for Children program eligibility, if the patient is eligible for the Vaccine for Children program.
7. Dose at the administration level under the Vaccine for Children program, if the patient is eligible for the Vaccine for Children program.
8. Vaccination presentation or vaccination code using approved Immunization Information System (IIS) code type.
(10) Vaccination date administered.
(11) Lot number of the administered vaccine.
The state department may expand or modify the list of minimum immunization data that must be provided under this section based on Centers for Disease Control Immunization Information System (IIS) minimum field requirements.

(e) A provider who is unable to electronically provide immunization data to the immunization data registry by July 1, 2015, shall submit a detailed plan for compliance with the requirements of subsection (b) to the state department no later than March 31, 2015. The state department will assist the provider so the provider is able to electronically provide immunization data in a reasonable amount of time.

(f) The state department shall create and provide copies of immunization data exemption forms to:
(1) providers who are:
   (A) licensed under IC 25; and
   (B) authorized within the provider's scope of practice to administer immunizations; and
(2) individuals;
who request the form.

(g) The state department shall distribute, upon request, written information to be disseminated to patients that describes the immunization data registry. The written information must include the following:
(1) That, beginning July 1, 2015, the provider is required to report immunization data to the immunization data registry.
(2) That the patient or the patient's parent or guardian, if the patient is less than eighteen (18) years of age, has a right to exempt disclosure of immunization data to the registry and may prevent disclosure by signing an immunization data exemption form.
(3) That the patient or the patient's parent or guardian, if the patient is less than eighteen (18) years of age, may have the individual's information removed from the immunization data registry.
(4) Instructions on how to have the information removed.

SECTION 31. IC 16-41-39.4-3, AS AMENDED BY P.L.102-2008, SECTION 11, IS AMENDED TO READ AS Follows [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A person that examines the blood of an individual described in section 2 of this chapter for the presence of lead must report to the state department the results of the examination not
later than one (1) week after completing the examination. The report
must include at least the following:

(1) With respect to the individual whose blood is examined:
   (A) the name;
   (B) the date of birth;
   (C) the gender, biological sex;
   (D) the race; and
   (E) any other information that is required to be included to
       qualify to receive federal funding.

(2) With respect to the examination:
   (A) the date;
   (B) the type of blood test performed;
   (C) the person's normal limits for the test;
   (D) the results of the test; and
   (E) the person's interpretation of the results of the test.

(3) The names, addresses, and telephone numbers of:
   (A) the person; and
   (B) the attending physician, hospital, clinic, or other specimen
       submitter.

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

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

(d) Subsection (c) does not apply to a person who acts in good faith
to provide a complete report required under subsection (a), but who:
   (1) is unable to collect all of the information required for a
       complete report; or
   (2) provides incorrect information on a completed report.

SECTION 32. IC 20-19-3-4, AS AMENDED BY P.L.269-2019,
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 4. (a) The department shall:
   (1) perform the duties required by statute;
   (2) implement the policies and procedures established by the state
       board;
(3) conduct analytical research to assist the state board in determining the state's educational policy;
(4) compile statistics concerning the ethnicity, gender, biological sex, and disability status of students in Indiana schools, including statistics for all information that the department receives from school corporations on enrollment, number of suspensions, and number of expulsions; and
(5) provide technical assistance to school corporations.

(b) In compiling statistics by gender, biological sex, ethnicity, and disability status under subsection (a)(4), the department shall also categorize suspensions and expulsions by cause as follows:

(1) Alcohol.
(2) Drugs.
(3) Deadly weapons (other than firearms).
(4) Handguns.
(5) Rifles or shotguns.
(6) Other firearms.
(7) Tobacco.
(8) Attendance.
(9) Destruction of property.
(10) Legal settlement (under IC 20-33-8-17).
(11) Fighting (incident does not rise to the level of battery).
(12) A battery offense included in IC 35-42-2.
(13) Intimidation (IC 35-45-2-1).
(14) Verbal aggression or profanity.
(15) Defiance.
(16) Other.

(c) The department shall provide the state board any data, including fiscal data, as determined by the state board, in a reasonable time frame established by the state board after consultation with the department, necessary to conduct an audit or evaluation of any federal or state supported program principally engaged in the provision of education, including, but not limited to:

(1) early childhood education;
(2) elementary and secondary education;
(3) postsecondary education;
(4) special education;
(5) job training;
(6) career and technical education; and
(7) adult education;
or for the enforcement of or compliance with federal legal requirements related to those education programs as determined by the state board.
The state board and the department are considered state educational authorities within the meaning of the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g and 34 CFR Part 99) for the purpose of allowing the free exchange of information between the department and the state board.

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

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

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

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

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

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

1. The annual graduation rate of foster care youth, including the following information:
   (A) The graduation rate for each of the following:
      (i) Foster care youth who received a graduation waiver under IC 20-32-4-4.
      (ii) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.
   (B) The number and percentage of foster care youth who received each type of diploma.

2. The adjusted cohort graduation rate for foster care youth, including the adjusted cohort graduation rate for each of the following:
   (A) Foster care youth who received a graduation waiver under IC 20-32-4-4.
   (B) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.

3. The number and percentage for each of the following:
   (A) Foster care youth who were promoted to the next grade level at the end of the school year.
   (B) Foster care youth who were retained in the same grade level for the next school year.
   (C) Foster care youth who were suspended during the school year.

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year.
(D) Foster care youth who were expelled during the school year.
(E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.
The information reported under this subdivision must also be disaggregated by race, gender, biological sex, free or reduced price lunch status, and eligibility for special education.
(4) The number and percentage of eligible foster care youth who are enrolled in the prekindergarten program under IC 12-17.2-7.2.
(5) The number and percentage of foster care youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.
(6) The number and percentage of foster care youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.
(7) The number and percentage of foster care youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).
(e) Not later than June 30, 2019, the department shall:
(1) after consulting with the department of child services, develop a remediation plan concerning foster care youth; and
(2) submit a copy of the remediation plan to the following:
(A) The state board.
(B) The department of child services.
(C) The legislative council in an electronic format under IC 5-14-6.
(f) Before April 1, 2019, and before April 1 each year thereafter, the department shall submit the report described in subsection (d) to the following:
(1) Department of child services.
(2) Legislative council in an electronic format under IC 5-14-6.
(A) The graduation rate for each of the following:
   (i) Homeless youth who received a graduation waiver under IC 20-32-4-4.
   (ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of homeless youth who received each type of diploma.

(2) The number and percentage of homeless youth who, including the adjusted cohort graduation rate for each of the following:
   (A) Homeless youth who received a graduation waiver under IC 20-32-4-4.
   (B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage of each of the following:
   (A) Homeless youth who were promoted to the next grade level at the end of the school year.
   (B) Homeless youth who were retained in the same grade level for the next school year.
   (C) Homeless youth who were suspended during the school year.
   (D) Homeless youth who were expelled during the school year.
   (E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, gender, biological sex, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten program under IC 12-17.2-7.2.

(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.

(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(c) Not later than August 31, 2019, the department shall:

(1) develop a remediation plan concerning homeless youth; and
(2) submit a copy of the remediation plan to the following:
(A) The state board.
(B) The Indiana housing and community development authority established by IC 5-20-1-3.
(C) The legislative council in an electronic format under IC 5-14-6.

(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:

(1) The Indiana housing and community development authority.
(2) The legislative council in an electronic format under IC 5-14-6.

SECTION 35. IC 20-24-2-2, AS ADDED BY P.L.1-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. A charter school is subject to all federal and state laws and constitutional provisions that prohibit discrimination on the basis of the following:

(1) Disability.
(2) Race.
(3) Color.
(4) Gender. Biological sex.
(5) National origin.
(6) Religion.
(7) Ancestry.

SECTION 36. IC 20-24-5-4, AS AMENDED BY P.L.280-2013, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) Except as provided in this chapter, a charter school may not establish admission policies or limit student admissions in any manner in which a public school is not permitted to establish admission policies or limit student admissions.

(b) Notwithstanding subsection (a), a charter school may operate as a single gender sex school if approved to do so by the authorizer. A single gender sex charter school must be open to any student of the gender biological sex the school serves who resides in Indiana.

SECTION 37. IC 20-24-5-5, AS AMENDED BY P.L.216-2021, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Except as provided in subsections (b), (c), (d), (e), (f), and (g) and section 4.5 of this chapter, a charter school must enroll any eligible student who submits a timely application for enrollment.

(b) This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a charter school receives a
greater number of applications than there are spaces for students, each
timely applicant must be given an equal chance of admission. The
organizer must determine which of the applicants will be admitted to
the charter school or the program, class, grade level, or building by
random drawing in a public meeting, with each timely applicant limited
to one (1) entry in the drawing. However, the organizer of a charter
school located in a county with a consolidated city shall determine
which of the applicants will be admitted to the charter school or the
program, class, grade level, or building by using a publicly verifiable
random selection process.

   (c) A charter school may limit new admissions to the charter school
to:
      (1) ensure that a student who attends the charter school during a
           school year may continue to attend the charter school in
           subsequent years;
      (2) ensure that a student who attends a charter school during a
           school year may continue to attend a different charter school held
           by the same organizer in subsequent years;
      (3) allow the siblings of a student alumnus or a current student
           who attends a charter school or a charter school held by the same
           organizer to attend the same charter school the student is
           attending or the student alumnus attended;
      (4) allow preschool students who attend a Level 3 or Level 4
           Paths to QUALITY program preschool to attend kindergarten at
           a charter school if the charter school and the preschool provider
           have entered into an agreement to share services or facilities;
      (5) allow each student who qualifies for free or reduced price
           lunch under the national school lunch program to receive
           preference for admission to a charter school if the preference is
           specifically provided for in the charter school's charter and is
           approved by the authorizer; and
      (6) allow each student who attends a charter school that is
           co-located with the charter school to receive preference for
           admission to the charter school if the preference is specifically
           provided for in the charter school's charter and is approved by the
           charter school's authorizer.

   (d) This subsection applies to an existing school that converts to a
charter school under IC 20-24-11. During the school year in which the
existing school converts to a charter school, the charter school may
limit admission to:
       (1) those students who were enrolled in the charter school on the
date of the conversion; and
(2) siblings of students described in subdivision (1).

e) A charter school may give enrollment preference to children of
the charter school's founders, governing body members, and charter
school employees, as long as the enrollment preference under this
subsection is not given to more than ten percent (10%) of the charter
school's total population.

f) A charter school may give enrollment preference to children who
attend another charter school that is closed or non-renewed under
IC 20-24-4-3 or IC 20-24-9-4.

g) A charter school may not suspend or expel a charter school
student or otherwise request a charter school student to transfer to
another school on the basis of the following:

1. Disability.
2. Race.
3. Color.
4. **Gender: Biological sex.**
5. National origin.
6. Religion.

A charter school student may be expelled or suspended only in a
manner consistent with discipline rules established under IC 20-24-5.5.

SECTION 38. IC 20-26-18-6, AS AMENDED BY P.L.25-2016,
SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 6. (a) Not later than June 1, 2017, and before June
2 of each year thereafter, each school corporation shall submit to the
department a written report, on forms developed by the department,
outlining the activities undertaken as part of the school corporation's
compliance with this chapter. The report must include school based
data to monitor for disproportionality, with each school reporting the
number of investigations disposed of internally and the number of
cases referred to local law enforcement, disaggregated by race,
nationality, age, and gender.

(b) Not later than November 1, 2017, and before November 2 of
each year thereafter, the department shall submit a comprehensive
report concerning criminal organization activity in schools to the
governor and the general assembly. A report submitted to the general
assembly under this subsection must be in an electronic format under
IC 5-14-6. The report must include the following:

1. A summary of the activities reported to the department under
subsection (a).
2. Any recommendations or conclusions made by the department
to assist in the prevention of, education about, and intervention in
criminal organization activity in schools.

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

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

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

(d) The department shall:

1) prepare an annual report concerning the implementation of computer science courses in public high schools, including charter schools, that includes the information described in subsection (e); and

2) submit, before December 1 of each year, the report to the following:

(A) The state board.
(B) The general assembly.
(C) The commission for higher education.

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

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

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

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

(A) race;
(B) gender; biological sex;
(C) grade;
(D) ethnicity;
(E) limited English language proficiency;
(F) free or reduced price lunch status; and
(G) eligibility for special education.

(3) The number of computer science instructors at each school
disaggregated by:
   (A) gender; biological sex;
   (B) certification, if applicable; and
   (C) academic degree.

(4) Any other pertinent matters.

(f) The department shall post the report described in subsections (d)
and (e) on the department's Internet web site.

SECTION 40. IC 20-34-6-1, AS AMENDED BY P.L.83-2018,
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 1. (a) By July 1 of each year, each school
corporation shall submit a report to the department detailing the
following information for the current school year for each school in the
school corporation and for the entire school corporation:
   (1) The number of arrests of students on school corporation
   property, including arrests made by law enforcement officers,
   security guards, school safety specialists, and other school
   corporation employees, and any citizen arrests.
   (2) The offenses for which students were arrested on school
   corporation property.
   (3) The number of contacts with law enforcement personnel from
   a school corporation employee that have resulted in arrests of
   students not on school corporation property.
   (4) Statistics concerning the age, race, and gender biological sex
   of students arrested on school corporation property and
   categorizing the statistics by offenses.
   (5) Whether the school corporation has established and employs
   a school corporation police department under IC 20-26-16, and if
   so, report:
      (A) the number of officers in the school corporation police
          department; and
      (B) the training the officers must complete.
   (6) If the school corporation employs private security guards to
   enforce rules or laws on school property, a detailed explanation
   of the use of private security guards by the school corporation.
   (7) If the school corporation has an agreement with a local law
   enforcement agency regarding procedures to arrest students on
   school property, a detailed explanation of the use of the local law
   enforcement agency by the school corporation.
   (8) The number of reported bullying incidents involving a student
of the school corporation by category. However, nothing in this
subdivision may be construed to require all bullying incidents to
be reported to a law enforcement agency.
(b) By August 1 of each year, the department shall submit a report
to:
(1) the legislative council;
(2) the board for the coordination of programs serving vulnerable
individuals established by IC 4-23-30.2-8; and
(3) the criminal justice institute;
providing a summary of the reports submitted to the department under
subsection (a). The report to the legislative council must be in an
electronic format under IC 5-14-6.
(c) By August 1 of each year, the department must post the reports
described in subsections (a) and (b) on the department's Internet web
site.
(d) Information reported under subsection (a)(8) may not be used in
the calculation of a school corporation's improvement under
IC 20-31-8.
SECTION 41. IC 20-36-3-10, AS AMENDED BY P.L.86-2018,
SECTION 182, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2024]: Sec. 10. The department shall prepare
an annual report concerning the implementation of the program and
shall submit the report to the state board before December 1 of each
year. The report must include the pertinent details of the program,
including the following:
(1) The number of students participating in the program.
(2) The number of teachers attending a summer institute offered
by the College Board.
(3) Recent trends in the field of advanced placement.
(4) The distribution of money under this program.
(5) Gender Biological sex and minority participation.
(6) Other pertinent matters.
SECTION 42. IC 20-51.4-5-3, AS AMENDED BY P.L.202-2023,
SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 3. (a) Each qualified school that is an ESA
participating entity that accepts payments for tuition and fees made
from an ESA account under the ESA program shall administer to its
eligible students, for the applicable grade levels as provided under
IC 20-32-5.1, the statewide assessment unless otherwise prescribed by
the eligible student's:
(1) individualized education program;
(2) service plan developed under 511 IAC 7-34;
(3) choice special education plan developed under 511 IAC 7-49;

or

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 44. IC 27-2-21-16, AS AMENDED BY P.L.84-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. (a) An insurer that uses credit information to
underwrite or rate risks shall not do the following:

(1) Use an insurance score that is calculated using income, gender, biological sex, address, ZIP code, ethnic group, religion, marital status, or nationality of the consumer as a factor.

(2) Deny, cancel, or decline to renew a personal insurance policy solely on the basis of credit information.

(3) Base an insured's renewal rate for a personal insurance policy solely on credit information.

(4) Take an adverse action against a consumer solely because the consumer does not have a credit card account.

(5) Consider an absence of credit information or an inability to calculate an insurance score in underwriting or rating a personal insurance policy, unless the insurer does one (1) of the following:

(A) Presents to the commissioner information that the absence or inability relates to the risk for the insurer and treats the consumer as approved by the commissioner.

(B) Treats the consumer as if the consumer had neutral credit information, as defined by the insurer.

(6) Take an adverse action against a consumer based on credit information unless the insurer obtains and uses:

(A) a credit report issued; or

(B) an insurance score calculated;

not more than ninety (90) days before the date the personal insurance policy is first written or the renewal is issued.

(7) Use the following as a negative factor in an insurance scoring methodology or in reviewing credit information for the purpose of underwriting or rating a personal insurance policy:

(A) A credit inquiry:

(i) not initiated by the consumer; or

(ii) requested by the consumer for the consumer's own credit information.

(B) A credit inquiry relating to insurance coverage.

(C) A late payment or a collection account with a medical industry code on the consumer's credit report.

(D) Multiple lender inquiries:

(i) coded by the consumer reporting agency on the consumer's credit report as being from the home mortgage industry; and

(ii) made within thirty (30) days of one another.

(E) Multiple lender inquiries:

(i) coded by the consumer reporting agency on the consumer's credit report as being from the automobile
lending industry; and

(ii) made within thirty (30) days of one another.

(b) An insurer that uses credit information to underwrite or rate risks
shall, at annual renewal upon the request of an insured or an insured's
agent, re-underwrite and re-rate the insured's personal insurance policy
based on a current credit report or insurance score unless one (1) of the
following applies:

(1) The insurer's treatment of the consumer is otherwise approved
by the commissioner.

(2) The insured is in the most favorably priced tier of the insurer,
within a group of affiliated insurers.

(3) Credit information was not used for underwriting or rating the
insured when the personal insurance policy was initially written.

(4) The insurer reevaluates the insured at least every thirty-six
(36) months after a personal insurance policy is issued based on
underwriting or rating factors other than credit information.

(5) The insurer has re-underwritten and re-rated the insured's
personal insurance policy based on a credit report obtained or an
insurance score recalculated less than twelve (12) months before
the date of the request by the insured or the insured's agent.

(c) An insurer that uses credit information to underwrite or rate risks
may obtain current credit information upon the renewal of a personal
insurance policy when renewal occurs more frequently than every
thirty-six (36) months if consistent with the insurer's underwriting
guidelines.

SECTION 45. IC 27-2-27-12, AS ADDED BY P.L.130-2020,
SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2024]: Sec. 12. As used in this chapter, "nonpublic
information" means electronic information that is not publicly available
information and is described in either of the following subdivisions:

(1) Any information concerning a consumer, which because of
name, number, personal mark, or other identifier can be used, in
combination with any one (1) or more of the following data
elements, to identify the consumer:

(A) Social Security number.

(B) Driver's license number or nondriver identification card
number.

(C) Financial account number, credit card number, or debit
card number.

(D) Any security code, access code, or password that would
permit access to a consumer's financial account.

(E) Biometric records.
(2) Any information or data, except age or **gender, biological sex,** in any form or medium created by or derived from a health care provider or a consumer that can be used to identify a consumer and relates to:

(A) the past, present, or future physical, mental, or behavioral health or condition of the consumer or a member of the consumer's family;

(B) the provision of health care to the consumer; or

(C) payment for the provision of health care provided to the consumer.

SECTION 46. IC 31-11-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Only a female may marry a male. Only a male may marry a female.

(b) A marriage between persons of the same **gender biological sex** is void in Indiana even if the marriage is lawful in the place where it is solemnized.

SECTION 47. IC 31-11-1-7, AS ADDED BY P.L.94-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) A minor who is sixteen (16) or seventeen (17) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information:

(1) The minor's name, **gender, biological sex,** and age.

(2) Documentary proof of the minor's date of birth.

(3) The minor's address, and how long the minor has resided at that address.

(4) The following information with regard to the intended spouse:

(A) The intended spouse's name, **gender, biological sex,** and age.

(B) Documentary proof of the intended spouse's date of birth.

(C) The intended spouse's address, and how long the intended spouse has resided at that address.

(5) A statement of:

(A) the reasons the minor desires to marry;

(B) how the minor and the intended spouse came to know each other; and

(C) how long the minor and the intended spouse have known each other.

(6) Copies of:

(A) any criminal records of the minor and of the intended spouse; and
(B) any protective order:
   (i) issued to protect or restrain either the minor or the
   intended spouse; and
   (ii) relating to domestic or family violence, a sexual offense,
   or stalking.

(7) Evidence that the minor has demonstrated maturity and
capacity for self-sufficiency and self-support independent of the
minor's parents or legal guardians or the intended spouse,
including proof that the minor:
   (A) has graduated from high school;
   (B) has obtained a high school equivalency diploma;
   (C) has a plan for continued education;
   (D) has completed a vocational training or certificate program;
   (E) has attained a professional licensure or certification; or
   (F) has maintained stable housing or employment for at least
   three (3) consecutive months prior to filing the petition.

(b) A court with which a petition under subsection (a) is filed shall:
   (1) set a date for an evidentiary hearing on the petition;
   (2) provide reasonable notice of the hearing to the minor and the
   minor's parents or legal guardians; and
   (3) appoint an attorney to serve as guardian ad litem for the
   minor.

(c) At the evidentiary hearing, the court shall conduct an in camera
interview with the minor separate from the minor's parents or legal
guardians and intended spouse.

(d) Following the evidentiary hearing, and subject to subsection (e),
the court may grant the petition if the court finds all of the following:
   (1) The minor is a county resident who is at least sixteen (16)
   years of age.
   (2) The intended spouse is not more than four (4) years older than
   the minor.
   (3) The minor's decision to marry is voluntary, and free from
   force, fraud, or coercion.
   (4) The minor is mature enough to make a decision to marry.
   (5) The minor has established the minor's capacity to be
   self-sufficient and self-supporting independent of the minor's
   parents, legal guardians, and intended spouse.
   (6) The minor understands the rights and responsibilities of
   parties to marriage and of completely emancipated minors.
   (7) It is in the best interests of the minor for the court to grant the
   petition to marry and to completely emancipate the minor. In
   making the determination under this subdivision, the court shall
consider how marriage and emancipation may affect the minor's health, safety, education, and welfare.

A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7).

(c) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section:

(1) The fact that the minor or the intended spouse is pregnant or has had a child.

(2) The wishes of the parents or legal guardians of the minor.

However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation.

(f) The juvenile court shall deny a petition under this section if the court finds any of the following:

(1) The intended spouse:
   (A) is or was in a position of authority or special trust in relation to the minor; or
   (B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7.

(2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42:
   (A) that involves an act of violence;
   (B) of which a child was the victim; or
   (C) that is an offense under:
      (i) IC 35-42-3.5; or
      (ii) IC 35-42-4.

(3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that:
   (A) the other party to the marriage is the father of the child or unborn child; and
   (B) the conception of the child or unborn child resulted from the commission of an offense under:
      (i) IC 35-42-4-3 (child molesting);
      (ii) IC 35-42-4-6 (child solicitation);
      (iii) IC 35-42-4-7 (child seduction); or
      (iv) IC 35-42-4-9 (sexual misconduct with a minor).

(4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by
the order was the minor.

(g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor.

(h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult, except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

(i) A court hearing a petition under this section may issue any other order the court considers appropriate for the minor's protection.

(j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances.

SECTION 48. IC 31-33-18-1.5, AS AMENDED BY P.L.77-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.5. (a) This section applies to records held by:

(1) a local office;

(2) the department; or

(3) the department of child services ombudsman established by IC 4-13-19-3; regarding a child whose death or near fatality may have been the result of abuse, abandonment, or neglect.

(b) For purposes of subsection (a), a child's death or near fatality may have been the result of abuse, abandonment, or neglect if:

(1) an entity described in subsection (a) determines that the child's death or near fatality is the result of abuse, abandonment, or neglect; or

(2) a prosecuting attorney files:

(A) an indictment or information; or

(B) a complaint alleging the commission of a delinquent act; that, if proven, would cause a reasonable person to believe that the child's death or near fatality may have been the result of abuse, abandonment, or neglect.

Upon the request of any person, or upon its own motion, the court exercising juvenile jurisdiction in the county in which the child's death or near fatality occurred shall determine whether the allegations
contained in the indictment, information, or complaint described in subdivision (2), if proven, would cause a reasonable person to believe that the child's death or near fatality may have been the result of abuse, abandonment, or neglect.

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

(d) As used in this section:

(1) "case" means:
   (A) any intake report or other documentation such as a referral or other matter received or generated by the department;
   (B) any investigation or assessment conducted by the department; or
   (C) ongoing involvement between the department and a child or family that is the result of:
      (i) a program of informal adjustment; or
      (ii) a child in need of services action;
   for which related records and documents have not been expunged as required by law or by a court at the time the department is notified of a fatality or near fatality;

(2) "contact" means in person communication about a case in which:
   (A) the child who is the victim of a fatality or near fatality is alleged to be a victim; or
   (B) the perpetrator of the fatality or near fatality is alleged to be the perpetrator;

(3) "identifying information" means information that identifies an individual, including an individual's:
   (A) name, address, date of birth, occupation, place of employment, and telephone number;
   (B) employer identification number, mother's maiden name, Social Security number, or any identification number issued by a governmental entity;
   (C) unique biometric data, including the individual's fingerprint, voice print, or retina or iris image;
   (D) unique electronic identification number, address, or routing code;
   (E) telecommunication identifying information; or
   (F) telecommunication access device, including a card, a plate, a code, an account number, a personal identification number,
an electronic serial number, a mobile identification number, or
another telecommunications service or device or means of
account access;

(4) "life threatening" means an injury or condition that is
categorized as "serious" or "critical" in patient hospital records;
and

(5) "near fatality" means a severe childhood injury or condition
that is certified by a physician as being life threatening.

(e) Unless:

(1) a police investigation or criminal prosecution is ongoing; or

(2) information in a record is otherwise confidential under state
or federal law;

a record described in subsection (a) that has been redacted in
accordance with this section is not confidential and may be disclosed
to any person who requests the record. The person requesting the
record may be required to pay the reasonable expenses of copying the
record.

(f) When a person requests a record described in subsection (a), the
entity having control of the record shall immediately transmit a copy of
the record to the court exercising juvenile jurisdiction in the county in
which the death or near fatality of the child occurred. However, if the
court requests that the entity having control of a record transmit the
original record, the entity shall transmit the original record.

(g) Upon receipt of the record described in subsection (a), the court
shall, within thirty (30) days, redact the record to exclude:

(1) identifying information described in subsection (d)(3)(B)
through (d)(3)(F) of a person; and

(2) all identifying information of a child less than eighteen (18)
years of age.

(h) The court shall disclose the record redacted in accordance with
subsection (g) to any person who requests the record, if the person has
paid:

(1) to the entity having control of the record, the reasonable
expenses of copying under IC 5-14-3-8; and

(2) to the court, the reasonable expenses of copying the record.

(i) The data and information in a record disclosed under this section
must include the following:

(1) A summary of the report of abuse or neglect and a factual
description of the contents of the report.

(2) The age and gender biological sex of the child.

(3) The cause of the fatality or near fatality, if the cause has been
determined.
(4) Whether the department had any contact with the child or the perpetrator before the fatality or near fatality, and, if the department had contact, the following:
   (A) The frequency of the contact with the child or the perpetrator before the fatality or near fatality and the date on which the last contact occurred before the fatality or near fatality.
   (B) A summary of the status of the child's case at the time of the fatality or near fatality, including:
      (i) whether the child's case was closed by the department before the fatality or near fatality; and
      (ii) if the child's case was closed as described under item (i), the date of closure and the reasons that the case was closed.
   (j) The court's determination under subsection (g) that certain identifying information or other information is not relevant to establishing the facts and circumstances leading to the death or near fatality of a child is not admissible in a criminal proceeding or civil action.

SECTION 49. IC 31-34-21-7.3, AS AMENDED BY P.L.128-2012, SECTION 168, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7.3. (a) This section applies after:
   (1) a court authorizes the filing of a petition to terminate the parent-child relationship; or
   (2) a petition to terminate the parent-child relationship is filed; in relation to a child in need of services.
   (b) The department shall post the following nonidentifying information on the Internet to facilitate a potential adoptive placement of the child:
      (1) The child's age, gender, biological sex, and summary of the child's educational, social, and medical background, including known disabilities.
      (2) The reason the child was removed from the child's home.
      (3) Whether a person has expressed an interest in adopting the child.
      (4) The name, address, and telephone number of a contact person from:
         (A) the department;
         (B) the appropriate local office; or
         (C) licensed child placing agency;
      where a person who may be interested in adopting the child may obtain further information about adopting the child.
      (5) Whether a petition to terminate the rights of the child's parents
has been authorized or filed, and whether the rights of the child's parents have been terminated.

(6) An address and telephone number of:
(A) the department;
(B) the appropriate local office; or
(C) licensed child placing agency;
where a person who may be interested in adopting the child may obtain further information about adopting the child.

(c) The information posted under subsection (b) may not identify the name of any of the following persons:
(1) The child.
(2) The child's biological or adoptive parents.
(3) A sibling of the child.
(4) A caretaker of the child.

(d) The department shall update any relevant information under this section after either of the following:
(1) Each of the child's periodic reviews that occur after the information under this section is required to be posted.
(2) The rights of the child's parents have been terminated.

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

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

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

(1) each known living parent of a child born in wedlock, including a man who is presumed to be the child's biological father under IC 31-14-7-1, in accordance with IC 31-19-2.5-6; and
(2) an unnamed or unknown putative parent;
in substantially the following form:

"NOTICE TO UNNAMED PARENT

The unnamed putative parent of a ______ (gender) (biological sex) infant that was voluntarily surrendered on ______ (date) in ______ (county) and born on approximately _____ (birth date range), or the person who claims to be a parent of the infant, is notified that a petition to terminate the parent-child relationship was filed in the office of the clerk of _____ court, _____ (address of court)."
If the unnamed putative parent seeks to contest the petition to terminate the parent-child relationship of the infant, the unnamed putative parent must file a motion to contest the petition in accordance with IC 31-35-1.5-8 in the above named court within twenty-eight (28) days after the date of service of this notice. This notice may be served by publication.

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

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

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

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

SECTION 51. IC 31-37-8.5-6, AS ADDED BY P.L.101-2022, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) A local probation department shall collect individual data on any child diverted through juvenile diversion described in this chapter, including:
(1) demographic data on age, race, ethnicity, and gender; biological sex;
(2) risk screening information;
(3) offense;
(4) service participation; and
(5) outcome and completion data;
and report the information to the office of judicial administration on an annual basis.
(b) The office of judicial administration shall provide an annual report that includes the information described in subsection (a).
report shall be provided to the governor, the chief justice, and the legislative council before December 1 of each year. The report provided to the legislative council must be in an electronic format under IC 5-14-6.

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

1. serve as an efficient pass through to counties;
2. provide quality assurance and technical assistance to counties; and
3. support and coordinate data collection.

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

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

1. The commission shall submit only the names of the five (5) most highly qualified candidates from among all those eligible individuals considered. To be eligible for nomination as a judge of the superior court of Lake County, a person must be domiciled in the county of Lake, a citizen of the United States, and admitted to the practice of law in Indiana.

2. In abiding by the mandate in subdivision (1), the commission shall evaluate in writing each eligible individual on the following factors:

   (A) Law school record, including any academic honors and achievements.

   (B) Contribution to scholarly journals and publications, legislative drafting, and legal briefs.

   (C) Activities in public service, including:

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