

SENATE BILL No. 80

DIGEST OF INTRODUCED BILL

Citations Affected: Numerous citations throughout the Indiana Code.

Synopsis: Code publication. Repeals and relocates the following definitions chapters for organization of the defined terms by alphabetical order and to provide for future expansion of the chapters: (1) IC 3-5-2 (elections law definitions) at a new IC 3-5-2.1. (2) IC 34-6-2 (civil law definitions) at a new IC 34-6-2.1. (3) IC 35-48-1 (controlled substances definitions) at a new IC 35-48-1.1. Makes conforming cross-reference updates. Makes technical amendments to remove tabulation designations from the following criminal law and procedure sections for consistency with similar statutes and to streamline amendment of those sections: (1) IC 35-31.5-2-321 (definition of "synthetic drug"). (2) IC 35-48-2-4 (schedule 1 controlled substances). Makes no substantive change to law. (The introduced version of this bill was prepared by the code revision committee.)

Effective: July 1, 2025.

Freeman, Taylor G

January 8, 2025, read first time and referred to Committee on Judiciary.



First Regular Session of the 124th General Assembly (2025)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

SENATE BILL No. 80

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

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

- 1 SECTION 1. IC 2-2.1-1-7.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) This section
3 applies only if the number of members of the house of representatives
4 affiliated with one (1) political party equals the number of members of
5 the house of representatives affiliated with a different political party.
6 (b) For purposes of this section, an individual is considered to be
7 affiliated with a political party if the individual was:
8 (1) the nominee (as defined in ~~IC 3-5-2-33~~) **IC 3-5-2.1-68**) of that
9 political party for election to the office to which the individual
10 was elected at the previous general election; or
11 (2) selected by that political party to fill a candidate vacancy or a
12 vacancy in the office under IC 3-13 for the office the individual
13 currently holds.
14 (c) The speaker of the house of representatives and the principal
15 clerk of the house of representatives shall be elected by the members
16 of the house of representatives affiliated with the political party whose:
17 (1) candidate was elected governor at the previous general



election; or

(2) candidate was elected secretary of state at the previous general election, if the governor was not elected at the previous general election.

(d) The rules that governed the house of representatives before the previous general election shall govern the house of representatives after the general election until those rules are amended as provided in those rules.

SECTION 2. IC 2-5-1.1-12.2, AS AMENDED BY P.L.53-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12.2. (a) The definitions in IC 1-1-3.5 and ~~IC 3-5-2~~ **IC 3-5-2.1** apply throughout this section.

(b) As used in this section, "council" refers to the legislative council established by section 1 of this chapter.

(c) As used in this section, "GIS" refers to the geographic information system that the office is required to establish and maintain under subsection (f)(7).

(d) As used in this section, "office" refers to the office of census data established by subsection (e).

(e) The office of census data is established within the legislative services agency. Appointment of staff members of the office is subject to the approval of the legislative council.

(f) The office shall do the following:

(1) Advise and assist the Bureau of the Census in defining the boundaries of census blocks in Indiana.

(2) Work with other state and federal agencies to assist in the Census Bureau's local review program conducted in Indiana.

(3) Participate in national associations of state governments to obtain information regarding census count activities conducted by other states.

(4) Work with political subdivisions following each decennial census to provide information and assistance concerning special censuses, special tabulations, and corrected population counts.

(5) Work with the election division, state agencies, and political subdivisions to maintain accurate information concerning the boundaries of precincts and political subdivisions.

(6) Provide technical assistance to counties, the election commission, and the election division to comply with Indiana law concerning establishing a precinct (as defined in IC 3-11-1.5-1).

(7) Establish and maintain a geographic information system that contains the boundaries of all precincts, legislative districts, and congressional districts. The geographic information system may



1 contain other boundaries and information as determined by the
 2 executive director of the legislative services agency or as required
 3 by the council.

4 (8) Perform other census and mapping research as determined by
 5 the executive director of the legislative services agency or as
 6 required by the council.

7 (g) The office shall provide the election division a network
 8 connection to the GIS. The network connection must do the following:

9 (1) Provide the election division with read access to the GIS.

10 (2) Enable the election division to download any information,
 11 including maps, contained in the GIS.

12 (h) The election division is the agency through which public access
 13 to information contained in the GIS shall be provided.

14 SECTION 3. IC 2-7-1-4, AS AMENDED BY P.L.58-2010,
 15 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2025]: Sec. 4. (a) "Gift" means the voluntary transfer of
 17 anything of value without consideration.

18 (b) The term does not include a contribution (as defined in
 19 ~~IC 3-5-2-15~~; **IC 3-5-2.1-27**).

20 SECTION 4. IC 2-7-3-3.5, AS AMENDED BY P.L.123-2015,
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2025]: Sec. 3.5. (a) If an expenditure for entertainment
 23 (including meals and drink) or a gift can clearly and reasonably be
 24 attributed to a particular legislative person, the expenditure must be
 25 reported with respect to that particular legislative person.

26 (b) A report of an expenditure with respect to a particular legislative
 27 person:

28 (1) must report actual amounts; and

29 (2) may not allocate to the particular legislative person a prorated
 30 amount derived from an expense made with respect to several
 31 legislative persons;

32 to the extent practicable.

33 (c) An activity report must report expenditures for a function or
 34 activity to which all the members of a legislative body are invited.
 35 Expenditures reported for a function or activity described in this
 36 subsection may not be allocated and reported with respect to a
 37 particular legislative person.

38 (d) If two (2) or more lobbyists contribute to an expenditure, each
 39 lobbyist shall report the actual amount the lobbyist contributed to the
 40 expenditure. For purposes of reporting such an expenditure, the
 41 following apply:

42 (1) For purposes of determining whether the expenditure is



reportable, the total amount of the expenditure with respect to a particular legislative person must be determined and not the amount that each lobbyist contributed to that expenditure.

(2) Each lobbyist shall report the actual amount the lobbyist contributed to the expenditure, even if that amount would not have been reportable under this section if only one (1) lobbyist made an expenditure of that amount.

(e) The report of an expenditure with respect to a particular legislative person may not include any amount that the particular legislative person contributed to the expenditure.

(f) An activity report may not report expenditures or gifts relating to property or services received by a legislative person if the legislative person paid for the property or services the amount that would be charged to any purchaser of the property or services in the ordinary course of business.

(g) An activity report may not report expenditures or gifts made between relatives unless the expenditure or gift is made in connection with a legislative action.

(h) An activity report may not report expenditures or gifts relating to the performance of a legislative person's official duties, including the legislative person's service as a member of any of the following:

(1) The legislative council.

(2) The budget committee.

(3) A standing or other committee established by the rules of the house of representatives or the senate.

(4) A study committee established by statute or by the legislative council.

(5) A statutory board or commission.

(i) An activity report may not report a contribution (as defined in ~~IC 3-5-2-15~~; **IC 3-5-2.1-27**).

SECTION 5. IC 3-5-2 IS REPEALED [EFFECTIVE JULY 1, 2025].
(Definitions for Elections Law).

SECTION 6. IC 3-5-2.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 2.1. Definitions

Sec. 1. The definitions in this chapter apply throughout this title.

Sec. 2. "Absent uniformed services voter" refers to any of the following:

(1) A member of a uniformed service on active duty who, by reason of active duty, is absent from the place of residence where the member is otherwise qualified to vote.



(2) A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote.

(3) A member of the Indiana national guard deployed or on assignment outside Indiana.

(4) A spouse or dependent of a member referred to in subdivision (1), (2), or (3) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

Sec. 3. "Active voter" means the following:

(1) For purposes of IC 3-11-1.5, refers to a voter who satisfies either of the following:

(A) The voter has registered or voted in any election during the preceding four (4) years at the address indicated on the voter's registration record.

(B) The voter has not voted in any election during the preceding four (4) years at the address indicated on the voter's registration record and has responded in writing to an address confirmation notice sent under IC 3-7 not later than thirty (30) days after the notice was sent.

(2) For purposes of IC 3-11-18.1, has the meaning set forth in IC 3-11-18.1-2.

Sec. 4. "Anomaly" means an action or response by a voting system or electronic poll book that:

(1) does not conform with the specifications or perform as certified and is critical to the administration of elections;

(2) causes a delay or disruption to voting or vote tabulation; or

(3) occurs due to a root cause that is unable to be determined within forty-eight (48) hours after initial discovery by the vendor or county.

Sec. 5. "Automatic tabulating machine" means:

(1) apparatus necessary to automatically count votes cast on a voting system; and

(2) data processing machines that can be used for counting ballots and tabulating results.

Sec. 6. "Auxiliary party organization" means an organization located within or outside Indiana that:

(1) is affiliated with a political party;

(2) proposes to influence the election of a candidate for state, legislative, local, or school board office, or the outcome of a public question; and



(3) has not:

(A) had an annual budget of five thousand dollars (\$5,000) or more in at least one (1) of the last two (2) years; or

(B) made a contribution of more than one thousand dollars (\$1,000) to another committee or to a candidate.

Sec. 7. "Background check" refers to the "national criminal history background check" defined in IC 10-13-3-12.

Sec. 8. "Ballot" means:

(1) the paper ballot prepared, printed, and supplied for use at an election;

(2) the electronic display prepared, printed, and supplied for use on the front of an electronic voting system; or

(3) the ballot card prepared, printed, and supplied for use in a ballot card voting system.

Sec. 9. "Ballot card" refers to an optical scan ballot.

Sec. 10. "Ballot card voting system" refers to an optical scan voting system.

Sec. 11. "Ballot label" means any of the following:

(1) The printed strip or sheet of cardboard or paper, supplied for use on an electronic voting system, that contains the names of the candidates and the public questions on the ballot.

(2) The material, supplied for use with a ballot card voting system, that contains those names and questions.

(3) The digital image of the ballot on the screen of an electronic voting system or the interface of the marking device used with an optical scan voting system.

Sec. 12. "Board of elections and registration" refers to a board of elections and registration established under any of the following:

(1) IC 3-6-5.2.

(2) IC 3-6-5.4.

(3) IC 3-6-5.6.

Sec. 13. "Bona fide political party" means:

(1) a major political party; or

(2) a political party that has:

(A) nominated at least one (1) candidate for political office during the preceding five (5) years;

(B) held a convention; or

(C) raised money and filed the financial reports required by law.

Sec. 14. "Breach of peace" means breaking or disturbing the public peace, order, or decorum by any riotous, forcible, or unlawful proceedings, including fighting or tumultuous conduct.



1 **Sec. 15. "Candidacy document" refers to any of the following:**

- 2 (1) A declaration of intent to be a write-in candidate.
 3 (2) A declaration of candidacy.
 4 (3) A consent to the nomination.
 5 (4) A consent to become a candidate.
 6 (5) A certificate of candidate selection.
 7 (6) A consent filed under IC 3-13-2-7.
 8 (7) A statement filed under IC 33-24-2, IC 33-25-2,
 9 IC 33-33-45-42, IC 33-33-49-13.3, or IC 33-33-71-43.

10 **Sec. 16. (a) Except as provided in subsections (b) and (c),**
 11 **"candidate" means an individual who:**

- 12 (1) has taken the action necessary to qualify under Indiana
 13 law for listing on the ballot at an election or to become a
 14 write-in candidate;
 15 (2) has publicly announced or declared candidacy for an
 16 elected office; or
 17 (3) otherwise seeks nomination for or election to an elected
 18 office, regardless of whether the individual wins election to
 19 the office.

20 **(b) As used in IC 3-9, an individual becomes a "candidate"**
 21 **when the individual, the candidate's committee, or a person acting**
 22 **with the consent of the individual:**

- 23 (1) receives more than one hundred dollars (\$100) in
 24 contributions; or
 25 (2) makes more than one hundred dollars (\$100) in
 26 expenditures.

27 **(c) As used in IC 3-13-1 and IC 3-13-2, "candidate" includes an**
 28 **individual filling a general or municipal election ballot vacancy**
 29 **under IC 3-13-1 or IC 3-13-2 when a county or town election**
 30 **board, the Indiana election commission, or a court has determined**
 31 **that the required action of:**

- 32 (1) the individual; or
 33 (2) another person under IC 3-13-1 or IC 3-13-2;

34 **is void or invalid.**

35 **Sec. 17. "Candidate's committee" means:**

- 36 (1) the principal political committee that each candidate is
 37 required to have under IC 3-9-1; or
 38 (2) an exploratory committee established by a candidate who
 39 has not decided whether to become a candidate for a specific
 40 office.

41 **Sec. 18. As used in IC 3-9, "caucus" refers to a caucus to fill a**
 42 **candidate vacancy under IC 3-13-1 or IC 3-13-2. The term does not**



1 include a caucus to fill a vacant office under IC 3-13-5 or
2 IC 3-13-11.

3 Sec. 19. "Central committee" means a state committee,
4 congressional district committee, county committee, city
5 committee, or town committee of a political party.

6 Sec. 20. "Chairman" refers to the chairman of a central
7 committee as follows:

8 (1) State chairman, chairman of a state committee.

9 (2) District chairman, chairman of a congressional district
10 committee.

11 (3) County chairman, chairman of a county committee.

12 (4) City chairman, chairman of a city committee.

13 (5) Town chairman, chairman of a town committee.

14 Sec. 21. "Chute" means the area that extends fifty (50) feet in
15 radius, measured from the entrance to:

16 (1) the polls; or

17 (2) for purposes of early voting:

18 (A) the office of the circuit court clerk; or

19 (B) a satellite office of the circuit court clerk established
20 under IC 3-11-10-26.3.

21 If the property line of the polling place or an office described in
22 subdivision (2) is less than fifty (50) feet from the door or entrance
23 to the polling place or office, the chute is measured from the
24 exterior door or entrance to the polling place or office to one-half
25 (1/2) the distance to the property line of the polling place or office
26 nearest to the entrance to the polls. Whenever there are two (2) or
27 more doors or entrances to the polls, the inspector of the precinct
28 shall designate one (1) door or entrance as the door for voters to
29 enter for the purpose of voting.

30 Sec. 22. "City" means a first class city, second class city, or third
31 class city as classified under IC 36-4-1-1. The term does not include
32 towns.

33 Sec. 23. "Commission" refers to the Indiana election
34 commission established by IC 3-6-4.1-1.

35 Sec. 24. "Consolidated city" refers to a first class city that has
36 become a consolidated city under IC 36-3-1.

37 Sec. 25. "Contestee" means a candidate whose nomination or
38 election is being contested by a contestor.

39 Sec. 26. "Contestor" means a person who initiates a proceeding
40 to contest the result of an election.

41 Sec. 27. (a) "Contribution" means a donation (whether
42 characterized as an advance, a deposit, a gift, a loan, a



subscription, or a contract or promise to make a donation) of property (as defined in IC 35-31.5-2-253) that satisfies both of the following:

(1) The donation is made for the purpose of influencing any of the following:

(A) The nomination or election to office of a candidate.

(B) The election of delegates to a state constitutional convention.

(C) The outcome of a public question.

(2) The donation is accepted by any of the following:

(A) A candidate.

(B) A candidate's committee.

(C) A regular party committee.

(D) A political action committee.

(E) A legislative caucus committee.

(b) Whenever funds are transferred from one committee to another, the accepting committee is considered to be receiving a contribution in the amount of the funds transferred.

(c) Whenever a candidate or a committee accepts the personal services of a person whose compensation is being paid by a third person, the candidate or committee is considered to be receiving a contribution from the third person in the amount of the compensation paid.

(d) Notwithstanding subsection (a), whenever a candidate or a committee accepts the personal services of a volunteer who is not being compensated, the candidate or committee is not considered to be receiving a contribution.

(e) Notwithstanding subsection (a), whenever a political action committee accepts a donation of:

(1) rent;

(2) office expenses;

(3) management fees;

(4) costs of solicitations of contributions; or

(5) other administrative costs;

the committee is not considered to be receiving a contribution.

Sec. 28. "Convention" means an organized body of delegates assembled for the purpose of selecting their political party's nominees for elected offices.

Sec. 29. "County election board" refers to a board established by IC 3-6-5-1.

Sec. 30. "County voter registration office" means the following:

(1) A board of registration established under IC 3-7-12.



1 (2) A board of elections and registration.

2 (3) The office of the circuit court clerk, in a county in which
3 a board has not been established under subdivision (1) or (2).

4 Sec. 31. "De minimis change", with respect to a certified voting
5 system's or a certified electronic poll book's hardware, software,
6 technical documentation, or data, refers to a change which will not
7 materially alter the system's reliability, functionality, capability, or
8 operation. A change is not a de minimis change if the change has
9 reasonable and identifiable potential to affect the voting system's
10 or electronic poll book's operation and compliance with applicable
11 Indiana law.

12 Sec. 32. "Domicile" means residence, as determined under
13 IC 3-5-5.

14 Sec. 33. "Elderly" means a voter who is at least sixty-five (65)
15 years of age.

16 Sec. 34. "Elected office" means a federal office, state office,
17 legislative office, school board office, or local office. Political party
18 offices (such as precinct committeeman and state convention
19 delegate) are not considered to be elected offices.

20 Sec. 35. "Election day" refers to the calendar day on which an
21 election is held.

22 Sec. 36. "Election district" means the area comprised by
23 precincts where voters who are qualified to vote for a candidate or
24 on a public question reside and whose votes a candidate or
25 committee proposes to influence.

26 Sec. 37. "Election division" refers to the election division of the
27 secretary of state's office established by IC 3-6-4.2-1.

28 Sec. 38. "Electorate" means all the voters eligible to vote in an
29 election in the state or a political subdivision.

30 Sec. 39. "Electronic poll book" means the combination of
31 mechanical, electromechanical, and electronic equipment
32 (including the software, firmware, documentation, and backend
33 infrastructure and services, including cloud platform services,
34 required to program, control, and support the equipment) that is
35 used to access and maintain the electronic poll list.

36 Sec. 40. "Electronic poll list" means a poll list that is maintained
37 in a computer data base.

38 Sec. 41. "Electronic voting system" means a system in which:

39 (1) voters record their votes by activating touch sensitive
40 marking devices; and

41 (2) votes are counted by automatic tabulating machines.

42 Sec. 42. "Executive" means the following:



(1) The board of county commissioners, for a county that does not have a consolidated city.

(2) The mayor of the consolidated city, for a county having a consolidated city.

(3) The mayor, for a city.

(4) The president of the town council, for a town.

(5) The trustee, for a township.

Sec. 43. (a) Except as provided in subsection (b), "expedited basis" refers to the processing of:

(1) a voter registration application;

(2) a cancellation of a voter registration application;

(3) a transfer of a voter registration application; or

(4) another document that creates or amends the voter registration record of an individual;

not later than forty-eight (48) hours after the document is received by a county voter registration office or an agency required under IC 3-7 to transmit voter registration documents to a county voter registration office.

(b) If a voter registration application or other document listed in subsection (a) includes a partial Social Security number that must be submitted to the Commissioner of Social Security for verification under 42 U.S.C. 405(r), "expedited basis" refers to the processing of the application or document not later than forty-eight (48) hours after the bureau of motor vehicles commission receives verification from the Commissioner regarding the partial Social Security number.

(c) This subsection applies to the processing of a voter registration document described in subsection (a)(1) that is received by a county voter registration office not more than seven (7) days before the close of a registration period under IC 3-7-13-10. The processing of a document subject to this subsection on an "expedited basis" refers to processing not later than seven (7) days following the receipt of the document.

Sec. 44. (a) "Expenditure" means a disbursement (whether characterized as an advance, a deposit, a distribution, a gift, a loan, a payment, a purchase, or a contract or promise to make a disbursement) of property (as defined in IC 35-31.5-2-253) that:

(1) is made for the purpose of influencing:

(A) the nomination or election to office of a candidate;

(B) the election of delegates to a state constitutional convention; or

(C) the outcome of a public question; and



(2) is made by:

- (A) an individual, except that a contribution made by an individual is not considered to be an expenditure;
- (B) a candidate's committee;
- (C) a regular party committee; or
- (D) a political action committee.

(b) Whenever funds are transferred from one committee to another, the disbursing committee is considered to be making an expenditure in the amount of the funds transferred.

Sec. 45. "Fax" refers to transmission of information by a facsimile (fax) machine.

Sec. 46. "Federal office" refers to President of the United States, Vice President of the United States, and Senator and Representative in the Congress of the United States.

Sec. 47. "Filing" means the following:

(1) For purposes of filing an electronic report under IC 3-9-4-4 or IC 3-9-5-7, when the requirements of IC 3-9-4-4 or IC 3-9-5-7 have been met.

(2) For all other purposes, when all of the following have occurred:

- (A) The presentation of a document to an individual required to receive the document under this title.
- (B) The receipt of the document by the individual.
- (C) The recording of the date and time the document was received by the individual.

Sec. 48. "Fiscal body" means:

- (1) county council, for a county not having a consolidated city;
- (2) city-county council, for a consolidated city or county having a consolidated city;
- (3) common council, for a second or third class city;
- (4) town council, for a town;
- (5) township board, for a township; or
- (6) governing body or budget approval body, for any other political subdivision.

Sec. 49. "Fiscal officer" means the city controller of a second class city or the clerk-treasurer of a town or third class city.

Sec. 50. "Former candidate" refers to an individual who was a candidate for an election and satisfies any of the following:

- (1) The individual has died before the election, including a candidate certified as deceased under IC 3-8-7-1.
- (2) The individual has withdrawn as a candidate before the election.



(3) The individual has been disqualified as a candidate under IC 3-8-1-5.

(4) The individual has been disqualified as a candidate under a court order issued under IC 3-8-7-29(d).

Sec. 51. "HAVA" refers to the Help America Vote Act of 2002 (52 U.S.C. 20901 through 52 U.S.C. 21145).

Sec. 52. "IDEA" refers to the Indiana data enhancement association established by IC 3-7-38.2-5.5.

Sec. 53. "Independent" means a candidate, or a ticket of candidates for President and Vice President of the United States or for governor and lieutenant governor, who states that the candidate or ticket is not affiliated with any political party.

Sec. 54. "Individual with a nontraditional residence" means a person who:

(1) does not reside in a private residential dwelling or an institutional structure; and

(2) maintains a mobile residence or usually sleeps in a shelter, public area, or public right-of-way.

Sec. 55. "Inhabitant", for purposes of:

(1) Article 4, Section 7 of the Constitution of the State of Indiana; and

(2) Article 6, Section 4 of the Constitution of the State of Indiana;

means a person who resides at a location, as determined under IC 3-5-5.

Sec. 56. "Law enforcement officer" means a:

(1) police officer;

(2) sheriff;

(3) constable;

(4) marshal; or

(5) deputy of any of those persons.

Sec. 57. "Lawful detention" has the meaning set forth in IC 35-31.5-2-186.

Sec. 58. "Legislative body" means the body having the power to adopt county, city, or town ordinances under IC 36-1-3-6.

Sec. 59. "Legislative caucus committee" means an organization that satisfies all of the following:

(1) The organization is organized by members of the general assembly who belong to the same state political party.

(2) The organization proposes to influence only the election of candidates for legislative office.

(3) The organization accepts contributions or makes



1 expenditures that in the aggregate exceed one hundred dollars
 2 (\$100) during a calendar year to influence only the election of
 3 candidates for legislative office.

4 Sec. 60. "Legislative office" refers to senator and representative
 5 in the general assembly.

6 Sec. 61. "Local office" means a circuit office, county office, city
 7 office, town office, township office, or other civil office for which
 8 the electorate of a political subdivision votes. The term includes all
 9 elected offices other than federal, state, legislative, and school
 10 board offices.

11 Sec. 62. "Major political party" refers to:

- 12 (1) with respect to the state, either of the two (2) parties whose
 13 nominees received the highest and second highest numbers of
 14 votes statewide for secretary of state in the last election; or
 15 (2) with respect to a political subdivision, either of the two (2)
 16 parties whose nominees received the highest and second
 17 highest numbers of votes in that political subdivision for
 18 secretary of state in the last election.

19 Sec. 63. (a) "Marking device" means:

- 20 (1) a pencil or pen for marking a paper ballot or ballot card;
 21 or
 22 (2) an approved device that automatically:
 23 (A) registers the voter's vote on an electronic voting
 24 system; or
 25 (B) produces a marked optical scan ballot indicating the
 26 choices of the voter.

27 (b) A voter verifiable paper audit trail is not a marking device.

28 Sec. 64. "Member of the military or public safety officer" has
 29 the meaning set forth in IC 10-14-2-5.

30 Sec. 65. "Modification", for a certified voting system, refers to
 31 a change:

- 32 (1) in the software or firmware of the voting system; or
 33 (2) to the hardware of the voting system that:
 34 (A) materially alters the system's reliability, functionality,
 35 capacity, or operation; or
 36 (B) has a reasonable and identifiable potential to affect the
 37 voting system's operation and compliance with the
 38 applicable voting system standards.

39 Sec. 66. "Municipality" means a city or town.

40 Sec. 67. "Nomination date" refers to the following:

- 41 (1) For candidates nominated in a primary election, the date
 42 of the primary election.



(2) For candidates nominated in a convention, the date the convention is scheduled to be called to order, according to the call of the convention issued by the political party.

(3) For candidates selected to fill a ballot vacancy, the date the certificate of selection of the candidate is filed under IC 3-13-1-15 or IC 3-13-2-8.

(4) For candidates nominated by petition, the final date the petition of nomination is permitted to be filed under IC 3-8-6-10(c).

(5) For write-in candidates, the final date the candidate's declaration of intent to be a write-in candidate is permitted to be filed under IC 3-8-2-4.

Sec. 68. "Nominee" means a candidate:

(1) nominated by a political party at a primary election or convention under this title as the party's candidate for an elected office in a general, municipal, or special election; or

(2) nominated by petition for an elected office.

Sec. 69. "NVRA" refers to the National Voter Registration Act of 1993 (52 U.S.C. 20501 through 52 U.S.C. 20511).

Sec. 70. "NVRA official" refers to the designee under IC 3-7-11-1.

Sec. 71. "Office" refers to the office of census data established by IC 2-5-1.1-12.2.

Sec. 72. "Optical scan ballot" means a card or another paper on which votes are:

(1) recorded by marking the card with a marking device; and

(2) tabulated by an optical system that reads the marks on the card or paper.

Sec. 73. "Optical scan voting system" means a voting system using optical scan ballots. The term includes a voting system that consists of features of both a ballot card voting system and an electronic voting system.

Sec. 74. "Organization" means a person that is not an individual. The term includes a business firm or corporation, a limited liability company, a labor organization, a religious organization, a political club, a trustee, a receiver, or any other type of association or group of individuals.

Sec. 75. "Overseas voter" refers to any of the following:

(1) An absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved.

(2) A person who resides outside the United States and is



qualified to vote in the last place in which the person was domiciled before leaving the United States.

(3) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

Sec. 76. (a) "Paper ballot" refers to a ballot that is:

(1) marked by a voter using a pen or pencil; and

(2) designed to be counted by hand and not counted on an automatic tabulating machine.

(b) The term does not include a ballot card.

Sec. 77. "Person" means an individual or an organization.

Sec. 78. (a) Except as provided in subsection (b), "political action committee" means an organization located within or outside Indiana that satisfies all of the following:

(1) The organization proposes to influence:

(A) the election of a candidate for state, legislative, local, or school board office; or

(B) the outcome of a public question.

(2) The organization accepts contributions or makes expenditures during a calendar year:

(A) to influence the election of a candidate for state, legislative, local, or school board office or the outcome of a public question that will appear on the ballot in Indiana; and

(B) that in the aggregate exceed one hundred dollars (\$100).

(3) The organization is not any of the following:

(A) An auxiliary party organization.

(B) A legislative caucus committee.

(C) A regular party committee.

(D) A candidate's committee.

(b) A corporation or labor organization that makes a contribution in accordance with IC 3-9-2 or makes an expenditure is not considered a political action committee.

Sec. 79. "Political subdivision" means a county, city, town, township, school corporation, public library, local housing authority, fire protection district, public transportation corporation, local building authority, local hospital authority or corporation, local airport authority, special service district, special taxing district, or other type of local governmental corporate entity.



1 **Sec. 80. "Polls"** means the room in a structure where the voters
 2 of a precinct vote by casting ballots on election day.

3 **Sec. 81. "Precinct"** means a subdivision of a county or township
 4 established for election purposes.

5 **Sec. 82. "Precinct election officer"** means a person appointed to
 6 serve in a precinct as one (1) of the following:

- 7 (1) Inspector.
- 8 (2) Judge.
- 9 (3) Poll clerk.
- 10 (4) Assistant poll clerk.
- 11 (5) Election sheriff.

12 **Sec. 83. (a) "Presidential elector"** refers to an elector for
 13 President and Vice President of the United States as provided in
 14 Article 2, Section 1, Clause 2 of the Constitution of the United
 15 States and Section 3 of the Fourteenth Amendment to the
 16 Constitution of the United States.

17 (b) The term includes an alternate presidential elector elected
 18 as provided in IC 3-10-4, unless the text or the context of the
 19 statute provides otherwise.

20 **Sec. 84. (a)** Except as provided in subsection (b), "proof of
 21 identification" refers to a document that satisfies all the following:

- 22 (1) The document shows the name of the individual to whom
 23 the document was issued, and the name conforms to the name
 24 in the individual's voter registration record.
- 25 (2) The document shows a photograph of the individual to
 26 whom the document was issued.
- 27 (3) The document includes an expiration date, and the
 28 document:
 29 (A) is not expired; or
 30 (B) expired after the date of the most recent general
 31 election.
- 32 (4) The document was issued by the United States or the state
 33 of Indiana.

34 (b) Notwithstanding subsection (a)(3), a document issued by the
 35 United States Department of Defense, the United States
 36 Department of Veterans Affairs (or its predecessor, the Veterans
 37 Administration), a branch of the uniformed services, the Merchant
 38 Marine, the Indiana National Guard, or a Native American Indian
 39 tribe or band recognized by the United States government that:

- 40 (1) otherwise complies with the requirements of subsection
 41 (a); and
- 42 (2) has no expiration date or states that the document has an



1 indefinite expiration date;
 2 is sufficient proof of identification for purposes of this title.

3 Sec. 85. "Provisional ballot" refers to a ballot cast in accordance
 4 with the provisions of IC 3-11.7.

5 Sec. 86. "Provisional voter" refers to an individual who is
 6 entitled to cast a provisional ballot under IC 3-11.7.

7 Sec. 87. "Public question" means a constitutional amendment,
 8 proposition, or other issue submitted to the electorate at an
 9 election.

10 Sec. 88. "Registration agency" refers to any of the following:

11 (1) The bureau of motor vehicles.

12 (2) Any other agency at which individuals may register to vote
 13 under IC 3-7.

14 Sec. 89. "Regular party committee" means:

15 (1) a central committee; or

16 (2) a national committee of a political party.

17 Sec. 90. "Residence" means the place:

18 (1) where a person has the person's true, fixed, and
 19 permanent home and principal establishment; and

20 (2) to which the person has, whenever absent, the intention of
 21 returning.

22 Sec. 91. "Scantron" means an optical scan ballot that consists of
 23 an optical scan card that contains:

24 (1) the names of; or

25 (2) coding that indicates the names of;

26 political parties and candidates selected by the voter.

27 Sec. 92. "School board" means the fiscal body of a school
 28 corporation.

29 Sec. 93. "School board office" refers to an elected position on
 30 the school board of a school corporation.

31 Sec. 94. "School corporation" refers to a public school
 32 corporation established under IC 20.

33 Sec. 95. "School district" means the taxing district of a school
 34 corporation.

35 Sec. 96. "Signing the poll list" means:

36 (1) a voter writing the voter's name on the certified list of
 37 registered voters for the precinct prepared in accordance with
 38 IC 3-7-29-1; or

39 (2) a voter writing the voter's name on an electronic poll book
 40 using an electronic signature pad, tablet, or other signature
 41 capturing device at a polling place, office of the circuit court
 42 clerk (under IC 3-11-10-26), or satellite office (as established



under IC 3-11-10-26.3) where the use of an electronic poll book is authorized in accordance with IC 3-7-29-6.

Sec. 97. "State office" refers to the governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, justice of the supreme court, judge of the court of appeals, and judge of the tax court.

Sec. 98. "Testing authority" means an independent test authority or independent laboratory:

(1) as described in the Voting System Standards issued by the Federal Election Commission on April 30, 2002; or

(2) accredited under Section 231 of HAVA (52 U.S.C. 20971).

Sec. 99. "Town" refers to an incorporated town of any population. The term does not include cities.

Sec. 100. "Uniformed services" means any of the following:

(1) The Army.

(2) The Navy.

(3) The Air Force.

(4) The Marine Corps.

(5) The Coast Guard.

(6) The Space Force.

(7) The commissioned corps of the Public Health Service.

(8) The commissioned corps of the National Oceanic and Atmospheric Administration.

Sec. 101. "United States", as used in section 75 of this chapter, means any of the states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

Sec. 102. "Unknown or insufficient address" refers to an address on a mailing returned by the United States Postal Service with one (1) or more of substantially the following statements made on the mailing by the United States Postal Service or a person residing at the address to which the mailing was sent:

(1) Attempted-Not Known.

(2) Box Closed.

(3) Deceased.

(4) Forwarding time expired.

(5) Insufficient Address.

(6) Left No Address.

(7) Moved.

(8) No such number.

(9) No such office in state.

(10) No such street.



(11) Not deliverable as addressed.

(12) Refused.

(13) Returned for better address.

(14) Returned to sender.

(15) Unable to forward.

(16) Unclaimed.

(17) Undeliverable as addressed.

(18) Vacant.

Sec. 103. "Vote center" means a polling place where a voter who resides in the county in which the vote center is located may vote without regard to the precinct in which the voter resides.

Sec. 104. "Voter" means a person who is qualified and registered to vote in an election.

Sec. 105. "Voter identification number" refers to the number determined for a voter under IC 3-7-13-13.

Sec. 106. "Voter with disabilities" means a voter who has a permanent or temporary physical disability, as set forth in 52 U.S.C. 20107.

Sec. 107. "Voter with print disabilities" means an individual who is unable to independently mark a paper ballot or ballot card due to blindness, low vision, or a physical disability that impairs manual dexterity.

Sec. 108. "Voter's bill of rights" refers to the statement prescribed by the commission under IC 3-5-8.

Sec. 109. "Voting mark" means any of the following:

(1) A cross mark or check mark (X or ✓) on a hand-counted paper ballot.

(2) A shaded-in circle, oval, or square, or a connected arrow on an optical scan ballot card.

(3) A highlighted area on a direct record electronic voting system.

Sec. 110. "Voting method" means the use of:

(1) paper ballots;

(2) ballot card voting systems;

(3) electronic voting systems; or

(4) any combination of these;

to register votes in a precinct.

Sec. 111. "Voting system" means, as provided in 52 U.S.C. 21081:

(1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support



that equipment) that is used:

(A) to define ballots;

(B) to cast and count votes;

(C) to report or display election results; and

(D) to maintain and produce any audit trail information;
and

(2) the practices and associated documentation used:

(A) to identify system components and versions of those components;

(B) to test the system during its development and maintenance;

(C) to maintain records of system errors and defects;

(D) to determine specific system changes to be made to a system after the initial qualification of the system; and

(E) to make available any materials to the voter (such as notices, instructions, forms, or paper ballots).

Sec. 112. "VSTOP" refers to the voting system technical oversight program established by IC 3-11-16-2.

Sec. 113. "Web Content Guidelines" refers to version 2.1 of the recommendations for making web content accessible for individuals with disabilities published on June 5, 2018, by the Web Accessibility Initiative of the World Wide Web Consortium.

Sec. 114. "Write-in candidate" means a candidate:

(1) who has filed a declaration of intent to be a write-in candidate; and

(2) whose declaration of intent to be a write-in candidate has been accepted by the appropriate authority under IC 3-8-2-5 and IC 3-8-2-6.

SECTION 7. IC 3-5-5-0.2, AS ADDED BY P.L.258-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 0.2. Notwithstanding any other law, the additions and amendments to ~~IC 3-5-2~~ **IC 3-5-2.1** or this chapter made by SEA 519-2013 do not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before July 1, 2013. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if SEA 519-2013 had not been enacted.

SECTION 8. IC 3-5-5-0.3, AS ADDED BY P.L.169-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 0.3. Notwithstanding any other law, the additions and amendments to ~~IC 3-5-2~~ **IC 3-5-2.1** or this chapter made by legislation enacted in the 2015 regular session of the general assembly do not affect any:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) violations committed; or
- (4) proceedings begun;

before July 1, 2015. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if the legislation had not been enacted.

SECTION 9. ~~IC 3-5-5-18~~ IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. Notwithstanding ~~IC 3-5-2-42.5~~, **IC 3-5-2.1-90**, an individual with a nontraditional residence whose residence is within a precinct, but is not fixed or permanent, resides in that precinct.

SECTION 10. ~~IC 3-6-1-15~~ IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. Notwithstanding any other statute, an individual serving in any of the following political party offices is not considered to be holding an office for purposes of Article 15 of the Constitution of the State of Indiana:

- (1) Precinct committeeman.
- (2) Precinct vice committeeman.
- (3) State convention delegate.
- (4) Chair or other officer of a central committee.
- (5) Any other political party office (as defined in ~~IC 3-5-2-17~~).

IC 3-5-2.1-34).

SECTION 11. ~~IC 3-6-2-10.5~~, AS AMENDED BY P.L.278-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.5. The county chairman of a major political party shall, upon the request of a person who is serving in an elected office (as defined in ~~IC 3-5-2-17~~), **IC 3-5-2.1-34**), provide to that person the name and address of the precinct committeeman and vice committeeman of that party for each precinct in the county.

SECTION 12. ~~IC 3-6-4.2-14~~, AS AMENDED BY P.L.141-2023, SECTION 2, AND BY P.L.227-2023, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) Each year in which a general or municipal election is held, the election division shall call a meeting of all the members of the county election boards, the boards of registration (subject to IC 3-7-12), and the boards of elections and registration (as defined in ~~IC 3-5-2-5.3~~) **IC 3-5-2.1-12**) to instruct them regarding all of the following:



- 1 (1) Their duties under this title and federal law (including HAVA
- 2 and NVRA).
- 3 (2) Requirements and best practices concerning cybersecurity for
- 4 the computerized list, voting systems, and electronic poll books.
- 5 (3) Physical security for all aspects of the election process,
- 6 including voting systems, electronic poll books, absentee voting,
- 7 and polling places.
- 8 (4) Requirements and best practices to ensure that voting systems,
- 9 precinct polling places, and vote centers are accessible to voters
- 10 with disabilities.
- 11 (5) Best practices in answering voters' questions on how to vote,
- 12 including providing instructions to voters on straight ticket voting.
- 13 (b) The election division may call a meeting under this section:
- 14 (1) during a year in which a general or a municipal election is not
- 15 held; and
- 16 (2) at other times when the election division determines that doing
- 17 so is necessary or desirable.
- 18 (c) Each circuit court clerk, each member of a board of registration
- 19 established under IC 3-7-12, and each director, assistant director, or
- 20 co-director of a board of elections and registration shall attend a
- 21 meeting called by the election division under this section. A member
- 22 of a county election board may attend a meeting called by the election
- 23 division under this section. A circuit court clerk, member of a board of
- 24 registration, or member of a board of elections and registration may
- 25 require the attendance of the following:
- 26 (1) Each of the circuit court clerk's, board of registration
- 27 member's, or board of elections and registration member's
- 28 appointed and acting chief deputies or chief assistants with
- 29 election related responsibilities.
- 30 (2) If the number of deputies or assistants:
- 31 (A) is not more than three (3), one (1) of the clerk's or
- 32 member's appointed and acting deputies or assistants; or
- 33 (B) is greater than three (3), two (2) of the clerk's or member's
- 34 appointed and acting deputies or assistants.
- 35 (d) The election division shall set the time and place of the
- 36 instructional meeting. In years in which a primary election is held, the
- 37 election division:
- 38 (1) may conduct the meeting before the first day of the year; and
- 39 (2) shall conduct the meeting before primary election day.
- 40 The instructional meeting may not last for more than three (3) days.
- 41 (e) Each individual who attends the meeting under subsection (c)
- 42 and an individual who has been elected or selected to serve as circuit



1 court clerk but has not yet begun serving in that office is entitled to
 2 receive all of the following from the county general fund without
 3 appropriation:

4 (1) A sum for mileage at a rate determined by the fiscal body of
 5 the unit the official represents for each mile necessarily traveled
 6 in going to and returning from the meeting by the most
 7 expeditious route. Regardless of the duration of the conference,
 8 only one (1) mileage reimbursement shall be allowed to the
 9 official furnishing the conveyance even if the official transports
 10 more than one (1) person.

11 (2) An allowance for lodging for each night preceding conference
 12 attendance in an amount equal to the single room rate. However,
 13 lodging expense, in the case of a one (1) day conference, shall
 14 only be allowed for persons who reside fifty (50) miles or farther
 15 from the conference location.

16 (3) Reimbursement of an official, a deputy, or an assistant in an
 17 amount determined by the fiscal body of the unit the official,
 18 deputy, or assistant represents, for meals purchased while
 19 attending a conference called under this section.

20 (f) The election division shall certify the number of days of
 21 attendance and the mileage for each conference to each official, deputy,
 22 or assistant attending any conference under this section.

23 (g) All payments of mileage and lodging shall be made by the
 24 proper disbursing officer in the manner provided by law on a duly
 25 verified claim or voucher to which shall be attached the certificate of
 26 the election division showing the number of days attended and the
 27 number of miles traveled. All payments shall be made from the county
 28 general fund from any money not otherwise appropriated and without
 29 any previous appropriation being made therefore.

30 (h) A claim for reimbursement under this section may not be denied
 31 by the body responsible for the approval of claims if the claim complies
 32 with IC 5-11-10-1.6 and this section.

33 SECTION 13. IC 3-7-26.3-32 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 32. (a) This section
 35 applies to a county with a county voter registration office described in
 36 ~~IC 3-5-2-16.2(1)~~ **IC 3-5-2.1-30(1)** or ~~IC 3-5-2-16.2(2)~~.
 37 **IC 3-5-2.1-30(2).**

38 (b) The computerized list must permit a county election board to
 39 view data concerning voters of the county in order to do the following:

40 (1) Administer absentee balloting.

41 (2) Determine whether an individual who wishes to file as a
 42 candidate is a voter of the county.



SECTION 14. IC 3-8-2-11, AS AMENDED BY P.L.74-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) A declaration of candidacy may be made by mail and is considered filed as of the date and hour the filing occurs in the manner described by ~~IC 3-5-2-24.5~~ **IC 3-5-2.1-47** in the office of the election division or circuit court clerk.

(b) This subsection applies to a candidate required to file a statement of economic interests under IC 2-2.2-2 or IC 33-23-11-15 or a financial disclosure statement under IC 4-2-6-8. This subsection does not apply to a candidate for a local office or school board office required to file a statement of economic interests under IC 3-8-9. The election division shall require the candidate to produce a:

- (1) copy of the statement, file stamped by the office required to receive the statement of economic interests; or
- (2) receipt or photocopy of a receipt showing that the statement has been filed;

before the election division accepts the declaration for filing. The election division shall reject a filing that does not comply with this subsection.

(c) This subsection applies to a candidate for a local office or school board office required to file a statement of economic interests under IC 3-8-9. The circuit court clerk shall reject a declaration of candidacy that does not include a statement of economic interests.

SECTION 15. IC 3-9-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) A contribution:

- (1) authorized under subsection (c) or section 4 of this chapter;
- (2) to a committee by a corporation or labor organization; and
- (3) designated by that corporation or labor organization for disbursement to a specific candidate, central committee, or other regular party committee;

is subject to the limitations in section 4 of this chapter.

(b) A corporation or labor organization may make a donation to cover any amount of administrative costs (as described in ~~IC 3-5-2-15(e)~~ **IC 3-5-2.1-27(e)**) to a political action committee established and controlled by the corporation or labor organization. A donation made under this subsection is not considered a contribution or an expenditure by the corporation or labor organization.

(c) A corporation or labor organization may make a contribution to a political action committee if the contribution:

- (1) does not exceed any of the limits prescribed under section 4 of this chapter; and
- (2) is designated for disbursement to a specific candidate or



committee listed under section 4 of this chapter.

SECTION 16. IC 3-9-4-4, AS AMENDED BY P.L.91-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The election division shall develop a filing and coding system consistent with the purposes of this article. The election division and each county election board shall use the filing and coding system. The coding system must provide:

- (1) not more than ten (10) codes to account for various campaign expenditure items; and
- (2) a clear explanation of the kinds of expenditure items that must be accounted for under each code.

(b) The election division shall develop and use a computer system to store campaign finance reports required to be filed under IC 3-9-5-6, IC 3-9-5-10, and IC 3-9-5-20.1. The computer system must enable the election division to do the following:

- (1) Identify all candidates or committees that received contributions from a contributor over the past three (3) years.
- (2) Identify all contributors to a candidate or committee over the past three (3) years.
- (3) Provide for electronic submission, retrieval, storage, and disclosure of campaign finance reports of candidates for the following:

- (A) Legislative office.
- (B) State office.

The election division shall provide training at no cost to candidates to enable candidates described in this subdivision to file campaign finance reports electronically.

(c) The election division shall notify each candidate's committee that the election division will provide at the committee's request at no cost a standardized software program to permit the committee to install the software on a computer and generate an electronic version of the reports and statements required to be filed with the election division under this article. However, the election division is not required to provide or alter the software program to make the program compatible for installation or operation on a specific computer.

(d) This subsection applies to the following committees:

- (1) A committee for a candidate seeking election to a state office.
- (2) A committee for a candidate seeking election to a legislative office.
- (3) A political action committee that has received more than fifty thousand dollars (\$50,000) in contributions since the close of the previous reporting period.



The committee must file electronically the report or statement required under this article with the election division using a standardized software program supplied to the committee without charge under subsection (c) or another format approved by the election division. An electronic filing approved by the election division under this subsection may not require manual reentry into a computer system of the data contained in the report or statement in order to make the data available to the general public under subsection (g).

(e) This subsection applies to an electronic submission under subsection (b)(3). An electronic submission must be in a format previously approved by the election division that permits the election division to print out a hard copy of the report after the receipt of the electronic submission from the candidate. Filing of a report occurs under ~~IC 3-5-2-24.5~~ **IC 3-5-2.1-47** on the date and at the time electronically recorded by the election division's computer system. If a discrepancy exists between the text of the electronic submission and the printed report, the text of the printed report prevails until an amendment is filed under this article to correct the discrepancy.

(f) The election division is not required to accept an electronic submission unless the submission complies with subsection (b)(3). Upon receiving approval from the commission, the election division may accept an electronic submission from candidates, committees, or persons described in subsection (b)(3).

(g) The election division shall make campaign finance reports stored on the computer system under subsection (b) available to the general public through an ~~on-line~~ **online** service.

SECTION 17. IC 3-9-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) A person may deliver reports to the appropriate office as follows:

(1) By hand.

(2) By mail.

(3) By electronic mail, if the appropriate office has the capacity to do all of the following:

(A) Receive electronic mail.

(B) Electronically record the date and time that electronic mail is received by the office.

(C) Print out a hard copy of the report after the receipt of the electronic mail by the office.

(b) Reports must be filed as follows:

(1) Hand delivered reports or reports transmitted by mail must be filed with the appropriate office during regular office hours not later than noon seven (7) days after the date of the report.



(2) Reports delivered by electronic mail must be filed with the appropriate office not later than noon seven (7) days after the date of the report.

(c) This subsection applies to a report delivered by electronic mail. Filing of a report occurs under ~~IC 3-5-2-24.5~~ **IC 3-5-2.1-47** on the date and at the time electronically recorded by the office's computer system. If a discrepancy exists between the text of the electronic mail and the printed report, the text of the printed report prevails until an amendment is filed under this article to correct the discrepancy.

(d) An office is not required to accept a report or statement required under this article by facsimile transmission. Upon approval of a policy by the commission or a county election board to receive reports or statements by facsimile transmission, the election division or the county election board may accept the facsimile transmission of a report or statement.

SECTION 18. IC 3-9-8-2, AS ADDED BY P.L.81-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) For purposes of this chapter, subject to subsection (b), "candidate" has the meaning set forth in ~~IC 3-5-2-6~~ **IC 3-5-2.1-16**.

(b) For purposes of this chapter, "candidate" includes an individual who holds an elected office, including:

- (1) a federal or state office, including a federal or state legislative office;
- (2) a school board office; or
- (3) a local office.

SECTION 19. IC 3-10-1-7.2, AS AMENDED BY P.L.157-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.2. (a) Except as provided in subsection (e), a voter who desires to vote an official ballot at a primary election shall provide proof of identification.

(b) Except as provided in subsection (e), before the voter proceeds to vote in a primary election, a precinct election officer shall ask the voter to provide proof of identification. The voter must produce the proof of identification before being permitted to sign the poll list.

(c) If:

- (1) the voter is unable or declines to present the proof of identification; or
- (2) a member of the precinct election board determines that the proof of identification presented by the voter does not qualify as proof of identification under ~~IC 3-5-2-40.5~~ **IC 3-5-2.1-84**;

a member of the precinct election board shall challenge the voter as prescribed by IC 3-11-8.



(d) If the voter executes a challenged voter's affidavit under section 9 of this chapter or IC 3-11-8-22.1, the voter may:

- (1) sign the poll list; and
- (2) receive a provisional ballot.

(e) A voter who votes in person at a precinct polling place, vote center, or satellite office established under IC 3-11-10-26.3 that is located at a state licensed care facility where the voter resides is not required to provide proof of identification before voting in a primary election.

SECTION 20. IC 3-11-4-2, AS AMENDED BY P.L.140-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to the county election board for an absentee ballot. Except as provided in subsection (b), the voter must sign the absentee ballot application.

(b) If a voter with disabilities is unable to sign the absentee ballot application and the voter has not designated an individual to serve as attorney in fact for the voter, the voter may designate an individual eligible to assist the voter under IC 3-11-9-2(a) to sign the application on behalf of the voter and add the individual's name to the application. If an individual applies for an absentee ballot as the properly authorized attorney in fact for a voter, the attorney in fact must attach a copy of the power of attorney to the application and comply with subsection (d).

(c) A person may provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The name of the individual.
- (2) The voter registration address of the individual.
- (3) The mailing address of the individual.
- (4) The date of birth of the individual.

(d) A person may not provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The address to which the absentee ballot would be mailed, if different from the voter registration address of the individual.
- (2) In a primary election, the major political party ballot requested by the individual.
- (3) In a primary or general election, the types of absentee ballots requested by the individual.
- (4) The reason why the individual is entitled to vote an absentee ballot:



- 1 (A) by mail; or
- 2 (B) before an absentee voter board (other than an absentee
- 3 voter board located in the office of the circuit court clerk or a
- 4 satellite office);
- 5 in accordance with section 18 of this chapter, IC 3-11-10-24, or
- 6 IC 3-11-10-25.
- 7 (5) The voter identification number of the individual.
- 8 (e) If the county election board determines that an absentee ballot
- 9 application does not comply with subsection (d), the board shall
- 10 implement the procedures prescribed by section 17.6 of this chapter.
- 11 (f) The following statement must be printed in at least 16 point font
- 12 size, underlined, and clearly legible print on the envelope of an
- 13 absentee ballot application that a person sends to an individual:
- 14 "(Name of person sending the absentee ballot application) has
- 15 sent you the enclosed application. This is unsolicited and is not
- 16 sent by a state or local election official."
- 17 (g) This subsection:
- 18 (1) applies only to an application to be mailed to an individual;
- 19 and
- 20 (2) does not apply to an application provided to an individual
- 21 online.
- 22 An agency of the state or a political subdivision may not provide an
- 23 individual with an absentee ballot application unless requested by the
- 24 individual or a member of the individual's family listed in
- 25 IC 3-6-6-7(a)(4).
- 26 (h) An absentee ballot application must request that the individual
- 27 include:
- 28 (1) on the individual's ballot application:
- 29 (A) either:
- 30 (i) the individual's ten (10) digit Indiana driver's license
- 31 number issued under IC 9-24-11;
- 32 (ii) the individual's ten (10) digit Indiana identification card
- 33 number for nondrivers issued under IC 9-24-16; or
- 34 (iii) the unique identifying number assigned to the voter's
- 35 registration record in the computerized list; and
- 36 (B) the last four (4) digits of the voter's Social Security
- 37 number; or
- 38 (2) with the individual's ballot application, a photocopy of:
- 39 (A) the individual's:
- 40 (i) driver's license issued under IC 9-24; or
- 41 (ii) Indiana identification card for nondrivers issued under
- 42 IC 9-24-16; or



(B) other proof of identification for the individual under

~~IC 3-5-2-40.5.~~ **IC 3-5-2.1-84.**

Information and documentation described by this subsection that is included on or with an individual's ballot application is confidential. A county voter registration office is only required to redact the confidential information in responding to a public records request under IC 5-14-3. The application form must state that an applicant may include only one (1) of the numbers under subdivision (1) or one (1) of the documents under subdivision (2), but the application may be delayed if the county election board cannot match at least one (1) of the numbers described in this subsection with the voter's registration record.

(i) This subsection applies only to an absentee ballot application submitted in an electronic format using a module of the computerized list under IC 3-7-26.3. In order for an individual to access the absentee ballot application, the individual shall provide one (1) of the following:

(1) The individual's ten (10) digit Indiana driver's license number issued under IC 9-24-11.

(2) The individual's ten (10) digit Indiana identification card number for nondrivers issued under IC 9-24-16.

(3) The unique identifying number assigned to the voter's registration record in the computerized list.

(4) The last four (4) digits of the individual's Social Security number.

Information described by subdivisions (1) through (4) that is provided by an individual under this subsection is confidential. A county voter registration office is only required to redact the confidential information in responding to a public records request under IC 5-14-3.

(j) The county election board shall implement the procedures prescribed by section 17.6 of this chapter if the county election board cannot match at least one (1) of the numbers described in subsection (h) or (i) with the voter's registration record.

(k) A person who assists an individual in completing any information described in subsection (d) on an absentee ballot application shall state under the penalties for perjury the following information on the application:

(1) The full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person providing the assistance.

(2) The date this assistance was provided.

(3) That the person providing the assistance has complied with Indiana laws governing the submission of absentee ballot



1 applications.

2 (4) That the person has no knowledge or reason to believe that the
3 individual submitting the application:

4 (A) is ineligible to vote or to cast an absentee ballot; or

5 (B) did not properly complete and sign the application.

6 When providing assistance to an individual, the person must, in the
7 individual's presence and with the individual's consent, provide the
8 information listed in subsection (d) if the individual is unable to do so.

9 (l) This subsection does not apply to an employee of the United
10 States Postal Service or a bonded courier company acting in the
11 individual's capacity as an employee of the United States Postal Service
12 or a bonded courier company. A person who receives a completed
13 absentee ballot application from the individual who has applied for the
14 absentee ballot shall indicate on the application the date the person
15 received the application, and file the application with the appropriate
16 county election board or election division not later than:

17 (1) noon ten (10) days after the person receives the application;
18 or

19 (2) the deadline set by Indiana law for filing the application with
20 the board;

21 whichever occurs first. The election division, a county election board,
22 or a board of elections and registration shall forward an absentee ballot
23 application to the county election board or board of elections and
24 registration of the county where the individual resides.

25 (m) This subsection does not apply to an employee of the United
26 States Postal Service or a bonded courier company acting in the
27 individual's capacity as an employee of the United States Postal Service
28 or a bonded courier company, or to the election division, a county
29 election board, or a board of elections and registration. A person filing
30 an absentee ballot application, other than the person's own absentee
31 ballot application, must include an affidavit with the application. The
32 affidavit must be signed by the individual who received the completed
33 application from the applicant. The affidavit must be in a form
34 prescribed by the election division. The form must include the
35 following:

36 (1) A statement of the full name, residence and mailing address,
37 and daytime and evening telephone numbers (if any) of the person
38 submitting the application.

39 (2) A statement that the person filing the affidavit has complied
40 with Indiana laws governing the submission of absentee ballot
41 applications.

42 (3) The date (or dates) that the absentee ballot applications



attached to the affidavit were received.

(4) A statement that the person has no knowledge or reason to believe that the individual whose application is to be filed:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

(5) A statement that the person is executing the affidavit under the penalties of perjury.

(6) A statement setting forth the penalties for perjury.

(n) The county election board shall record the date and time of the filing of the affidavit.

SECTION 21. IC 3-11-4-8, AS AMENDED BY P.L.198-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies to an overseas voter described in ~~IC 3-5-2-34.5(3)~~ **IC 3-5-2.1-75(3)**.

(b) An overseas voter who resides outside the United States and who is no longer a resident of a precinct in Indiana is only entitled to receive absentee ballots for a federal office under this chapter.

(c) A voter described in subsection (a) is considered to be a voter of the Indiana precinct where the voter registration office of the county where the person was domiciled before leaving the United States is located.

SECTION 22. IC 3-11-8-7, AS AMENDED BY P.L.278-2019, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. In preparing the polls for an election, the county election board shall:

(1) have placed within the room a railing separating the part of the room to be occupied by the precinct election board from that part of the room to be occupied by the ballot card voting systems, electronic voting systems, and the three (3) or more booths or compartments for marking paper ballots, whenever either or two (2) of these voting systems are used;

(2) ensure that the portion of the room set apart for the precinct election board includes a designated area before the voter approaches the precinct election board at which each voter appears for challenge; and

(3) provide a method or material for designating the boundaries of the chute, such as a railing, rope, or wire on each side, beginning a distance equal to the length of the chute (as defined in ~~IC 3-5-2-10~~) **IC 3-5-2.1-21**) away from and leading to the door for entering the room in which the election is held.

SECTION 23. IC 3-11-8-10.3, AS AMENDED BY P.L.65-2024, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 10.3. (a) A reference to an electronic poll list in a vote center plan adopted under IC 3-11-18.1 before July 1, 2014, is considered to be a reference to an electronic poll book (as defined by ~~IC 3-5-2-20.5~~; **IC 3-5-2.1-39**), unless otherwise expressly provided in the vote center plan.

(b) An electronic poll book must satisfy all of the following:

(1) An electronic poll book must be programmed so that the coordinated action of two (2) election officers who are not members of the same political party is necessary to access the electronic poll book.

(2) An electronic poll book may not be connected to a voting system. However, the electronic poll book may be used in conjunction with a voting system if both of the following apply:

(A) The electronic poll book contains a device that must be physically removed from the electronic poll book by a person and the device is inserted into the voting system, with no hardware or software connection existing between the electronic poll book and the voting system.

(B) All data on the device is erased when the device is removed from the voting system and before the device is reinserted into an electronic poll book.

(3) An electronic poll book may not permit access to voter information other than:

(A) information provided on the certified list of voters prepared under IC 3-7-29-1; or

(B) information concerning any of the following received or issued after the electronic poll list has been downloaded by the county election board under IC 3-7-29-6:

(i) The county's receipt of an absentee ballot from the voter.

(ii) The county's receipt of additional documentation provided by the voter to the county voter registration office.

(iii) The county's issuance of a certificate of error.

An electronic poll book may not display whether a voter's registration record is in active or inactive status.

(4) The information contained on an electronic poll book must be secure and placed on a dedicated, private server to secure connectivity between a precinct polling place or satellite absentee office and the county election board. The electronic poll book must have the capability of:

(A) storing (in external or internal memory) the current local version of the electronic poll list; and

(B) producing a list of audit records that reflect all of the



- 1 idiosyncrasies of the system, including in-process audit
- 2 records that set forth all transactions.
- 3 (5) The electronic poll book must permit a poll clerk to enter
- 4 information regarding an individual who has appeared to vote to
- 5 verify whether the individual is eligible to vote, and if so, whether
- 6 the voter has:
- 7 (A) already received a ballot at the election;
- 8 (B) returned an absentee ballot; or
- 9 (C) submitted any additional documentation required under
- 10 IC 3-7-33-4.5 or IC 3-7-33-4.7.
- 11 (6) After the voter has been provided with a ballot, the electronic
- 12 poll book must permit a poll clerk to enter information indicating
- 13 that the voter has received a ballot.
- 14 (7) The electronic poll book must transmit the information in
- 15 subdivision (6) to the county server so that:
- 16 (A) the server may transmit the information immediately to
- 17 every other polling place or satellite absentee office in the
- 18 county; or
- 19 (B) the server makes the information immediately available to
- 20 every other polling place or satellite office in the county.
- 21 (8) The electronic poll book must permit reports to be:
- 22 (A) generated by a county election board for a watcher
- 23 appointed under IC 3-6-8 at any time during election day; and
- 24 (B) electronically transmitted by the county election board to
- 25 a political party or independent candidate who is eligible to
- 26 appoint a watcher under IC 3-6-8.
- 27 (9) On each day after absentee ballots are cast before an absentee
- 28 voter board in the circuit court clerk's office, a satellite office, or
- 29 a vote center, and after election day, the electronic poll book must
- 30 permit voter history to be quickly and accurately uploaded into
- 31 the computerized list (as defined in IC 3-7-26.3-2).
- 32 (10) The electronic poll book must be able to display an electronic
- 33 image of the signature of a voter taken from:
- 34 (A) the voter's registration application; or
- 35 (B) a more recent signature of a voter from an absentee
- 36 application, poll list, electronic poll book, or registration
- 37 document.
- 38 (11) The electronic poll book must be used with a signature pad,
- 39 tablet, or other signature capturing device that permits the voter
- 40 to:
- 41 (A) make an electronic signature for comparison with the
- 42 signature displayed under subdivision (10); and



- 1 (B) indicate the name of the voter's political party under
- 2 IC 3-10-1-24.
- 3 An image of the electronic signature made by the voter on the
- 4 signature pad, tablet, or other signature capturing device must be
- 5 retained and identified as the signature of the voter for the period
- 6 required for retention under IC 3-10-1-31.1.
- 7 (12) The electronic poll book must include a bar code capturing
- 8 device that:
- 9 (A) permits a voter who presents an Indiana driver's license or
- 10 a state identification card issued under IC 9-24-16 to scan the
- 11 license or card through the bar code reader or tablet; and
- 12 (B) has the capability to display the voter's registration record
- 13 upon processing the information contained within the bar code
- 14 on the license or card.
- 15 (13) A printer separate from the electronic poll book used in a
- 16 vote center county may be programmed to print on the back of a
- 17 ballot card, immediately before the ballot card is delivered to the
- 18 voter, the printed initials of the poll clerks captured through the
- 19 electronic signature pad or tablet at the time the poll clerks log
- 20 into the electronic poll book system.
- 21 (14) The electronic poll book must be compatible with:
- 22 (A) any hardware attached to the electronic poll book, such as
- 23 signature capturing devices, bar code capturing devices, and
- 24 network cards;
- 25 (B) the statewide voter registration system; and
- 26 (C) any software system used to prepare voter information to
- 27 be included on the electronic poll book.
- 28 (15) The electronic poll book must have the ability to be used in
- 29 conformity with this title for:
- 30 (A) any type of election conducted in Indiana; or
- 31 (B) any combination of elections held concurrently with a
- 32 general election, municipal election, primary election, or
- 33 special election.
- 34 (16) The procedures for setting up, using, and shutting down an
- 35 electronic poll book must be reasonably easy for a precinct
- 36 election officer to learn, understand, and perform. A vendor shall
- 37 provide sufficient training to election officials and poll workers
- 38 to completely familiarize them with the operations essential for
- 39 carrying out election activities. A vendor shall provide an
- 40 assessment of learning goals achieved by the training in
- 41 consultation with VSTOP (as described in IC 3-11-18.1-12).
- 42 (17) The electronic poll book must enable a precinct election



officer to verify that the electronic poll book:

- (A) has been set up correctly;
- (B) is working correctly so as to verify the eligibility of the voter;
- (C) is correctly recording that a voter received a ballot; and
- (D) has been shut down correctly.

(18) The electronic poll book must include the following documentation:

(A) Plainly worded, complete, and detailed instructions sufficient for a precinct election officer to set up, use, and shut down the electronic poll book.

(B) Training materials that:

- (i) may be in written or video form; and
- (ii) must be in a format suitable for use at a polling place, such as simple "how to" guides.

(C) Failsafe data recovery procedures for information included in the electronic poll book.

(D) Usability tests:

- (i) that are conducted by the manufacturer of the electronic poll book or an independent testing facility using individuals who are representative of the general public;
- (ii) that include the setting up, using, and shutting down of the electronic poll book; and
- (iii) that report their results using industry standard reporting formats.

(E) A clear model of the electronic poll book system architecture and the following documentation:

- (i) End user documentation.
- (ii) System-level and administrator level documentation.
- (iii) Developer documentation.

(F) Detailed information concerning:

- (i) electronic poll book consumables; and
- (ii) the vendor's supply chain for those consumables.

(G) Vendor internal quality assurance procedures and any internal or external test data and reports available to the vendor concerning the electronic poll book.

(H) Repair and maintenance policies for the electronic poll book.

(I) As of the date of the vendor's application for approval of the electronic poll book by the secretary of state as required by IC 3-11-18.1-12, the following:

- (i) A list of customers who are using or have previously used



- 1 the vendor's electronic poll book.
- 2 (ii) A description of any known anomalies involving the
- 3 functioning of the electronic poll book, including how those
- 4 anomalies were resolved.
- 5 (J) Information concerning batteries used in the electronic poll
- 6 book, including the following:
- 7 (i) A list of all batteries to be used in the electronic poll
- 8 book and any peripherals.
- 9 (ii) The expected life span of each battery.
- 10 (iii) A log documenting when each battery was installed or
- 11 subsequently replaced.
- 12 (iv) A schedule for the replacement of each battery not later
- 13 than thirty (30) days before the end of the expected life span
- 14 of each battery.
- 15 (v) Plans to test batteries before each election.
- 16 (vi) Plans for the emergency replacement of batteries that
- 17 fail on election day or during the thirty (30) days before
- 18 election day.
- 19 (19) The electronic poll book and any hardware attached to the
- 20 electronic poll book must be designed to prevent injury or damage
- 21 to any individual or the hardware, including fire and electrical
- 22 hazards.
- 23 (20) The electronic poll book must demonstrate that it correctly
- 24 processes all activity regarding each voter registration record,
- 25 including the use, alteration, storage, receipt, and transmittal of
- 26 information that is part of the record. Compliance with this
- 27 subdivision requires the mapping of the data life cycle of the voter
- 28 registration record as processed by the electronic poll book.
- 29 (21) The electronic poll book must successfully perform in
- 30 accordance with all representations concerning functionality,
- 31 usability, security, accessibility, and sustainability made in the
- 32 vendor's application for approval of the electronic poll book by
- 33 the secretary of state as required by IC 3-11-18.1-12.
- 34 (22) The electronic poll book must have the capacity to transmit
- 35 all information generated by the voter or poll clerk as part of the
- 36 process of casting a ballot, including the time and date stamp
- 37 indicating when the voter signed the electronic poll book, and the
- 38 electronic signature of the voter, for retention on the dedicated
- 39 private server approved by the county election board for the
- 40 period required by Indiana and federal law.
- 41 (23) The electronic poll book must:
- 42 (A) permit a voter to check in and sign the electronic poll book



- 1 even when there is a temporary interruption in connectivity to
 2 the Internet; and
 3 (B) provide for the uploading of each signature so that the
 4 signature may be assigned to the voter's registration record.
 5 (24) The electronic poll book must have the capacity, for each
 6 voter who appears on the electronic poll list, to transmit
 7 information that a voter cast a provisional ballot:
 8 (A) from the electronic poll book to the dedicated private
 9 server; and
 10 (B) from the dedicated private server to the voter's record in
 11 the statewide voter registration system.
 12 This functionality may not be disabled.
 13 (c) The county election board is responsible for the care and custody
 14 of all electronic poll books while not in use.
 15 (d) The county election board is responsible for ensuring that all
 16 electronic poll books are dedicated devices to be used only for their
 17 intended purpose and for no other activity. Software that is not needed
 18 for the essential purpose of running the electronic poll book may not be
 19 installed on an electronic poll book.
 20 SECTION 24. IC 3-11-8-16, AS AMENDED BY P.L.230-2005,
 21 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2025]: Sec. 16. A person may not remain within a distance
 23 equal to the length of the chute (as defined in ~~IC 3-5-2-10~~)
 24 **IC 3-5-2.1-21**) of the entrance to the polls except for the purpose of
 25 offering to vote.
 26 SECTION 25. IC 3-11-8-23, AS AMENDED BY P.L.65-2024,
 27 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2025]: Sec. 23. (a) If a challenged voter has already made an
 29 affirmation or executed an affidavit under IC 3-7-48-7.5, IC 3-10-10-9,
 30 IC 3-10-11-4.5, or IC 3-10-12-5, the challenged voter is not required to
 31 execute an additional affidavit under this section.
 32 (b) The affidavit of a challenged voter required by section 22.1 of
 33 this chapter must be sworn and affirmed and must contain the
 34 following:
 35 (1) A statement that the voter is a citizen of the United States.
 36 (2) The voter's date of birth to the best of the voter's information
 37 and belief.
 38 (3) A statement that the voter has been a resident of the precinct
 39 for thirty (30) days immediately before this election or is qualified
 40 to vote in the precinct under IC 3-10-10, IC 3-10-11, or
 41 IC 3-10-12.
 42 (4) The voter's name and a statement that the voter is generally



known by that name.

(5) A statement that the voter has not voted and will not vote in any other precinct in this election.

(6) The voter's current residential address, including the street or number, and if applicable, the voter's residential address thirty (30) days before the election, and the date the voter moved.

(7) If applicable, that, when the voter was challenged to present proof of identification or an additional document to confirm the voter's identity and current residence, the voter presented proof of identification or the additional documentation that complied with ~~IC 3-5-2-40.5~~, **IC 3-5-2.1-84**, IC 3-7-33-4.5, or IC 3-7-33-4.7.

(8) A statement that the voter understands that making a false statement on the affidavit is punishable under the penalties of perjury.

(9) If the individual's name does not appear on the registration list, a statement that the individual registered to vote and where the individual believes the individual registered to vote during the registration period described by IC 3-7-13-10.

SECTION 26. IC 3-11-8-25.1, AS AMENDED BY P.L.157-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 25.1. (a) Except as provided in subsection (e), a voter who desires to vote an official ballot at an election shall provide proof of identification.

(b) Except as provided in subsection (e), before the voter proceeds to vote in the election, a precinct election officer shall ask the voter to provide proof of identification. One (1) of each of the precinct election officers nominated by each county chairman of a major political party of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter to provide proof of identification. The voter shall produce the proof of identification to each precinct officer requesting the proof of identification before being permitted to sign the poll list.

(c) If:

(1) the voter is unable or declines to present the proof of identification; or

(2) a member of the precinct election board determines that the proof of identification provided by the voter does not qualify as proof of identification under ~~IC 3-5-2-40.5~~; **IC 3-5-2.1-84**;

a member of the precinct election board shall challenge the voter as prescribed by this chapter.

(d) If the voter executes a challenged voter's affidavit under section 22.1 of this chapter, the voter shall:

(1) sign the poll list; and



1 (2) receive a provisional ballot.

2 (e) A voter who votes in person at a precinct polling place, vote
3 center, or satellite office established under IC 3-11-10-26.3 that is
4 located at a state licensed care facility where the voter resides is not
5 required to provide proof of identification before voting in an election.

6 (f) After a voter has passed the challengers or has been sworn in, the
7 voter shall be instructed by a member of the precinct election board to
8 proceed to the location where the poll clerks are stationed. In a vote
9 center county using an electronic poll list, two (2) election officers who
10 are not members of the same political party must be present when a
11 voter signs in on the electronic poll list. The voter shall announce the
12 voter's name to the poll clerks or assistant poll clerks. A poll clerk, an
13 assistant poll clerk, or a member of the precinct election board shall
14 require the voter to write the following on the poll list or to provide the
15 following information for entry into the electronic poll list:

16 (1) The voter's name.

17 (2) Except as provided in subsection (k), the voter's current
18 residence address.

19 (g) The poll clerk, an assistant poll clerk, or a member of the
20 precinct election board shall:

21 (1) ask the voter to provide or update the voter's voter
22 identification number;

23 (2) tell the voter the number the voter may use as a voter
24 identification number; and

25 (3) explain to the voter that the voter is not required to provide or
26 update a voter identification number at the polls.

27 (h) The poll clerk, an assistant poll clerk, or a member of the
28 precinct election board shall ask the voter to provide proof of
29 identification.

30 (i) In case of doubt concerning a voter's identity, the precinct
31 election board shall compare the voter's signature with the signature on
32 the voter's registration record provided by the county voter registration
33 office under IC 3-7-29. If the board determines that the voter's
34 signature is authentic, the voter may then vote. If either poll clerk
35 doubts the voter's identity following comparison of the signatures, the
36 poll clerk shall challenge the voter in the manner prescribed by section
37 21 of this chapter.

38 (j) If:

39 (1) the poll clerk does not execute a challenger's affidavit; or

40 (2) the voter executes a challenged voter's affidavit under section
41 22.1 of this chapter or executed the affidavit before signing the
42 poll list;



1 the voter may then vote.

2 (k) The electronic poll book (or each line on a poll list sheet
3 provided to take a voter's current address) must include a box under the
4 heading "Address Unchanged". A voter whose address is unchanged
5 shall check the box instead of writing the voter's current address on the
6 poll list, or if an electronic poll book is used, the poll clerk shall check
7 the box after stating to the voter the address shown on the electronic
8 poll book and receiving an oral affirmation from the voter that the
9 voter's residence address shown on the poll list is the voter's current
10 residence address instead of writing the voter's current residence
11 address on the poll list or reentering the address in the electronic poll
12 book.

13 (l) If the voter indicates that the voter's current residence is located
14 within another county in Indiana, the voter is considered to have
15 directed the county voter registration office of the county where the
16 precinct is located to cancel the voter registration record within the
17 county. The precinct election board shall provide the voter with a voter
18 registration application for the voter to complete and file with the
19 county voter registration office of the county where the voter's current
20 residence address is located.

21 (m) If the voter indicates that the voter's current residence is located
22 outside Indiana, the voter is considered to have directed the county
23 voter registration office of the county where the precinct is located to
24 cancel the voter registration record within the county.

25 SECTION 27. IC 3-11-10-26, AS AMENDED BY P.L.115-2022,
26 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2025]: Sec. 26. (a) This subsection applies to all counties,
28 except for a county to which IC 3-6-5.2 or IC 3-6-5.6 applies. As an
29 alternative to voting by mail, a voter is entitled to cast an absentee
30 ballot before an absentee voter board at any of the following:

31 (1) One (1) location of the office of the circuit court clerk
32 designated by the circuit court clerk.

33 (2) A satellite office established under section 26.3 of this
34 chapter.

35 (b) This subsection applies to a county to which IC 3-6-5.2 or
36 IC 3-6-5.6 applies. As an alternative to voting by mail, a voter is
37 entitled to cast an absentee ballot before an absentee voter board at any
38 of the following:

39 (1) The office of the board of elections and registration.

40 (2) A satellite office established under section 26.3 of this
41 chapter.

42 (c) Except for a location designated under subsection (a)(1), a



location of the office of the circuit court clerk must be established as a satellite office under section 26.3 of this chapter in order to be used as a location at which a voter is entitled to cast an absentee ballot before an absentee voter board under this section.

(d) The voter must do the following before being permitted to vote:

(1) This subdivision does not apply to a county that uses electronic poll books for voting under this section. Sign an application on the form prescribed by the election division under IC 3-11-4-5.1. The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.

(2) This subdivision applies only to a county that uses electronic poll books for voting under this section and in which the ballot is cast on an electronic voting system. The voter must do the following:

(A) If the county election board has prescribed an affidavit under subsection (e) that includes a unique identifier to comply with section 26.2(c)(3) of this chapter, make and subscribe to the affidavit.

(B) Sign the electronic poll book.

(C) Provide proof of identification.

(3) This subdivision applies only to a county that uses electronic poll books for voting under this section and in which the ballot is cast on an optical scan voting system. The voter must do the following:

(A) Sign the electronic poll book.

(B) Provide proof of identification.

(C) Sign the affidavit prescribed by section 29 of this chapter.

(e) The county election board may:

(1) prescribe an affidavit that includes a unique identifier; or

(2) establish a procedure to produce a document, label, or electronic record that is associated with each voter and includes a unique identifier;

to comply with section 26.2(c)(3) of this chapter. After the county election board approves an affidavit or procedure described in this subsection and before the affidavit or procedure is used in an election, the county election board shall file a copy of the affidavit or a brief description of the procedure with the election division to assist the state recount commission in conducting proceedings under IC 3-12-11.

(f) The voter may vote before the board not more than twenty-eight (28) days nor later than noon on the day before election day. If the close of a voter registration period is transferred under IC 3-5-4-1.5 from twenty-nine (29) days to a later date due to the Columbus Day



1 holiday, the voter may vote before the board on the first day following
 2 the day on which the voter registration period closes.

3 (g) An absent uniformed services voter who is eligible to vote by
 4 absentee ballot in the circuit court clerk's office under IC 3-7-36-14
 5 may vote before the board not earlier than twenty-eight (28) days
 6 before the election and not later than noon on election day. If the close
 7 of a voter registration period is transferred under IC 3-5-4-1.5 from
 8 twenty-nine (29) days to a later date due to the Columbus Day holiday,
 9 the voter may vote before the board on the first day following the day
 10 on which the voter registration period closes. If a voter described by
 11 this subsection wishes to cast an absentee ballot during the period
 12 beginning at noon on the day before election day and ending at noon on
 13 election day, the county election board or absentee voter board may
 14 receive and process the ballot at a location designated by resolution of
 15 the county election board.

16 (h) The absentee voter board in the office of the circuit court clerk
 17 must permit voters to cast absentee ballots under this section for at
 18 least seven (7) hours on each of the two (2) Saturdays preceding
 19 election day. However, the county election board may adopt a
 20 resolution authorizing the circuit court clerk to:

21 (1) use the office of the circuit court clerk designated in
 22 subsection (a)(1); or

23 (2) establish a satellite office under section 26.3 of this chapter;
 24 to permit voters to cast absentee ballots under this section for at least
 25 four (4) hours on the third Saturday preceding election day.

26 (i) Notwithstanding subsection (h), in a county with a population of
 27 less than twenty thousand (20,000), the absentee voter board in the
 28 office of the circuit court clerk, with the approval of the county election
 29 board, may reduce the number of hours available to cast absentee
 30 ballots under this section to a minimum of four (4) hours on each of the
 31 two (2) Saturdays preceding election day.

32 (j) As provided by 52 U.S.C. 21081, a voter casting an absentee
 33 ballot under this section must be:

34 (1) permitted to verify in a private and independent manner the
 35 votes selected by the voter before the ballot is cast and counted;

36 (2) provided with the opportunity to change the ballot or correct
 37 any error in a private and independent manner before the ballot is
 38 cast and counted, including the opportunity to receive a
 39 replacement ballot if the voter is otherwise unable to change or
 40 correct the ballot; and

41 (3) notified before the ballot is cast regarding the effect of casting
 42 multiple votes for the office and provided an opportunity to



correct the ballot before the ballot is cast and counted.

(k) As provided by 52 U.S.C. 21081, when an absentee ballot is provided under this section, the board must also provide the voter with:

(1) information concerning the effect of casting multiple votes for an office; and

(2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

(l) If:

(1) the voter is unable or declines to present the proof of identification; or

(2) a member of the board determines that the proof of identification provided by the voter does not qualify as proof of identification under ~~IC 3-5-2-40.5~~; **IC 3-5-2.1-84**;

the voter shall be permitted to cast a provisional ballot.

(m) This subsection applies to a voter who casts an absentee ballot that is treated as a provisional ballot under subsection (l). The board shall provide the voter, both orally and in writing, an explanation of what actions, if any, the voter must take in order to have the voter's ballot counted. The election division shall prescribe the form of the explanation required by this subsection.

(n) A voter casting an absentee ballot under this section is entitled to cast the voter's ballot in accordance with IC 3-11-9.

(o) In a primary election, a voter casting an absentee ballot under this chapter may not change the voter's choice of the voter's political party after the voter has been mailed or otherwise provided with a primary ballot containing the candidates of that party.

SECTION 28. IC 3-12-11-25, AS AMENDED BY P.L.233-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 25. (a) Except as provided in subsection (b), whenever the commission makes a final determination under section 18 of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate is nominated or elected, the candidate who received the second highest number of votes for the office is entitled to a certificate of nomination or certificate of election even though a certificate may have been issued to another candidate upon the tabulation of the votes.

(b) This subsection applies to a contest proceeding for a state office other than the offices of governor, lieutenant governor, justice of the supreme court, judge of the court of appeals, and judge of the tax court. Whenever the commission makes a final determination under section 18(b) of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate



1 is elected the following apply:

2 (1) This subdivision does not apply to the filling of a state office
3 following a contest proceeding or court action that resulted from
4 an election held before January 1, 2011. The office is considered
5 vacant, and the governor shall fill the vacancy as provided in
6 IC 3-13-4-3(e) by the appointment of a person of the same
7 political party as the candidate who is not eligible to serve.

8 (2) The commission's determination that the candidate is not
9 eligible to serve in the office does not affect the votes cast for the
10 candidate for purposes of determining the number or percentage
11 of votes cast for purposes of other statutes, including ~~IC 3-5-2-30,~~
12 **IC 3-5-2.1-62**, IC 3-6-2-1, IC 3-6-4.1-6, IC 3-6-5.2-7, IC 3-6-6-8,
13 IC 3-6-7-1, IC 3-6-8-1, IC 3-8-4, IC 3-8-6, IC 3-10-1-2,
14 IC 3-10-2-15, IC 3-10-4-2, IC 3-10-6, IC 3-10-7-26, IC 3-11-2-6,
15 IC 3-11-13-11, IC 3-11-14-3.5, IC 3-13-9-4.5, IC 6-9-2-3, and
16 IC 36-4-1.5-2.

17 SECTION 29. IC 4-6-3-4, AS AMENDED BY P.L.80-2019,
18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2025]: Sec. 4. An investigative demand shall contain the
20 following:

21 (1) A general description of the subject matter being investigated
22 and a statement of the applicable provisions of law.

23 (2) The date, time, and place at which the person is to appear,
24 answer written interrogatories, or produce documentary material
25 or other tangible items. The date shall not be less than ten (10)
26 days from the date of service of the demand. However, the
27 attorney general may demand and obtain immediate access to
28 records and materials if access is necessary for purposes of
29 investigating alleged violations relating to sales or solicited sales
30 of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic
31 drug lookalike substance (as defined in IC 35-31.5-2-321.5
32 (before its repeal on July 1, 2019)), a controlled substance analog
33 (as defined in ~~IC 35-48-1-9.3~~, **IC 35-48-1.1-8**), or a substance
34 represented to be a controlled substance (as described in
35 IC 35-48-4-4.6).

36 (3) Where the production of documents or other tangible items is
37 required, a description of those documents or items by class with
38 sufficient clarity so that they might be reasonably identified.

39 SECTION 30. IC 4-6-15-1, AS ADDED BY P.L.165-2021,
40 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2025]: Sec. 1. The following definitions apply throughout this
42 chapter:



(1) "Opioid" has the meaning set forth in ~~IC 35-48-1-21~~.

IC 35-48-1.1-31.

(2) "Opioid litigation" means any civil lawsuit, demand, or settlement, including any settlement in lieu of litigation, filed against any opioid party for any cause of action filed for the purpose of redressing the impact of the opioid epidemic to the state or any political subdivision.

(3) "Opioid party" means any manufacturer, consultant, marketer, distributor, prescriber, or dispenser of an opioid product.

(4) "Political subdivision" has the meaning set forth in

~~IC 34-6-2-110~~. **IC 34-6-2.1-155.**

SECTION 31. IC 4-15-17-1, AS ADDED BY P.L.229-2011, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Except as provided in subsection (b), this chapter does not apply to the following:

(1) The state police department.

(2) A state educational institution (as defined in IC 21-7-13-32).

(3) A political subdivision (as defined in ~~IC 3-5-2-38~~).

IC 3-5-2.1-79).

(b) Sections 8, 9, and 10 of this chapter apply to the state police department.

SECTION 32. IC 4-15-17-3, AS AMENDED BY P.L.121-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) As used in this chapter, "state" means any of the following:

(1) A department, commission, division, authority, board, bureau, or office of state government that exercises any executive powers.

(2) Any statewide elected official.

(3) A body corporate and politic of the state created by state statute.

(b) The term does not include any of the following:

(1) The state police department.

(2) A state educational institution (as defined in IC 21-7-13-32).

(3) A political subdivision (as defined in ~~IC 3-5-2-38~~).

IC 3-5-2.1-79).

(4) The ports of Indiana (established by IC 8-10-1-3).

(5) The northern Indiana commuter transportation district (established under IC 8-5-15).

SECTION 33. IC 4-20.5-21-4, AS ADDED BY P.L.39-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Subject to subsection (c), a document of educational and historical significance with acknowledged religious



history may be displayed on property owned by the state, including the following:

- (1) The Mayflower Compact, written and adopted in 1620.
- (2) The Declaration of Independence, adopted by the Continental Congress on July 4, 1776.
- (3) Articles I through VI of the Northwest Ordinance, enacted by the Confederation Congress on July 13, 1787.
- (4) Washington's Farewell Address, published September 19, 1796.

(b) A display of a document under subsection (a) may be accompanied by a document entitled "Educational Documents for Acknowledging America's Religious History" that reads as follows:

"Many historical documents pivotal to American law, constitutionalism, and political theory have deep roots in religion. Examples include the Mayflower Compact, the Declaration of Independence, the Northwest Ordinance, and Washington's Farewell Address, which collectively express the American ideals of liberty, equality, personal responsibility, and the rule of law. The purpose of this display is to help the general public understand the role that religion has played in the legal history of the United States and Indiana."

(c) A document may be displayed under subsection (a) only if the document is:

- (1) donated;
- (2) purchased with funds made available through voluntary contributions to the department; or
- (3) reprinted from a document donated or purchased as described in subdivisions (1) and (2).

(d) Subject to the availability of documents, funds, and reprinted documents as provided under subsection (c), the department shall, upon the request of a:

- (1) state office (as defined in ~~IC 3-5-2-48~~; **IC 3-5-2.1-97**);
- (2) clerk of court;
- (3) judge; or
- (4) legislative body (as defined in IC 36-1-2-9);

prepare and distribute to the state office, clerk of court, judge, or legislative body a copy of a document listed in subsection (a)(1) through (a)(4) for framing and display.

(e) The documents displayed under this section may be displayed in a public location with other historical documents.

SECTION 34. IC 4-29.5-10-5, AS ADDED BY P.L.171-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 5. Political donations. Any Band elected official, any entity controlled or owned by the Band that operates a Gaming Facility, or any officer of such entity may not make a contribution (as defined in ~~IC 3-5-2-15~~) **IC 3-5-2.1-27**) to a candidate or a committee during the following periods: (1) the duration of this Compact; and (2) the three (3) years following the final expiration or termination of this Compact. The following definitions apply for purposes of this subsection. A "candidate" means a candidate for a state office, a candidate for a legislative office, or a candidate for a local office. A "committee" means a candidate's committee, a regular party committee, a committee organized by a legislative caucus of the house of the general assembly, or a committee organized by a legislative caucus of the senate of the general assembly.

SECTION 35. IC 4-30-3-19, AS AMENDED BY P.L.158-2013, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19. (a) The definitions set forth in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

(b) This subsection applies to contributions made after March 15, 1989, and before March 29, 1996. The commission or director may not enter into a contract with a person to serve as a vendor for a major procurement or to provide auditing services to the commission if the person has made a contribution to a candidate for a state office within the three (3) years preceding the award of the contract. A person that enters into a contract with the commission as a vendor for a major procurement or to provide auditing services may not make a contribution to such a candidate during the three (3) years following the last award or renewal of the contract. A person is considered to have made a contribution if a contribution is made by:

- (1) the person;
- (2) an officer of the person; or
- (3) a political action committee (as defined in ~~IC 3-5-2-37~~) **IC 3-5-2.1-78**) of the person.

(c) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 36. IC 4-30-3-19.5, AS AMENDED BY P.L.158-2013, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19.5. (a) This section applies only to contributions made after March 28, 1996.

(b) The definitions set forth in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

(c) As used in this section, "candidate" refers only to a candidate for a state office.



(d) As used in this section, "committee" refers to any of the following:

- (1) A candidate's committee.
- (2) A regular party committee.
- (3) A committee organized by a legislative caucus of the house of the general assembly.
- (4) A committee organized by a legislative caucus of the senate of the general assembly.

(e) As used in this section, "contract" refers only to a contract with the commission or the director for any of the following:

- (1) A major procurement.
- (2) Auditing services to the commission.

(f) As used in this section, "contractor" means a person who has a contract with the commission or the director.

(g) As used in this section, "officer" refers only to either of the following:

- (1) An individual listed as an officer of a corporation in the corporation's most recent annual report.
- (2) An individual who is a successor to an individual described in subdivision (1).

(h) A person is considered to have made a contribution under this section if a contribution is made by any of the following:

- (1) The person.
- (2) An officer of the person.
- (3) A political action committee of the person.

(i) A person may not enter into a contract if the person has made a contribution to a candidate or a committee within the three (3) years preceding the award of the contract.

(j) A contractor, an officer of a contractor, or a political action committee of a contractor may not make a contribution to a candidate or a committee while the contract is in effect and during the three (3) years following the final expiration or termination of the contract.

(k) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 37. IC 4-30-3-19.7, AS AMENDED BY P.L.158-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19.7. (a) This section applies only to contributions made after March 28, 1996.

(b) The definitions set forth in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

(c) As used in this section, "candidate" refers only to the following:

- (1) A candidate for a legislative office.



- 1 (2) A candidate for a local office.
- 2 (d) As used in this section, "committee" refers to any of the
- 3 following:
- 4 (1) A candidate's committee.
- 5 (2) A regular party committee.
- 6 (3) A committee organized by a legislative caucus of the house of
- 7 the general assembly.
- 8 (4) A committee organized by a legislative caucus of the senate
- 9 of the general assembly.
- 10 (e) As used in this section, "contract" refers only to a contract with
- 11 the commission or the director for any of the following:
- 12 (1) The printing of tickets to be used in a lottery game.
- 13 (2) Consultation services for operation of the lottery.
- 14 (3) Any goods and services involving any of the following:
- 15 (A) Equipment for the official recording for lottery game play
- 16 purposes of a player's selection in lottery games involving
- 17 player selections.
- 18 (B) The drawing, determination, or generation of winners in
- 19 lottery games.
- 20 (C) The security services required under this article.
- 21 (f) As used in this section, "contractor" refers to a person who has
- 22 a contract with the commission or the director.
- 23 (g) As used in this section, "officer" refers only to either of the
- 24 following:
- 25 (1) An individual listed as an officer of a corporation in the
- 26 corporation's most recent annual report.
- 27 (2) An individual who is a successor to an individual described in
- 28 subdivision (1).
- 29 (h) A person is considered to have made a contribution under this
- 30 section if a contribution is made by any of the following:
- 31 (1) The person.
- 32 (2) An officer of the person.
- 33 (3) A political action committee of the person.
- 34 (i) A person may not enter into a contract if the person has made a
- 35 contribution to a candidate or a committee within the three (3) years
- 36 preceding the award of the contract.
- 37 (j) A contractor, an officer of a contractor, or a political action
- 38 committee of a contractor may not make a contribution to a candidate
- 39 or a committee while the contract is in effect and during the three (3)
- 40 years following the final expiration or termination of the contract.
- 41 (k) A person who knowingly or intentionally violates this section
- 42 commits a Level 6 felony.



1 SECTION 38. IC 4-31-13-3.5, AS AMENDED BY P.L.158-2013,
 2 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 3.5. (a) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1**
 4 apply to this section to the extent they do not conflict with the
 5 definitions in this article.

6 (b) This section applies only to contributions made after June 30,
 7 1996.

8 (c) As used in this section, "candidate" refers to any of the
 9 following:

- 10 (1) A candidate for a state office.
- 11 (2) A candidate for a legislative office.
- 12 (3) A candidate for a local office.

13 (d) As used in this section, "committee" refers to any of the
 14 following:

- 15 (1) A candidate's committee.
- 16 (2) A regular party committee.
- 17 (3) A committee organized by a legislative caucus of the house of
 18 the general assembly.
- 19 (4) A committee organized by a legislative caucus of the senate
 20 of the general assembly.

21 (e) As used in this section, "officer" refers only to either of the
 22 following:

- 23 (1) An individual listed as an officer of a corporation in the
 24 corporation's most recent annual report.
- 25 (2) An individual who is a successor to an individual described in
 26 subdivision (1).

27 (f) For purposes of this section, a person is considered to have an
 28 interest in a permit holder if the person satisfies any of the following:

- 29 (1) The person holds at least a one percent (1%) interest in the
 30 permit holder.
- 31 (2) The person is an officer of the permit holder.
- 32 (3) The person is an officer of a person that holds at least a one
 33 percent (1%) interest in the permit holder.
- 34 (4) The person is a political action committee of the permit
 35 holder.

36 (g) For purposes of this section, a permit holder is considered to
 37 have made a contribution if a contribution is made by a person who has
 38 an interest in the permit holder.

39 (h) A permit holder or a person with an interest in a permit holder
 40 may not make a contribution to a candidate or a committee during the
 41 following periods:

- 42 (1) The term during which the permit holder holds a permit.



(2) The three (3) years following the final expiration or termination of the permit holder's permit.

(i) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 39. IC 4-31-13-9, AS AMENDED BY P.L.158-2013, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section to the extent they do not conflict with the definitions in this article.

(b) This section applies only to property given after June 30, 1996.

(c) As used in this section, "officer" refers only to either of the following:

(1) An individual listed as an officer of a corporation in the corporation's most recent annual report.

(2) An individual who is a successor to an individual described in subdivision (1).

(d) For purposes of this section, a person is considered to have an interest in a permit holder if the person satisfies any of the following:

(1) The person holds at least a one percent (1%) interest in the permit holder.

(2) The person is an officer of the permit holder.

(3) The person is an officer of a person that holds at least a one percent (1%) interest in the permit holder.

(4) The person is a political action committee of the permit holder.

(e) A permit holder or a person with an interest in a permit holder may not give any property (as defined in IC 35-31.5-2-253) to a member of a precinct committee to induce the member of the precinct committee to do any act or refrain from doing any act with respect to the approval of a local public question under IC 4-31-4.

(f) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 40. IC 4-32.3-2-10, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) "Bona fide political organization" means a party committee, association, fund, or other organization, whether incorporated or not, organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function (as defined in Section 527 of the Internal Revenue Code).

(b) The term does not include a candidate's committee (as defined in ~~IC 3-5-2-7~~: **IC 3-5-2.1-17**).



1 SECTION 41. IC 4-32.3-4-12, AS ADDED BY P.L.58-2019,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 12. (a) With respect to any action authorized by
 4 this section, a candidate's committee (as defined in ~~IC 3-5-2-7~~)
 5 **IC 3-5-2.1-17**) is considered a bona fide political organization.

6 (b) A candidate's committee may apply for a license to conduct a
 7 raffle, but is prohibited from conducting any other kind of allowable
 8 event.

9 (c) The members of a candidate's committee may conduct a raffle
 10 without meeting the requirements of this article concerning the
 11 membership of a qualified organization. A candidate's committee
 12 licensed under this section must remain in good standing with the
 13 election division or the county election board having jurisdiction over
 14 the committee.

15 SECTION 42. IC 4-33-10-2.1, AS AMENDED BY P.L.158-2013,
 16 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2025]: Sec. 2.1. (a) This section applies only to contributions
 18 made after June 30, 1996.

19 (b) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section to the
 20 extent they do not conflict with the definitions in this article.

21 (c) As used in this section, "candidate" refers to any of the
 22 following:

- 23 (1) A candidate for a state office.
- 24 (2) A candidate for a legislative office.
- 25 (3) A candidate for a local office.

26 (d) As used in this section, "committee" refers to any of the
 27 following:

- 28 (1) A candidate's committee.
- 29 (2) A regular party committee.
- 30 (3) A committee organized by a legislative caucus of the house of
 31 the general assembly.
- 32 (4) A committee organized by a legislative caucus of the senate
 33 of the general assembly.

34 (e) As used in this section, "license" means:

- 35 (1) an owner's license issued under this article;
- 36 (2) a supplier's license issued under this article to a supplier of
 37 gaming supplies or equipment, including electronic gaming
 38 equipment; or
- 39 (3) an operating agent contract issued under this article.

40 (f) As used in this section, "licensee" means a person who holds a
 41 license. The term includes an operating agent.

42 (g) As used in this section, "officer" refers only to either of the



following:

(1) An individual listed as an officer of a corporation in the corporation's most recent annual report.

(2) An individual who is a successor to an individual described in subdivision (1).

(h) For purposes of this section, a person is considered to have an interest in a licensee if the person satisfies any of the following:

(1) The person holds at least a one percent (1%) interest in the licensee.

(2) The person is an officer of the licensee.

(3) The person is an officer of a person that holds at least a one percent (1%) interest in the licensee.

(4) The person is a political action committee of the licensee.

(i) A licensee is considered to have made a contribution if a contribution is made by a person who has an interest in the licensee.

(j) A licensee or a person who has an interest in a licensee may not make a contribution to a candidate or a committee during the following periods:

(1) The term during which the licensee holds a license.

(2) The three (3) years following the final expiration or termination of the licensee's license.

(k) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 43. IC 4-33-10-2.5, AS AMENDED BY P.L.293-2019, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.5. (a) This section applies only to property given after June 30, 1996.

(b) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section to the extent they do not conflict with the definitions in this article.

(c) As used in this section, "license" means:

(1) an owner's license issued under this article;

(2) a supplier's license issued under this article to a supplier of gaming supplies or equipment, including electronic gaming equipment; or

(3) an operating agent contract entered into under this article.

(d) As used in this section, "licensee" means a person who holds a license. The term includes an operating agent.

(e) As used in this section, "officer" refers only to either of the following:

(1) An individual listed as an officer of a corporation in the corporation's most recent annual report.

(2) An individual who is a successor to an individual described in



1 subdivision (1).

2 (f) For purposes of this section, a person is considered to have an
3 interest in a licensee if the person satisfies any of the following:

4 (1) The person holds at least a one percent (1%) interest in the
5 licensee.

6 (2) The person is an officer of the licensee.

7 (3) The person is an officer of a person that holds at least a one
8 percent (1%) interest in the licensee.

9 (4) The person is a political action committee of the licensee.

10 (g) A licensee or a person with an interest in a licensee may not give
11 any property (as defined in IC 35-31.5-2-253) to a member of a
12 precinct committee to induce the member of the precinct committee to
13 do any act or refrain from doing any act with respect to the approval of
14 a local public question under IC 4-33-6-19 or IC 4-33-6-19.3.

15 (h) A person who knowingly or intentionally violates this section
16 commits a Level 6 felony.

17 SECTION 44. IC 4-35-7-13, AS AMENDED BY P.L.95-2008,
18 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2025]: Sec. 13. (a) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1**
20 apply to this section to the extent they do not conflict with the
21 definitions in this article.

22 (b) As used in this section, "candidate" refers to any of the
23 following:

24 (1) A candidate for a state office.

25 (2) A candidate for a legislative office.

26 (3) A candidate for a local office.

27 (c) As used in this section, "committee" refers to any of the
28 following:

29 (1) A candidate's committee.

30 (2) A regular party committee.

31 (3) A committee organized by a legislative caucus of the house of
32 the general assembly.

33 (4) A committee organized by a legislative caucus of the senate
34 of the general assembly.

35 (d) Money distributed to a horsemen's association under section 12
36 of this chapter may not be used for any of the following purposes:

37 (1) To make a contribution to a candidate or a committee.

38 (2) For lobbying (as defined in IC 2-7-1-9).

39 SECTION 45. IC 5-2-15-3, AS AMENDED BY P.L.30-2019,
40 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2025]: Sec. 3. (a) As used in this section, "property" refers to
42 a:



- (1) dwelling (as defined in IC 13-11-2-61.3);
- (2) building;
- (3) motor vehicle (as defined in IC 9-13-2-105(a));
- (4) trailer (as defined in IC 9-13-2-184(b)); or
- (5) watercraft (as defined by IC 9-13-2-198.5).

(b) A law enforcement agency that terminates the use of a property in the illegal manufacture of a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) shall report the existence and location of the property to:

- (1) the state police department;
- (2) the local fire department that serves the area in which the property is located; and
- (3) the local health department in whose jurisdiction the property is located;

on a form and in the manner prescribed by guidelines adopted by the superintendent of the state police department under IC 10-11-2-31.

SECTION 46. IC 5-2-15-4, AS AMENDED BY P.L.1-2007, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. A law enforcement agency that discovers a child less than eighteen (18) years of age at a site used for the illegal manufacture of a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) shall notify the department of child services.

SECTION 47. IC 5-3-5-3, AS ADDED BY P.L.152-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. As used in this chapter, "political subdivision" has the meaning set forth in ~~IC 3-5-2-38~~; **IC 3-5-2.1-79**. The term includes any administration, agency, authority, board, bureau, commission, committee, council, department, division, institution, office, officer, service, or other similar body of a political subdivision created or established under law.

SECTION 48. IC 5-8-1-38, AS AMENDED BY P.L.57-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 38. (a) The following definitions apply throughout this section:

- (1) "Felony" has the meaning set forth in IC 3-8-1-5.
- (2) "Public officer" means either of the following:
 - (A) An individual who holds an elected office (as defined in ~~IC 3-5-2-17~~); **IC 3-5-2.1-34**), other than a federal office.
 - (B) An individual who holds an appointed office of the state or a political subdivision (as defined in IC 36-1-2-13).

(b) Any public officer convicted of a felony during the public officer's term of office shall:



(1) be removed from office by operation of law when:

(A) in a jury trial, a jury publicly announces a verdict against the person for a felony;

(B) in a bench trial, the court publicly announces a verdict against the person for a felony; or

(C) in a guilty plea hearing, the person pleads guilty or nolo contendere to a felony; and

(2) not receive any salary or remuneration from the time the public officer is removed from office under subdivision (1).

(c) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

(1) jury has announced its verdict against the person for a felony;

(2) court has announced its verdict against the person for a felony;

or

(3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (b).

(d) If the conviction is:

(1) reversed;

(2) vacated;

(3) set aside;

(4) for a felony other than a felony arising out of an action taken in the public officer's official capacity, reduced to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5; or

(5) not entered because the trial court did not accept the guilty plea;

and the public officer's term has not expired, the public officer shall be reinstated in office and receive any salary or other remuneration that the public officer would have received had the public officer not been removed from office.

(e) If the conviction is reversed, vacated, or set aside and the public officer's term has expired, the public officer shall receive any salary or other remuneration that the public officer would have received had the public officer not been removed from office.

(f) A vacancy in a public office caused by the removal of a public officer under this section shall be filled as provided by law. If a convicted public officer is reinstated, the person filling the office during the appeal shall cease to hold the office.

(g) This subsection applies whenever:

(1) a public officer is removed from office by operation of law under subsection (b); and

(2) a vacancy occurs in a state, county, township, city, or town office as the result of the removal from office.



The court must file a certified copy of the sentencing order with the person who is entitled under IC 5-8-6 to receive notice of the death of an individual holding the office. The person receiving a copy of the sentencing order must give notice of the vacancy in the same manner as if the person had received a notice under IC 5-8-6. The person who is required or permitted to fill the vacancy must comply with IC 3-13.

(h) This subsection applies if a public officer is reinstated in office under subsection (d). The court must file a certified copy of the order reversing, vacating, reducing, or setting aside the conviction with the person who is entitled under IC 5-8-6 to receive notice of the death of an individual holding the office. The person receiving a copy of the order must give notice of the reinstatement in the same manner as notice of a vacancy would be given under IC 5-8-6. The person receiving a copy of the order must also give notice to the person who was selected to fill the vacancy before the reinstatement occurred.

SECTION 49. IC 5-8-6-2, AS ADDED BY P.L.119-2005, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this chapter, "officeholder" refers to a person who holds a state office, legislative office, local office, or school board office (as those terms are defined in ~~IC 3-5-2~~; **IC 3-5-2.1**).

SECTION 50. IC 5-8-6-3, AS AMENDED BY P.L.227-2023, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A person who knows of the death of an officeholder may certify the death to the following:

(1) The governor, in the case of the death of any of the following:

(A) An individual who holds a state office (as defined in ~~IC 3-5-2-48~~; **IC 3-5-2.1-97**).

(B) An individual who is a judge of a circuit, superior, small claims, probate, or city court.

(2) The secretary of state, in the case of the death of an individual who holds a legislative office (as defined in ~~IC 3-5-2-28~~; **IC 3-5-2.1-60**).

(3) The circuit court clerk of the county in which the officeholder resided, in the case of the death of an officeholder of a county, city, town, township, or school corporation not covered under subdivision (1).

(b) A person who certifies the death of an officeholder shall:

(1) state the information that causes the person to believe the officeholder has died; and

(2) certify, under the penalties for perjury, that to the best of the person's knowledge and belief, the information stated is true.



SECTION 51. IC 5-8-6-4, AS ADDED BY P.L.119-2005, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. When the governor:

(1) obtains information concerning the death of an individual who:

(A) holds a state office (as defined in ~~IC 3-5-2-48~~; **IC 3-5-2.1-97**); or

(B) is a judge of a circuit, superior, probate, county, or city court; and

(2) is reasonably satisfied that the information described in subdivision (1) is true;

the governor shall fill the vacancy as provided by law.

SECTION 52. IC 5-8-6-5, AS ADDED BY P.L.119-2005, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) When the secretary of state:

(1) obtains information concerning the death of an individual who holds a legislative office (as defined in ~~IC 3-5-2-28~~; **IC 3-5-2.1-60**); and

(2) is reasonably satisfied that the information described in subdivision (1) is true;

the secretary of state shall give notice of the death to the state chairman of the political party that elected or selected the deceased individual.

(b) The secretary of state shall give the notice required by subsection (a) not later than seventy-two (72) hours after the requirements of subsection (a)(1) and (a)(2) are satisfied.

SECTION 53. IC 5-9-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) This chapter applies to a person who:

(1) holds a state, legislative, local, or school board office (all as defined in ~~IC 3-5-2~~; **IC 3-5-2.1**);

(2) is called into active duty in the:

(A) armed forces of the United States; or

(B) the national guard; and

(3) may not appoint a deputy under IC 5-6-2.

(b) This chapter may not be applied in violation of Article 2, Section 9 of the Constitution of the State of Indiana.

SECTION 54. IC 5-9-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. As used in this chapter, "officeholder" refers to a person who holds a state, legislative, local, or school board office (all as defined in ~~IC 3-5-2~~; **IC 3-5-2.1**).

SECTION 55. IC 5-10-8-7, AS AMENDED BY P.L.119-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 7. (a) The state, excluding state educational institutions, may not purchase or maintain a policy of group insurance, except:

- (1) life insurance for the state's employees;
- (2) long term care insurance under a long term care insurance policy (as defined in IC 27-8-12-5), for the state's employees; or
- (3) an insurance policy that provides coverage that supplements coverage provided under a United States military health care plan.

(b) With the consent of the governor, the state personnel department may establish self-insurance programs to provide group insurance other than life or long term care insurance for state employees and retired state employees. The state personnel department may contract with a private agency, business firm, limited liability company, or corporation for administrative services. A commission may not be paid for the placement of the contract. The department may require, as part of a contract for administrative services, that the provider of the administrative services offer to an employee terminating state employment the option to purchase, without evidence of insurability, an individual policy of insurance.

(c) Notwithstanding subsection (a), with the consent of the governor, the state personnel department may contract for health services for state employees through one (1) or more prepaid health care delivery plans.

(d) The state personnel department shall adopt rules under IC 4-22-2 to establish long term and short term disability plans for state employees (except employees who hold elected offices (as defined by ~~IC 3-5-2-17~~)). **IC 3-5-2.1-34**). The plans adopted under this subsection may include any provisions the department considers necessary and proper and must:

- (1) require participation in the plan by employees with six (6) months of continuous, full-time service;
- (2) require an employee to make a contribution to the plan in the form of a payroll deduction;
- (3) require that an employee's benefits under the short term disability plan be subject to a thirty (30) day elimination period and that benefits under the long term plan be subject to a six (6) month elimination period;
- (4) prohibit the termination of an employee who is eligible for benefits under the plan;
- (5) except as provided in section 25 of this chapter, provide, after a seven (7) day elimination period, eighty percent (80%) of base biweekly wages for an employee disabled by injuries resulting



from tortious acts, as distinguished from passive negligence, that occur within the employee's scope of state employment;

(6) provide that an employee's benefits under the plan may be reduced, dollar for dollar, if the employee derives income from:

(A) Social Security;

(B) the public employees' retirement fund;

(C) the Indiana state teachers' retirement fund;

(D) pension disability;

(E) worker's compensation;

(F) benefits provided from another employer's group plan; or

(G) remuneration for employment entered into after the disability was incurred.

(The department of state revenue and the department of workforce development shall cooperate with the state personnel department to confirm that an employee has disclosed complete and accurate information necessary to administer this subdivision.);

(7) provide that an employee will not receive benefits under the plan for a disability resulting from causes specified in the rules; and

(8) provide that, if an employee refuses to:

(A) accept work assignments appropriate to the employee's medical condition;

(B) submit information necessary for claim administration; or

(C) submit to examinations by designated physicians;

the employee forfeits benefits under the plan.

(e) This section does not affect insurance for retirees under IC 5-10.3 or IC 5-10.4.

(f) The state may pay part of the cost of self-insurance or prepaid health care delivery plans for its employees.

(g) A state agency may not provide any insurance benefits to its employees that are not generally available to other state employees, unless specifically authorized by law.

(h) The state may pay a part of the cost of group medical and life coverage for its employees.

(i) To carry out the purposes of this section, a trust fund may be established. The trust fund established under this subsection is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from the trust fund established under this subsection by the state board of finance, the budget agency, or any other state agency. Money in a trust fund established under this subsection does not revert to the state general fund at the end of any state fiscal year. The trust fund established under



1 this subsection consists of appropriations, revenues, or transfers to the
 2 trust fund under IC 4-12-1. Contributions to the trust fund are
 3 irrevocable. The trust fund must be limited to providing prefunding of
 4 annual required contributions and to cover OPEB liability for covered
 5 individuals. Funds may be used only for these purposes and not to
 6 increase benefits or reduce premiums. The trust fund shall be
 7 established to comply with and be administered in a manner that
 8 satisfies the Internal Revenue Code requirements concerning a trust
 9 fund for prefunding annual required contributions and for covering
 10 OPEB liability for covered individuals. All assets in the trust fund
 11 established under this subsection:

12 (1) are dedicated exclusively to providing benefits to covered
 13 individuals and their beneficiaries according to the terms of the
 14 health plan; and

15 (2) are exempt from levy, sale, garnishment, attachment, or other
 16 legal process.

17 The trust fund established under this subsection shall be administered
 18 by the state personnel department. The expenses of administering the
 19 trust fund shall be paid from money in the trust fund. Notwithstanding
 20 IC 5-13, the treasurer of state shall invest the money in the trust fund
 21 not currently needed to meet the obligations of the trust fund in the
 22 same manner as money may be invested by the public employees'
 23 retirement fund under IC 5-10.3-5. However, the trustee may not invest
 24 the money in the trust in equity securities. The trustee shall also comply
 25 with the prudent investor rule set forth in IC 30-4-3.5. The trustee may
 26 contract with investment management professionals, investment
 27 advisors, and legal counsel to assist in the investment of the trust and
 28 may pay the state expenses incurred under those contracts from the
 29 trust. Interest that accrues from these investments shall be deposited in
 30 the trust fund.

31 (j) Nothing in this section prohibits the state personnel department
 32 from directly contracting with health care providers for health care
 33 services for state employees.

34 SECTION 56. IC 5-10.5-2-4, AS AMENDED BY P.L.100-2012,
 35 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2025]: Sec. 4. For purposes of IC 34-13-2, IC 34-13-3, and
 37 IC 34-13-4, the board, the system, and all employees of the board or the
 38 system are public employees (as defined in ~~IC 34-6-2-38~~).
 39 **IC 34-6-2.1-54).**

40 SECTION 57. IC 5-14-1.5-2, AS AMENDED BY P.L.171-2024,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2025]: Sec. 2. For the purposes of this chapter:



(a) "Public agency", except as provided in section 2.1 of this chapter, means the following:

(1) Any board, commission, department, agency, authority, or other entity, by whatever name designated, exercising a portion of the executive, administrative, or legislative power of the state.

(2) Any county, township, school corporation, city, town, political subdivision, or other entity, by whatever name designated, exercising in a limited geographical area the executive, administrative, or legislative power of the state or a delegated local governmental power.

(3) Any entity which is subject to either:

(A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or

(B) audit by the state board of accounts that is required by statute, rule, or regulation.

(4) Any building corporation of a political subdivision of the state of Indiana that issues bonds for the purpose of constructing public facilities.

(5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.

(6) The Indiana gaming commission established by IC 4-33, including any department, division, or office of the commission.

(7) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(b) "Governing body" means two (2) or more individuals who are any of the following:

(1) A public agency that:

(A) is a board, a commission, an authority, a council, a committee, a body, or other entity; and

(B) takes official action on public business.

(2) The board, commission, council, or other body of a public agency which takes official action upon public business.

(3) Any committee appointed directly by the governing body or its presiding officer to which authority to take official action upon public business has been delegated. However, the following do not constitute a governing body for purposes of this chapter:

(A) An agent or agents appointed by the governing body to conduct collective bargaining on behalf of the governing body.

(B) A committee appointed directly by the governing body or



- 1 a designee of the governing body:
- 2 (i) for the sole purpose of receiving information,
- 3 deliberating, or making recommendations to the governing
- 4 body; and
- 5 (ii) that has not more than one (1) member of the governing
- 6 body as a member.
- 7 (c) "Meeting" means a gathering of a majority of the governing body
- 8 of a public agency for the purpose of taking official action upon public
- 9 business. It does not include any of the following:
- 10 (1) Any social or chance gathering not intended to avoid this
- 11 chapter.
- 12 (2) Any on-site inspection of any:
- 13 (A) project;
- 14 (B) program; or
- 15 (C) facilities of applicants for incentives or assistance from the
- 16 governing body.
- 17 (3) Traveling to and attending meetings of organizations devoted
- 18 to betterment of government.
- 19 (4) A caucus.
- 20 (5) A gathering to discuss an industrial or a commercial prospect
- 21 that does not include a conclusion as to recommendations, policy,
- 22 decisions, or final action on the terms of a request or an offer of
- 23 public financial resources.
- 24 (6) An orientation of members of the governing body on their role
- 25 and responsibilities as public officials, but not for any other
- 26 official action.
- 27 (7) A gathering for the sole purpose of administering an oath of
- 28 office to an individual.
- 29 (8) Collective bargaining discussions that the governing body of
- 30 a school corporation engages in directly with bargaining
- 31 adversaries. This subdivision applies only to a governing body
- 32 that has not appointed an agent or agents to conduct collective
- 33 bargaining on behalf of the governing body as described in
- 34 subsection (b)(3).
- 35 (d) "Official action" means to:
- 36 (1) receive information;
- 37 (2) deliberate;
- 38 (3) make recommendations;
- 39 (4) establish policy;
- 40 (5) make decisions; or
- 41 (6) take final action.
- 42 (e) "Public business" means any function upon which the public



1 agency is empowered or authorized to take official action.

2 (f) "Executive session" means a meeting from which the public is
3 excluded, except the governing body may admit those persons
4 necessary to carry out its purpose. The governing body may also admit
5 an individual who has been elected to the governing body but has not
6 been sworn in as a member of the governing body.

7 (g) "Final action" means a vote by the governing body on any
8 motion, proposal, resolution, rule, regulation, ordinance, or order.

9 (h) "Caucus" means a gathering of members of a political party or
10 coalition which is held for purposes of planning political strategy and
11 holding discussions designed to prepare the members for taking official
12 action.

13 (i) "Deliberate" means a discussion which may reasonably be
14 expected to result in official action (defined under subsection (d)(3),
15 (d)(4), (d)(5), or (d)(6)).

16 (j) "News media" means all newspapers qualified to receive legal
17 advertisements under IC 5-3-1, all news services (as defined in
18 ~~IC 34-6-2-87~~), **IC 34-6-2.1-131**), and all licensed commercial or public
19 radio or television stations.

20 (k) "Person" means an individual, a corporation, a limited liability
21 company, a partnership, an unincorporated association, or a
22 governmental entity.

23 (l) "State educational institution" has the meaning set forth in
24 IC 21-7-13-32.

25 (m) "Charter school" has the meaning set forth in IC 20-24-1-4).
26 The term includes a virtual charter school (as defined in
27 IC 20-24-1-10).

28 SECTION 58. IC 5-16-11-2 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) As used in this
30 chapter, "consultant" means an individual who, under a contract with
31 the state or a political subdivision, does either of the following for the
32 state or the political subdivision:

- 33 (1) Evaluates bids for contracts.
- 34 (2) Awards contracts.

35 The term does not include a public employee (as defined in
36 ~~IC 34-6-2-38~~). **IC 34-6-2.1-54**).

37 (b) An individual is not required to be a party to the contract with
38 the state or the political subdivision to be a consultant under this
39 section.

40 SECTION 59. IC 5-26.5-2-5, AS AMENDED BY P.L.271-2013,
41 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2025]: Sec. 5. (a) The definitions set forth in ~~IC 3-5-2~~



1 **IC 3-5-2.1** apply to this section.

2 (b) A program participant who is otherwise qualified to vote may
3 apply to vote as provided in IC 3-7. The residence address of a program
4 participant shall be recorded in the computerized system as set forth in
5 the voter registration application. However, the voter registration
6 application of the program participant is confidential, and the name and
7 residence address of the program participant shall not be printed on any
8 poll list or made available through any electronic poll list provided to
9 precinct election officers.

10 (c) The program participant may vote in person at the office of the
11 county election board or may vote absentee by mail. The absentee
12 ballot application of a program participant is confidential. The program
13 participant's mailing address shall be recorded in the computerized
14 system as the address of the office of the attorney general. Except as
15 provided in this section, IC 3-11-4-6 applies to a program participant
16 who wishes to vote by absentee ballot.

17 **SECTION 60. IC 5-28-4-2, AS AMENDED BY P.L.237-2017,**
18 **SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
19 **JULY 1, 2025]:** Sec. 2. (a) The board is composed of the following
20 members, none of whom may be members of the general assembly:

21 (1) The governor.

22 (2) Eleven (11) individuals appointed by the governor.

23 (3) The members (if any) appointed by the governor under
24 subsection (c).

25 The individuals appointed under subdivision (2) and the individuals
26 appointed under subsection (c) must be employed in or retired from the
27 private or nonprofit sector or academia.

28 (b) When making appointments under subsection (a)(2), the
29 governor shall appoint the following:

30 (1) At least five (5) members belonging to the same political party
31 as the governor.

32 (2) At least three (3) members who belong to a major political
33 party (as defined in ~~IC 3-5-2-30~~) **IC 3-5-2.1-62**) other than the
34 party of which the governor is a member.

35 (c) In addition to the members appointed under subsection (a)(2),
36 the governor may appoint not more than three (3) additional members
37 to the board. If the governor appoints more than one (1) additional
38 member to the board under this subsection, at least one (1) of the
39 additional members must belong to a major political party (as defined
40 in ~~IC 3-5-2-30~~) **IC 3-5-2.1-62**) other than the party of which the
41 governor is a member.

42 **SECTION 61. IC 5-28-5-7, AS ADDED BY P.L.4-2005, SECTION**



34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, the board and the employees of the corporation are public employees (as defined in ~~IC 34-6-2-38~~). **IC 34-6-2.1-54**.

SECTION 62. IC 5-33-5-7, AS ADDED BY P.L.78-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, the board and the employees of the corporation are public employees (as defined in ~~IC 34-6-2-38~~). **IC 34-6-2.1-54**.

SECTION 63. IC 6-1.1-20-1.8, AS AMENDED BY P.L.170-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.8. As used in this chapter, "county voter registration office" means the following:

- (1) A board of registration established under IC 3-7-12 or by a county executive acting under IC 3-7-12.
- (2) A board of elections and registration (as defined in ~~IC 3-5-2-5.3~~). **IC 3-5-2.1-12**.
- (3) The office of the circuit court clerk of a county in which a board has not been established as described in subdivision (1) or (2).

SECTION 64. IC 6-1.5-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. "Major political party" has the meaning set forth in ~~IC 3-5-2-30~~. **IC 3-5-2.1-62**.

SECTION 65. IC 6-2.5-8-7, AS AMENDED BY P.L.118-2024, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) The department may, for good cause, revoke a certificate issued under this chapter. However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate under this subsection. Good cause for revocation may include the following:

- (1) Failure to:
 - (A) file a return required under this chapter or for any tax collected for the state in trust; or
 - (B) remit any tax collected for the state in trust.
- (2) Being charged with a violation of any provision under IC 35.
- (3) Being subject to a court order under IC 7.1-2-6-7, IC 32-30-6-8, IC 32-30-7, or IC 32-30-8.
- (4) Being charged with a violation of IC 23-15-12.
- (5) The certificate holder or an officer, a director, a manager, or a partner of the certificate holder has been convicted for an offense under IC 35-48-4 and the conviction involved the sale of or the offer to sell, in the normal course of business, a synthetic



1 drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike
 2 substance (as defined in IC 35-31.5-2-321.5 (before its repeal on
 3 July 1, 2019)), a controlled substance analog (as defined in
 4 ~~IC 35-48-1-9.3~~, **IC 35-48-1.1-8**), or a substance represented to
 5 be a controlled substance (as described in IC 35-48-4-4.6) by a
 6 retail merchant in a place of business for which the retail
 7 merchant has been issued a registered retail merchant's certificate
 8 under this chapter.

9 (6) The certificate holder or an officer, a director, a manager, or
 10 a partner of the certificate holder has a judgment for a violation
 11 of IC 35-48-4-10.5 (before its repeal on July 1, 2019) as an
 12 infraction and the violation involved the sale of or the offer to
 13 sell, in the normal course of business, a synthetic drug or a
 14 synthetic drug lookalike substance by a retail merchant in a place
 15 of business for which the retail merchant has been issued a
 16 registered retail merchant's certificate under this chapter.

17 (7) The certificate holder or an officer, a director, a manager, or
 18 a partner of the certificate holder has been convicted for an
 19 offense under IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

20 (8) The retail merchant has defaulted on a payment plan for a
 21 listed tax that was entered into prior to the date of the most recent
 22 renewal of its retail merchant's certificate.

23 The department may revoke a certificate under subdivision (2) before
 24 a criminal adjudication or without a criminal charge being filed. If the
 25 department gives notice of an intent to revoke based on an alleged
 26 violation of subdivision (2), the department shall hold a public hearing
 27 to determine whether good cause exists. A person that has a certificate
 28 revoked pursuant to subdivision (2), (5), (6), or (7) must wait one (1)
 29 year from the date of the revocation before reapplying for a certificate.
 30 The department may issue the certificate upon reapplication or hold a
 31 hearing to determine whether good cause exists for denying the
 32 application for a certificate.

33 (b) The department may revoke a certificate issued under this
 34 chapter if, for a period of six (6) months, the certificate holder fails to:

- 35 (1) file the returns required by IC 6-2.5-6-1; or
- 36 (2) report the collection of any state gross retail or use tax on the
- 37 returns filed under IC 6-2.5-6-1.

38 However, the department must give the certificate holder at least five
 39 (5) days notice before it revokes the certificate.

40 (c) The department may, for good cause, revoke a certificate issued
 41 under this chapter after at least five (5) days notice to the certificate
 42 holder if:



(1) the certificate holder is subject to an innkeeper's tax under IC 6-9; and

(2) a board, bureau, or commission established under IC 6-9 files a written statement with the department.

(d) The statement filed under subsection (c) must state that:

(1) information obtained by the board, bureau, or commission under IC 6-8.1-7-1 indicates that the certificate holder has not complied with IC 6-9; and

(2) the board, bureau, or commission has determined that significant harm will result to the county from the certificate holder's failure to comply with IC 6-9.

(e) The department may revoke a certificate issued under this chapter after at least five (5) days notice to the certificate holder if:

(1) the certificate holder owes taxes, penalties, fines, interest, or costs due under IC 6-1.1 that remain unpaid at least sixty (60) days after the due date under IC 6-1.1; and

(2) the treasurer of the county to which the taxes are due requests the department to revoke the certificate.

(f) The department shall reinstate a certificate suspended under subsection (e) if the taxes and any penalties due under IC 6-1.1 are paid or the county treasurer requests the department to reinstate the certificate because an agreement for the payment of taxes and any penalties due under IC 6-1.1 has been reached to the satisfaction of the county treasurer.

(g) If a person makes a payment for the certificate under this chapter with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment of the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has five (5) days after the notice is mailed to pay the fee in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the five (5) day period, the department shall revoke the certificate.

SECTION 66. IC 6-3-2-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.1. (a) Except as otherwise provided in subsection (b), income is not exempt from the adjusted gross income tax under section 2.8(1) of this chapter if the income is derived by the exempt organization from an unrelated trade or business, as defined in Section 513 of the Internal Revenue Code.



(b) This section does not apply to:

- (1) the United States government;
- (2) an agency or instrumentality of the United States government;
- (3) this state;
- (4) a state agency, as defined in ~~IC 34-6-2-141~~; **IC 34-6-2.1-194**;
- (5) a political subdivision, as defined in ~~IC 34-6-2-110~~; **IC 34-6-2.1-155**; or
- (6) a county solid waste management district or a joint solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal).

SECTION 67. IC 6-3-4-8, AS AMENDED BY P.L.194-2023, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) Except as provided in IC 6-3-2-27.5 and subsection (d), every employer making payments of wages subject to tax under this article, regardless of the place where such payment is made, who is required under the provisions of the Internal Revenue Code to withhold, collect, and pay over income tax on wages paid by such employer to such employee, shall, at the time of payment of such wages, deduct and retain therefrom the amount prescribed in withholding instructions issued by the department. The department shall base its withholding instructions on the adjusted gross income tax rate for persons, on the total local income tax rate that the taxpayer is subject to under IC 6-3.6, and on the total amount of exclusions the taxpayer is entitled to under IC 6-3-1-3.5(a)(3) and IC 6-3-1-3.5(a)(4). However, the withholding instructions on the adjusted gross income of a nonresident alien (as defined in Section 7701 of the Internal Revenue Code) are to be based on applying not more than one (1) withholding exclusion, regardless of the total number of exclusions that IC 6-3-1-3.5(a)(3) and IC 6-3-1-3.5(a)(4) permit the taxpayer to apply on the taxpayer's final return for the taxable year. Such employer making payments of any wages:

- (1) shall be liable to the state of Indiana for the payment of the tax required to be deducted and withheld under this section and shall not be liable to any individual for the amount deducted from the individual's wages and paid over in compliance or intended compliance with this section; and
- (2) shall make return of and payment to the department monthly of the amount of tax which under this article and IC 6-3.6 the employer is required to withhold.

(b) An employer shall pay taxes withheld under subsection (a) during a particular month to the department no later than thirty (30) days after the end of that month. However, in place of monthly



reporting periods, the department may permit an employer to report and pay the tax for a calendar year reporting period, if the average monthly amount of all tax required to be withheld by the employer in the previous calendar year does not exceed one thousand dollars (\$1,000). An employer using a reporting period (other than a monthly reporting period) must file the employer's return and pay the tax for a reporting period no later than the last day of the month immediately following the close of the reporting period.

(c) For purposes of determining whether an employee is subject to taxation under IC 6-3.6, an employer is entitled to rely on the statement of an employee as to the employee's county of residence as represented by the statement of address in forms claiming exemptions for purposes of withholding, regardless of when the employee supplied the forms. Every employee shall notify the employee's employer within five (5) days after any change in the employee's county of residence.

(d) A county that makes payments of wages subject to tax under this article:

(1) to a precinct election officer (as defined in ~~IC 3-5-2-40.1~~; **IC 3-5-2.1-82**); and

(2) for the performance of the duties of the precinct election officer imposed by IC 3 that are performed on election day; is not required, at the time of payment of the wages, to deduct and retain from the wages the amount prescribed in withholding instructions issued by the department.

(e) Every employer shall, at the time of each payment made by the employer to the department, deliver to the department a return upon the form prescribed by the department showing, with regard to wages paid to the employer's employees:

(1) the amount of adjusted gross income tax deducted therefrom in accordance with the provisions of this section;

(2) the amount of income tax, if any, imposed under IC 6-3.6 and deducted therefrom in accordance with this section; and

(3) any other information the department may require.

Every employer making a declaration of withholding as provided in this section shall furnish the employer's employees annually, but not later than thirty (30) days after the end of the calendar year, a record of the total amount of adjusted gross income tax and the amount of each income tax, if any, imposed under IC 6-3.6, withheld from the employees, on the forms prescribed by the department. In addition, the employer shall file Form WH-3 annual withholding tax reports with the department not later than thirty-one (31) days after the end of the calendar year.



1 (f) All money deducted and withheld by an employer shall
2 immediately upon such deduction be the money of the state, and every
3 employer who deducts and retains any amount of money under the
4 provisions of this article shall hold the same in trust for the state of
5 Indiana and for payment thereof to the department in the manner and
6 at the times provided in this article. Any employer may be required to
7 post a surety bond in the sum the department determines to be
8 appropriate to protect the state with respect to money withheld pursuant
9 to this section.

10 (g) The provisions of IC 6-8.1 relating to additions to tax in case of
11 delinquency and penalties shall apply to employers subject to the
12 provisions of this section, and for these purposes any amount deducted
13 or required to be deducted and remitted to the department under this
14 section shall be considered to be the tax of the employer, and with
15 respect to such amount the employer shall be considered the taxpayer.
16 In the case of a corporate or partnership employer, every officer,
17 employee, or member of such employer, who, as such officer,
18 employee, or member is under a duty to deduct and remit such taxes,
19 shall be personally liable for such taxes, penalties, and interest.

20 (h) Amounts deducted from wages of an employee during any
21 calendar year in accordance with the provisions of this section shall be
22 considered to be in part payment of the tax imposed on such employee
23 for the employee's taxable year which begins in such calendar year, and
24 a return made by the employer under subsection (b) shall be accepted
25 by the department as evidence in favor of the employee of the amount
26 so deducted from the employee's wages. Where the total amount so
27 deducted exceeds the amount of tax on the employee as computed
28 under this article and IC 6-3.6, the department shall, after examining
29 the return or returns filed by the employee in accordance with this
30 article and IC 6-3.6, refund the amount of the excess deduction.
31 However, under rules promulgated by the department, the excess or any
32 part thereof may be applied to any taxes or other claim due from the
33 taxpayer to the state of Indiana or any subdivision thereof. In the event
34 that the excess tax deducted is less than one dollar (\$1), no refund shall
35 be made.

36 (i) This section shall in no way relieve any taxpayer from the
37 taxpayer's obligation of filing a return or returns at the time required
38 under this article and IC 6-3.6, and, should the amount withheld under
39 the provisions of this section be insufficient to pay the total tax of such
40 taxpayer, such unpaid tax shall be paid at the time prescribed by
41 section 5 of this chapter.

42 (j) Notwithstanding subsection (b), an employer of a domestic



1 service employee that enters into an agreement with the domestic
 2 service employee to withhold federal income tax under Section 3402
 3 of the Internal Revenue Code may withhold Indiana income tax on the
 4 domestic service employee's wages on the employer's Indiana
 5 individual income tax return in the same manner as allowed by Section
 6 3510 of the Internal Revenue Code.

7 (k) To the extent allowed by Section 1137 of the Social Security
 8 Act, an employer of a domestic service employee may report and remit
 9 state unemployment insurance contributions on the employee's wages
 10 on the employer's Indiana individual income tax return in the same
 11 manner as allowed by Section 3510 of the Internal Revenue Code.

12 (l) A person who knowingly fails to remit trust fund money as set
 13 forth in this section commits a Level 6 felony.

14 SECTION 68. IC 6-3.5-5-1, AS AMENDED BY P.L.256-2017,
 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2025]: Sec. 1. The following definitions apply throughout this
 17 chapter:

18 (1) "Adopting entity" means either the county council or the local
 19 income tax council established by IC 6-3.6-3-1 for the county,
 20 whichever adopts an ordinance to impose a wheel tax first.

21 (2) "Bus" has the meaning set forth in IC 9-13-2-17.

22 (3) "Commercial vehicle" has the meaning set forth in
 23 IC 6-6-5.5-1(b).

24 (4) "County council" includes the city-county council of a county
 25 that contains a consolidated city of the first class.

26 (5) "In-state miles" has the meaning set forth in IC 6-6-5.5-1(b).

27 (6) "Political subdivision" has the meaning set forth in
 28 ~~IC 34-6-2-110.~~ **IC 34-6-2.1-155.**

29 (7) "Recreational vehicle" has the meaning set forth in
 30 IC 9-13-2-150.

31 (8) "School bus" has the meaning set forth in IC 9-13-2-161(a).

32 (9) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

33 (10) "State agency" has the meaning set forth in ~~IC 34-6-2-141.~~
 34 **IC 34-6-2.1-194.**

35 (11) "Tractor" has the meaning set forth in IC 9-13-2-180.

36 (12) "Trailer" has the meaning set forth in IC 9-13-2-184(a).

37 (13) "Transportation asset management plan" includes planning
 38 for drainage systems and rights-of-way that affect transportation
 39 assets.

40 (14) "Truck" has the meaning set forth in IC 9-13-2-188(a).

41 (15) "Wheel tax" means the tax imposed under this chapter.

42 SECTION 69. IC 6-3.5-11-1, AS AMENDED BY P.L.86-2018,



SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Adopting municipality" means an eligible municipality that has adopted the wheel tax.
- (2) "Branch office" means a branch office of the bureau of motor vehicles.
- (3) "Bus" has the meaning set forth in IC 9-13-2-17.
- (4) "Commercial vehicle" has the meaning set forth in IC 6-6-5.5-1(b).
- (5) "Department" refers to the department of state revenue.
- (6) "Eligible municipality" means a municipality having a population of at least five thousand (5,000).
- (7) "In-state miles" has the meaning set forth in IC 6-6-5.5-1(b).
- (8) "Political subdivision" has the meaning set forth in ~~IC 34-6-2-110~~ **IC 34-6-2.1-155.**
- (9) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.
- (10) "School bus" has the meaning set forth in IC 9-13-2-161(a).
- (11) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).
- (12) "State agency" has the meaning set forth in ~~IC 34-6-2-141~~ **IC 34-6-2.1-194.**
- (13) "Tractor" has the meaning set forth in IC 9-13-2-180.
- (14) "Trailer" has the meaning set forth in IC 9-13-2-184(a).
- (15) "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.
- (16) "Truck" has the meaning set forth in IC 9-13-2-188(a).
- (17) "Wheel tax" means the tax imposed under this chapter.

SECTION 70. IC 6-7-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this chapter, "controlled substance" has the meaning set forth in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7.**

SECTION 71. IC 6-7-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this chapter, "delivery" has the meaning set forth in ~~IC 35-48-1-11~~ **IC 35-48-1.1-10.**

SECTION 72. IC 6-7-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. As used in this chapter, "manufacture" has the meaning set forth in ~~IC 35-48-1-18~~ **IC 35-48-1.1-28.**

SECTION 73. IC 6-7-3-4.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.1. As used in this



chapter, "marijuana" has the meaning set forth in ~~IC 35-48-1-19~~.
IC 35-48-1.1-29.

SECTION 74. IC 6-8.1-16.3-1, AS ADDED BY P.L.147-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following terms are defined for this chapter:

(1) "Pilot program" means the department of state revenue pilot program established by section 2 of this chapter.

(2) "Public employee" has the meaning set forth in ~~IC 34-6-2-38~~.
IC 34-6-2.1-54.

SECTION 75. IC 7.1-5-1-3, AS AMENDED BY P.L.117-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) Subject to section 6.5 of this chapter, it is a Class B misdemeanor for a person to be in a public place or a place of public resort in a state of intoxication caused by the person's use of alcohol or a controlled substance (as defined in ~~IC 35-48-1-9~~); **IC 35-48-1.1-7**), if the person:

(1) endangers the person's life;

(2) endangers the life of another person;

(3) breaches the peace or is in imminent danger of breaching the peace; or

(4) harasses, annoys, or alarms another person.

(b) A person may not initiate or maintain an action against a law enforcement officer based on the officer's failure to enforce this section.

SECTION 76. IC 7.1-5-1-6, AS AMENDED BY P.L.32-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) Subject to section 6.5 of this chapter, it is a Class C infraction for a person to be, or to become, intoxicated as a result of the person's use of alcohol or a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) in or upon a vehicle commonly used for the public transportation of passengers, or in or upon a common carrier, or in or about a depot, station, airport, ticket office, waiting room or platform, if the person:

(1) endangers the person's life;

(2) endangers the life of another person;

(3) breaches the peace or is in imminent danger of breaching the peace; or

(4) harasses, annoys, or alarms another person.

However, the violation is a Class B misdemeanor if the violation is committed knowingly or intentionally and the person has a prior unrelated adjudication or conviction for a violation of this section



1 within the previous five (5) years.

2 (b) A person may not initiate or maintain an action against a law
3 enforcement officer based on the officer's failure to enforce this
4 section.

5 SECTION 77. IC 7.1-5-12-5, AS AMENDED BY P.L.145-2024,
6 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2025]: Sec. 5. (a) Except as provided in subsection (c) and
8 subject to section 13 of this chapter, smoking may be allowed in the
9 following:

10 (1) A horse racing facility operated under a permit under
11 IC 4-31-5 and any other permanent structure on land owned or
12 leased by the owner of the facility that is adjacent to the facility.

13 (2) A riverboat (as defined in IC 4-33-2-17) and any other
14 permanent structure that is:

15 (A) owned or leased by the owner of the riverboat; and

16 (B) located on land that is adjacent to:

17 (i) the dock to which the riverboat is moored; or

18 (ii) the land on which the riverboat is situated in the case of
19 a riverboat described in IC 4-33-2-17(2).

20 (3) A facility that operates under a gambling game license under
21 IC 4-35-5 and any other permanent structure on land owned or
22 leased by the owner of the facility that is adjacent to the facility.

23 (4) A satellite facility licensed under IC 4-31-5.5.

24 (5) An establishment owned or leased by a business that meets the
25 following requirements:

26 (A) The business was in business and permitted smoking on
27 December 31, 2012.

28 (B) The business prohibits entry by an individual who is less
29 than twenty-one (21) years of age.

30 (C) The owner or operator of the business holds a beer, liquor,
31 or wine retailer's permit.

32 (D) The business limits smoking in the establishment to
33 smoking with a waterpipe or hookah device.

34 (E) During the preceding calendar year, at least ten percent
35 (10%) of the business's annual gross income was from the sale
36 of loose tobacco for use in a waterpipe or hookah device.

37 (F) The person in charge of the business posts in the
38 establishment conspicuous signs that display the message that
39 cigarette smoking is prohibited.

40 (6) An establishment owned or leased by a business that meets the
41 following requirements:

42 (A) The business prohibits entry by an individual who is less



- 1 than twenty-one (21) years of age.
- 2 (B) The owner or operator of the business holds a beer, liquor,
- 3 or wine retailer's permit.
- 4 (C) The business limits smoking in the establishment to cigar
- 5 smoking.
- 6 (D) During the preceding calendar year, at least ten percent
- 7 (10%) of the business's annual gross income was from the sale
- 8 of cigars and the rental of onsite humidors.
- 9 (E) The person in charge of the business posts in the
- 10 establishment conspicuous signs that display the message that
- 11 cigarette smoking is prohibited.
- 12 (7) A premises owned or leased by and regularly used for the
- 13 activities of a business that meets all of the following:
- 14 (A) The business is exempt from federal income taxation
- 15 under 26 U.S.C. 501(c).
- 16 (B) The business:
- 17 (i) meets the requirements to be considered a club under
- 18 IC 7.1-3-20-1; or
- 19 (ii) is a fraternal club (as defined in IC 7.1-3-20-7).
- 20 (C) The business provides food or alcoholic beverages only to
- 21 its bona fide members and their guests.
- 22 (D) The business:
- 23 (i) provides a separate, enclosed, designated smoking room
- 24 or area that is adequately ventilated to prevent migration of
- 25 smoke to nonsmoking areas of the premises;
- 26 (ii) allows smoking only in the room or area described in
- 27 item (i);
- 28 (iii) does not allow an individual who is less than twenty-one
- 29 (21) years of age to enter into the room or area described in
- 30 item (i); and
- 31 (iv) allows a guest in the smoking room or area described in
- 32 item (i) only when accompanied by a bona fide member of
- 33 the business.
- 34 (8) A retail tobacco store used primarily for the sale of tobacco
- 35 products and tobacco accessories that meets the following
- 36 requirements:
- 37 (A) The owner or operator of the store holds a valid tobacco
- 38 sales certificate issued under IC 7.1-3-18.5.
- 39 (B) The store prohibits entry by an individual who is less than
- 40 twenty-one (21) years of age.
- 41 (C) The sale of products other than tobacco products and
- 42 tobacco accessories is merely incidental.



- 1 (D) The sale of tobacco products accounts for at least
- 2 eighty-five percent (85%) of the store's annual gross sales.
- 3 (E) Food or beverages are not sold in a manner that requires
- 4 consumption on the premises, and there is not an area set aside
- 5 for customers to consume food or beverages on the premises.
- 6 (9) A bar or tavern:
- 7 (A) for which a permittee holds:
- 8 (i) a beer retailer's permit under IC 7.1-3-4;
- 9 (ii) a liquor retailer's permit under IC 7.1-3-9; or
- 10 (iii) a wine retailer's permit under IC 7.1-3-14;
- 11 (B) that does not employ an individual who is less than
- 12 eighteen (18) years of age;
- 13 (C) that does not allow an individual who:
- 14 (i) is less than twenty-one (21) years of age; and
- 15 (ii) is not an employee of the bar or tavern;
- 16 to enter any area of the bar or tavern; and
- 17 (D) that is not located in a business that would otherwise be
- 18 subject to this chapter.
- 19 (10) A cigar manufacturing facility that does not offer retail sales.
- 20 (11) A premises of a cigar specialty store to which all of the
- 21 following apply:
- 22 (A) The owner or operator of the store holds a valid tobacco
- 23 sales certificate issued under IC 7.1-3-18.5.
- 24 (B) The sale of tobacco products and tobacco accessories
- 25 account for at least fifty percent (50%) of the store's annual
- 26 gross sales.
- 27 (C) The store has a separate, enclosed, designated smoking
- 28 room that is adequately ventilated to prevent migration of
- 29 smoke to nonsmoking areas.
- 30 (D) Smoking is allowed only in the room described in clause
- 31 (C).
- 32 (E) Individuals who are less than twenty-one (21) years of age
- 33 are prohibited from entering into the room described in clause
- 34 (C).
- 35 (F) Cigarette smoking is not allowed on the premises of the
- 36 store.
- 37 (G) The owner or operator of the store posts a conspicuous
- 38 sign on the premises of the store that displays the message that
- 39 cigarette smoking is prohibited.
- 40 (H) The store does not prepare any food or beverage that
- 41 would require a certified food protection manager under
- 42 IC 16-42-5.2.



(12) The premises of a business that is located in the business owner's private residence (as defined in ~~IC 3-5-2-42.5~~) **IC 3-5-2.1-90**) if the only employees of the business who work in the residence are the owner and other individuals who reside in the residence.

(13) That part of a hotel designated as an outside patio or terrace that contains a bar under IC 7.1-3-20-27, to which all of the following apply:

(A) The designated smoking area on the outside patio or terrace is delineated from the rest of the outside patio or terrace by a barrier that is at least eighteen (18) inches in height.

(B) The designated smoking area is located at least twenty (20) feet from any entrance to the hotel.

(C) Individuals less than twenty-one (21) years of age are not allowed in the designated smoking area.

(b) The owner, operator, manager, or official in charge of an establishment or premises in which smoking is allowed under this section shall post conspicuous signs in the establishment that read "WARNING: Smoking Is Allowed In This Establishment" or other similar language.

(c) This section does not allow smoking in the following enclosed areas of an establishment or premises described in subsection (a)(1) through (a)(11):

(1) Any hallway, elevator, or other common area where an individual who is less than twenty-one (21) years of age is permitted.

(2) Any room that is intended for use by an individual who is less than twenty-one (21) years of age.

(d) The owner, operator, or manager of an establishment or premises that is listed under subsection (a) and that allows smoking shall provide a verified statement to the commission that states that the establishment or premises qualifies for the exemption. The commission may require the owner, operator, or manager of an establishment or premises to provide documentation or additional information concerning the exemption of the establishment or premises.

SECTION 78. IC 8-1-2-102, AS AMENDED BY P.L.158-2013, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 102. (a) The definitions set forth in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

(b) No public utility, or any agent or officer thereof, or any agent or officer of a political subdivision constituting a public utility, as defined



in this chapter, may offer or give, for any purpose, to any political committee or any member or employee thereof, candidate for, or incumbent of, any office or position under the constitution or laws of Indiana, or under any political subdivision or to any person, at the request, or for the advantage of, any of them, any frank, privilege, or property withheld from any person for any product or service produced, transmitted, delivered, furnished, or rendered, or to be produced, transmitted, delivered, furnished, or rendered by any public utility or any free product or service.

(c) No political committee, or member or employee thereof, or candidate for or incumbent of any office or position under the constitution or laws of Indiana or under any political subdivision may ask for or accept from any public utility, or any agent or officer thereof, or any agent or officer of any political subdivision constituting a public utility, as defined in this chapter, or use, in any matter or for any purpose, any frank or privilege withheld from any person for any product or service produced, transmitted, delivered, furnished, or rendered, or to be produced, transmitted, delivered, furnished, or rendered by any public utility.

(d) A person who knowingly violates this section commits a Level 6 felony.

(e) This chapter does not:

(1) prevent any public utility, carrier, or agent or officer thereof, from furnishing free or reduced service or transportation to any bona fide employee or officer thereof;

(2) prohibit any carrier from carrying free, or at reduced rates, agricultural experiment and demonstration cars or trains and the lecturers and necessary demonstrators accompanying such trains or cars; or

(3) prohibit any carrier from carrying free, or at reduced rates, its furloughed, pensioned, or superannuated employees, persons who have become disabled or infirm in its service, the remains of any person killed in its service, or the unremarried surviving spouses and dependent children under eighteen (18) years of age of persons who died in its service.

SECTION 79. IC 8-15.5-13-1, AS ADDED BY P.L.47-2006, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this chapter to the extent they do not conflict with the definitions in this article.

SECTION 80. IC 8-15.7-16-1, AS ADDED BY P.L.47-2006, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 1. The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this chapter to the extent they do not conflict with the definitions in this article.

SECTION 81. IC 9-13-2-35, AS AMENDED BY P.L.198-2016, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 35. "Controlled substance" has the meaning set forth in ~~IC 35-48-1~~; **IC 35-48-1.1**.

SECTION 82. IC 9-13-2-86, AS AMENDED BY P.L.196-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 86. "Intoxicated" means under the influence of:

- (1) alcohol;
- (2) a controlled substance (as defined in ~~IC 35-48-1~~); **IC 35-48-1.1**);
- (3) a drug other than alcohol or a controlled substance;
- (4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;
- (5) a combination of substances described in subdivisions (1) through (4); or
- (6) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16);

so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties.

SECTION 83. IC 9-14.1-2-5, AS AMENDED BY P.L.111-2021, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day.

(b) On each general, municipal, primary, and special election day (as defined in ~~IC 3-5-2-18~~); **IC 3-5-2.1-35**), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to 6:00 p.m., local time, with priority given to issuing driver's licenses and state identification cards under IC 9-24.

(c) On the day before each general, municipal, primary, and special election day (as defined in ~~IC 3-5-2-18~~); **IC 3-5-2.1-35**), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, with priority given to issuing driver's licenses and state identification cards under IC 9-24.

(d) The commission shall:

- (1) designate another day as time off; or
- (2) authorize overtime pay;

for license branch personnel required to work on an election day.



1 SECTION 84. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019,
 2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 4. (a) As required under 52 U.S.C. 20504(e)(1),
 4 the manager or designated license branch employee shall transmit an
 5 electronic version of the completed voter registration portion of each
 6 application for a driver's license or an identification card for nondrivers
 7 issued under this article to the county voter registration office of the
 8 county in which the individual's residential address (as indicated on the
 9 application) is located.

10 (b) The voter registration application shall be transmitted to the
 11 county voter registration office in an electronic format and on an
 12 expedited basis (as defined by ~~IC 3-5-2-23.2~~) **IC 3-5-2.1-43**) using the
 13 computerized list established under IC 3-7-26.3.

14 SECTION 85. IC 9-30-5-1, AS AMENDED BY P.L.49-2021,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2025]: Sec. 1. (a) A person who operates a vehicle with an
 17 alcohol concentration equivalent to at least eight-hundredths (0.08)
 18 gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol
 19 per:

20 (1) one hundred (100) milliliters of the person's blood; or
 21 (2) two hundred ten (210) liters of the person's breath;
 22 commits a Class C misdemeanor.

23 (b) A person who operates a vehicle with an alcohol concentration
 24 equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

25 (1) one hundred (100) milliliters of the person's blood; or
 26 (2) two hundred ten (210) liters of the person's breath;
 27 commits a Class A misdemeanor.

28 (c) A person who operates a vehicle with a controlled substance
 29 listed in schedule I or II of IC 35-48-2 or its metabolite in the person's
 30 blood commits a Class C misdemeanor.

31 (d) It is a defense to subsection (c) that:

32 (1) the accused person consumed the controlled substance in
 33 accordance with a valid prescription or order of a practitioner (as
 34 defined in ~~IC 35-48-1~~) **IC 35-48-1.1**) who acted in the course of
 35 the practitioner's professional practice; or

36 (2) the:

37 (A) controlled substance is marijuana or a metabolite of
 38 marijuana;

39 (B) person was not intoxicated;

40 (C) person did not cause a traffic accident; and

41 (D) substance was identified by means of a chemical test taken
 42 pursuant to IC 9-30-7.



SECTION 86. IC 9-30-5-4, AS AMENDED BY P.L.184-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A person who causes serious bodily injury to another person when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; or

(3) while intoxicated;

commits a Level 5 felony. However, the offense is a Level 4 felony if the person has a previous conviction of operating while intoxicated within the five (5) years preceding the commission of the offense.

(b) A person who violates subsection (a) commits a separate offense for each person whose serious bodily injury is caused by the violation of subsection (a).

(c) It is a defense under subsection (a)(2) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in ~~IC 35-48-1~~) **IC 35-48-1.1**) who acted in the course of the practitioner's professional practice.

SECTION 87. IC 9-30-5-5, AS AMENDED BY P.L.184-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) A person who causes the death or catastrophic injury of another person when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; or

(3) while intoxicated;

commits a Level 4 felony.

(b) A person who causes the death of a law enforcement animal (as defined in IC 35-46-3-4.5) when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath; or

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood;



1 commits a Level 6 felony.

2 (c) A person who commits an offense under subsection (a) or (b)
3 commits a separate offense for each person or law enforcement animal
4 whose death (or catastrophic injury, in the case of a person) is caused
5 by the violation of subsection (a) or (b).

6 (d) It is a defense under subsection (a) or (b) that the person accused
7 of causing the death or catastrophic injury of another person or the
8 death of a law enforcement animal when operating a vehicle with a
9 controlled substance listed in schedule I or II of IC 35-48-2 or its
10 metabolite in the person's blood consumed the controlled substance in
11 accordance with a valid prescription or order of a practitioner (as
12 defined in ~~IC 35-48-1~~ **IC 35-48-1.1**) who acted in the course of the
13 practitioner's professional practice.

14 SECTION 88. IC 10-11-2-24 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) Except as
16 provided in subsection (b), a person who has charge of a jail, prison,
17 correctional facility, or other place of detention shall:

18 (1) receive a prisoner arrested by a police employee of the
19 department within the jurisdiction served by the jail; and

20 (2) detain the prisoner in custody until otherwise ordered by a
21 court or by the superintendent.

22 A person who refuses to receive a prisoner or who releases a prisoner
23 except as directed may be removed from office by the governor.

24 (b) A person who has charge of a jail, prison, correctional facility,
25 or other place of detention may not receive or detain a prisoner in
26 custody under subsection (a) until the arresting police employee has
27 had the prisoner examined by a physician or competent medical
28 personnel if the prisoner appears to be:

29 (1) unconscious;

30 (2) suffering from a serious illness;

31 (3) suffering from a serious injury; or

32 (4) seriously impaired by alcohol, a controlled substance (as
33 defined in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**), a drug other than a
34 controlled substance, or a combination of alcohol, a controlled
35 substance, or drugs.

36 (c) Except as provided in subsection (d), the cost of the examination
37 and resulting treatment under subsection (b) is the financial
38 responsibility of the prisoner receiving the examination or treatment.

39 (d) If a prisoner is unable to bear the financial responsibility for the
40 cost of the examination and treatment under subsection (b), the
41 prisoner may apply for indigent medical assistance.

42 SECTION 89. IC 10-11-2-31, AS AMENDED BY P.L.30-2019,



SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31. (a) The following definitions apply throughout this section:

(1) "Controlled substance" has the meaning set forth in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**.

(2) "Property" has the meaning set forth in IC 5-2-15-3.

(b) The superintendent shall adopt:

(1) guidelines; and

(2) a reporting form or a specified electronic format, or both; for the report by a law enforcement agency under IC 5-2-15-3 of a property used in the illegal manufacture of a controlled substance.

(c) The guidelines adopted under this section must require a law enforcement agency to report the existence of a property used in the illegal manufacture of a controlled substance to:

(1) the department;

(2) the local fire department that serves the area in which the property is located; and

(3) the local health department in whose jurisdiction the property is located;

on the form or in the specified electronic format adopted by the superintendent.

(d) The guidelines adopted under this section:

(1) may incorporate a recommendation of the methamphetamine abuse task force (IC 5-2-14, expired June 30, 2007, and repealed) that the superintendent determines to be relevant;

(2) may require the department to report the existence of the property to one (1) or more additional agencies or organizations;

(3) must require the department to maintain reports filed under IC 5-2-15-3 in a manner permitting an accurate assessment of:

(A) the number of properties used in the illegal manufacture of a controlled substance located in Indiana in a specified period;

(B) the geographical dispersal of properties used in the illegal manufacture of a controlled substance located in Indiana in a specified period; and

(C) any other information that the superintendent determines to be relevant; and

(4) must require a law enforcement agency to report any other information that the superintendent determines to be relevant.

SECTION 90. IC 10-11-2-31.1, AS AMENDED BY P.L.56-2023, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31.1. (a) The following definitions apply



throughout this section:

(1) "Controlled substance" has the meaning set forth in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**.

(2) "Property" has the meaning set forth in section 31.2 of this chapter.

(b) The superintendent shall adopt:

(1) guidelines; and

(2) a reporting form or a specified electronic format, or both;

for receiving an approved certificate of cleanup from the Indiana department of health that property used for the illegal manufacture of a controlled substance or polluted by waste from the illegal manufacture of a controlled substance has been certified as decontaminated by a qualified inspector certified under IC 16-19-3.1-1.

(c) Guidelines adopted under this section must require that the department remove, in accordance with the time periods described in section 31.2 of this chapter, the decontaminated property from any publicly available list of properties used for the illegal manufacture of a controlled substance compiled or made available by the department.

SECTION 91. IC 10-11-2-31.2, AS ADDED BY P.L.30-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31.2. (a) As used in this section, "controlled substance" has the meaning set forth in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**.

(b) As used in this section, "property" means a dwelling (as defined in IC 13-11-2-61.3).

(c) Subject to specific appropriation by the general assembly, the department shall establish, maintain, and operate ~~an Internet web site~~ **a website** containing a list of properties that have been used in the illegal manufacture of a controlled substance. The list of properties shall be based on information received from a law enforcement agency under IC 5-2-15-3.

(d) Subject to specific appropriation by the general assembly, and in accordance with subsection (g), the department shall publish the list of properties that have been used in the illegal manufacture of a controlled substance on ~~an Internet web site~~ **a website** maintained by the department. If a controlled substance is manufactured in an apartment that is a unit of a multi-unit apartment complex, the department shall publish only the address, including the apartment number, of the particular apartment in which the controlled substance was manufactured. The department shall design the ~~web site~~ **website** to enable a user to easily determine whether a particular property has been used as the site of the illegal manufacture of a controlled substance.



(e) The department shall remove a listed property from the ~~web site~~ **website** not later than ninety (90) days after the property has been certified as decontaminated by a qualified inspector certified under IC 16-19-3.1-1.

(f) If property has been certified as decontaminated by a qualified inspector certified under IC 16-19-3.1-1 before it is placed on the list required under subsection (c), the department may not place the property on the list.

(g) The department may not list a property that has been the site of the illegal manufacture of a controlled substance on the ~~web site~~ **website** until one hundred eighty (180) days after the date on which the department receives information from a law enforcement agency that the property has been the site of the illegal manufacture of a controlled substance.

SECTION 92. IC 10-13-3-7.5, AS AMENDED BY P.L.146-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) As used in this chapter, "emergency placement" means an emergency out-of-home placement of a child by:

- (1) the department of child services established by IC 31-25-1-1;
- (2) a law enforcement officer;
- (3) a caseworker;
- (4) a juvenile probation officer; or
- (5) a court;

as a result of exigent circumstances that require immediate placement with a person other than the child's parent, guardian, or custodian.

(b) The term includes any out-of-home placement for temporary care and custody of a child at or after the time of initial removal or transfer of custody of the child from the child's parent, guardian, or custodian, as authorized under any of the following:

- (1) IC 31-34-2.
- (2) IC 31-34-2.5.
- (3) IC 31-34-4.
- (4) IC 31-34-5.
- (5) IC 31-37-4.
- (6) IC 31-37-5.
- (7) IC 31-37-6.

(c) The term does not include any proposed or actual change in location of the child's placement for continuing care and custody after the court has entered an order at the time of or following a detention hearing required under IC 31-34-5 or IC 31-37-6, unless a court or an agency responsible for the child's care and supervision determines that an immediate change in placement is necessary to protect the health or



1 safety of the child.

2 (d) The term does not include placement to an entity or in a facility
3 that is not a residence (as defined in ~~IC 3-5-2-42.5~~) **IC 3-5-2.1-90**) or
4 that is licensed by the state.

5 SECTION 93. IC 10-13-3-15 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) As used in this
7 chapter, "protective order" has the meaning set forth in IC 5-2-9-2.1.

8 (b) The term includes a foreign protection order (as defined in
9 ~~IC 34-6-2-48.5~~) **IC 34-6-2.1-76**).

10 SECTION 94. IC 11-13-3-4, AS AMENDED BY P.L.45-2022,
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2025]: Sec. 4. (a) A condition to remaining on parole is that
13 the parolee not commit a crime during the period of parole.

14 (b) The parole board may also adopt, under IC 4-22-2, additional
15 conditions to remaining on parole and require a parolee to satisfy one
16 (1) or more of these conditions. These conditions must be reasonably
17 related to the parolee's successful reintegration into the community and
18 not unduly restrictive of a fundamental right.

19 (c) If a person is released on parole, the parolee shall be given a
20 written statement of the conditions of parole. Signed copies of this
21 statement shall be:

- 22 (1) retained by the parolee;
- 23 (2) forwarded to any person charged with the parolee's
- 24 supervision; and
- 25 (3) placed in the parolee's master file.

26 (d) The parole board may modify parole conditions if the parolee
27 receives notice of that action and had ten (10) days after receipt of the
28 notice to express the parolee's views on the proposed modification.
29 This subsection does not apply to modification of parole conditions
30 after a revocation proceeding under section 10 of this chapter.

31 (e) As a condition of parole, the parole board may require the
32 parolee to reside in a particular parole area. In determining a parolee's
33 residence requirement, the parole board shall:

- 34 (1) consider:
 - 35 (A) the residence of the parolee prior to the parolee's
 - 36 incarceration; and
 - 37 (B) the parolee's place of employment; and
- 38 (2) assign the parolee to reside in the county where the parolee
- 39 resided prior to the parolee's incarceration unless assignment on
- 40 this basis would be detrimental to the parolee's successful
- 41 reintegration into the community.

42 (f) As a condition of parole, the parole board may require the



1 parolee to:

- 2 (1) periodically undergo a laboratory chemical test (as defined in
 3 IC 9-13-2-22) or series of tests to detect and confirm the presence
 4 of a controlled substance (as defined in ~~IC 35-48-1-9~~;
 5 **IC 35-48-1.1-7**); and
 6 (2) have the results of any test under this subsection reported to
 7 the parole board by the laboratory.

8 The parolee is responsible for any charges resulting from a test
 9 required under this subsection. However, a person's parole may not be
 10 revoked on the basis of the person's inability to pay for a test under this
 11 subsection.

12 (g) As a condition of parole, the parole board:

13 (1) may require a parolee who is a sex offender (as defined in
 14 IC 11-8-8-4.5) to:

15 (A) participate in a treatment program for sex offenders
 16 approved by the parole board; and

17 (B) avoid contact with any person who is less than sixteen (16)
 18 years of age unless the parolee:

19 (i) receives the parole board's approval; or

20 (ii) successfully completes the treatment program referred to
 21 in clause (A); and

22 (2) shall:

23 (A) require a parolee who is a sex or violent offender (as
 24 defined in IC 11-8-8-5) to register with a local law
 25 enforcement authority under IC 11-8-8;

26 (B) prohibit a parolee who is a sex offender from residing
 27 within one thousand (1,000) feet of school property (as defined
 28 in IC 35-31.5-2-285) for the period of parole, unless the sex
 29 offender obtains written approval from the parole board;

30 (C) prohibit a parolee who is a sex offender convicted of a sex
 31 offense (as defined in IC 35-38-2-2.5) from residing within
 32 one (1) mile of the victim of the sex offender's sex offense
 33 unless the sex offender obtains a waiver under IC 35-38-2-2.5;

34 (D) prohibit a parolee who is a sex offender from owning,
 35 operating, managing, being employed by, or volunteering at
 36 any attraction designed to be primarily enjoyed by children
 37 less than sixteen (16) years of age;

38 (E) require a parolee who is a sex offender to consent:

39 (i) to the search of the sex offender's personal computer at
 40 any time; and

41 (ii) to the installation on the sex offender's personal
 42 computer or device with Internet capability, at the sex



offender's expense, of one (1) or more hardware or software systems to monitor Internet usage; and

(F) prohibit the sex offender from:

(i) accessing or using certain ~~web sites~~, **websites**, chat rooms, or instant messaging programs frequented by children; and

(ii) deleting, erasing, or tampering with information on the sex offender's personal computer with intent to conceal an activity prohibited by item (i).

The parole board may not grant a sexually violent predator (as defined in IC 35-38-1-7.5) or a sex offender who is an offender against children under IC 35-42-4-11 a waiver under subdivision (2)(B) or (2)(C). If the parole board allows the sex offender to reside within one thousand (1,000) feet of school property under subdivision (2)(B), the parole board shall notify each school within one thousand (1,000) feet of the sex offender's residence of the order.

(h) The address of the victim of a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) is confidential, even if the sex offender obtains a waiver under IC 35-38-2-2.5.

(i) As a condition of parole, the parole board may require a parolee to participate in a reentry court program.

(j) This subsection does not apply to a person on lifetime parole. As a condition of parole, the parole board shall require a parolee who is a sexually violent predator under IC 35-38-1-7.5 or who is a sex or violent offender (as defined in IC 11-8-8-5) to wear a monitoring device (as described in IC 35-38-2.5-3) that can transmit information twenty-four (24) hours each day regarding a person's precise location, subject to a validated sex offender risk assessment, and subject to the amount appropriated to the department for a monitoring program as a condition of parole.

(k) As a condition of parole, the parole board may prohibit, in accordance with IC 35-38-2-2.6, a parolee who has been convicted of stalking from residing within one thousand (1,000) feet of the residence of the victim of the stalking for a period that does not exceed five (5) years.

(l) As a condition of parole, the parole board may prohibit a parolee convicted of an offense under IC 35-46-3 from owning, harboring, or training an animal, and, if the parole board prohibits a parolee convicted of an offense under IC 35-46-3 from having direct or indirect contact with an individual, the parole board may also prohibit the parolee from having direct or indirect contact with any animal



1 belonging to the individual.

2 (m) As a condition of parole, the parole board may require a parolee
3 to receive:

- 4 (1) addiction counseling;
- 5 (2) inpatient detoxification;
- 6 (3) case management;
- 7 (4) daily living skills; and
- 8 (5) medication assisted treatment, including a federal Food and
9 Drug Administration approved long acting, nonaddictive
10 medication for the treatment of opioid or alcohol dependence.

11 (n) A parolee may be responsible for the reasonable expenses, as
12 determined by the department, of the parolee's participation in a
13 treatment or other program required as a condition of parole under this
14 section. However, a person's parole may not be revoked solely on the
15 basis of the person's inability to pay for a program required as a
16 condition of parole under this section.

17 (o) As a condition of parole, the parole board shall prohibit a person
18 convicted of an animal abuse offense (as defined in IC 35-38-2-2.8)
19 from owning, harboring, or training a companion animal (as defined in
20 IC 35-38-2-2.8).

21 SECTION 95. IC 12-7-2-26.5, AS AMENDED BY P.L.108-2010,
22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2025]: Sec. 26.5. "Chemical test", for purposes of
24 IC 12-23-14, means an analysis of an individual's:

- 25 (1) blood;
- 26 (2) breath;
- 27 (3) hair;
- 28 (4) sweat;
- 29 (5) saliva;
- 30 (6) urine; or
- 31 (7) other bodily substance;

32 to determine the presence of alcohol or a controlled substance (as
33 defined in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**).

34 SECTION 96. IC 12-7-2-69.5 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 69.5. "Domestic
36 violence", for purposes of IC 12-18-8, has the meaning set forth in
37 ~~IC 34-6-2-34.5~~; **IC 34-6-2.1-50**.

38 SECTION 97. IC 12-7-2-71 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 71. "Drug", for
40 purposes of IC 12-23, means a drug or a controlled substance (as
41 defined in ~~IC 35-48-1~~; **IC 35-48-1.1**).

42 SECTION 98. IC 12-18-8-2 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this
 2 chapter, "domestic violence" has the meaning set forth in
 3 ~~IC 34-6-2-34.5~~ **IC 34-6-2.1-50**.

4 SECTION 99. IC 13-11-2-42, AS AMENDED BY P.L.192-2005,
 5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2025]: Sec. 42. "Contaminant", for purposes of environmental
 7 management laws, means any solid, semi-solid, liquid, or gaseous
 8 matter, or any odor, radioactive material, pollutant (as defined by the
 9 Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as in
 10 effect on January 1, 1989), hazardous waste (as defined in the federal
 11 Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), as in effect on
 12 January 1, 1989), any constituent of a hazardous waste, or any
 13 combination of the items described in this section, from whatever
 14 source, that:

- 15 (1) is injurious to human health, plant or animal life, or property;
- 16 (2) interferes unreasonably with the enjoyment of life or property;
- 17 or
- 18 (3) otherwise violates:
 - 19 (A) environmental management laws; or
 - 20 (B) rules adopted under environmental management laws.

21 The term includes chemicals used in the illegal manufacture of a
 22 controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or
 23 an immediate precursor (as defined in ~~IC 35-48-1-17~~) **IC 35-48-1.1-25**)
 24 of a controlled substance, and waste produced from the illegal
 25 manufacture of a controlled substance or an immediate precursor of the
 26 controlled substance.

27 SECTION 100. IC 13-17-15-1, AS ADDED BY P.L.181-2018,
 28 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2025]: Sec. 1. As used in this chapter, "drug" means:

- 30 (1) a drug, as defined in IC 16-42-19-2; or
- 31 (2) a controlled substance, as defined in ~~IC 35-48-1-9~~.
- 32 **IC 35-48-1.1-7.**

33 SECTION 101. IC 13-20-16-8 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. The state or a
 35 political subdivision (as defined in ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**)
 36 shall dispose of used lead acid batteries in the state's or political
 37 subdivision's possession by one (1) or more of the following means:

- 38 (1) Delivery to a wholesaler or an agent of a wholesaler.
- 39 (2) Delivery to a manufacturer of lead acid batteries.
- 40 (3) Delivery to a facility that:
 - 41 (A) recycles used lead acid batteries; or
 - 42 (B) collects lead acid batteries for delivery to a recycling



1 facility.

2 (4) Delivery to a facility operated as a secondary lead smelter
3 under a valid permit issued by the department or the United States
4 Environmental Protection Agency.

5 SECTION 102. IC 14-19-11-15, AS ADDED BY P.L.127-2022,
6 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2025]: Sec. 15. For purposes of IC 34-13-2, IC 34-13-3, and
8 IC 34-13-4, the executive director and employees of the authority are
9 public employees (as defined in ~~IC 34-6-2-38~~; **IC 34-6-2.1-54**).

10 SECTION 103. IC 15-15-12-31, AS ADDED BY P.L.2-2008,
11 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2025]: Sec. 31. (a) Obligations incurred by the council and
13 other liabilities and claims against the council may be enforced only
14 against the assets of the council in the same manner as if the council
15 were a corporation. Liabilities for the debts or actions of the council
16 may not arise against:

17 (1) the state;

18 (2) a political subdivision (as defined in ~~IC 34-6-2-110~~;
19 **IC 34-6-2.1-155**); or

20 (3) a member, an officer, an employee, or an agent of the council
21 in an individual capacity.

22 (b) The members and employees of the council may not be held
23 responsible individually in any way to any person for errors in
24 judgment, mistakes, or other acts either of commission or omission, as
25 principal, agent, or employee, except for their own individual acts that
26 result in the violation of any law.

27 (c) An employee of the council may not be held responsible
28 individually for the act or omission of any member of the council.

29 (d) Any liability of the members of the council is several and not
30 joint. A member of the council may not be held liable for the default of
31 any other member.

32 SECTION 104. IC 15-15-13-6.5, AS ADDED BY P.L.190-2019,
33 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2025]: Sec. 6.5. As used in this chapter, "hemp product"
35 means a product derived from, or made by, processing hemp plants or
36 plant parts including derivatives, extracts, cannabinoids, isomers, acids,
37 salts, and salts of isomers. However, the term does not include:

38 (1) smokable hemp (as defined by ~~IC 35-48-1-26.6~~;
39 **IC 35-48-1.1-38**); or

40 (2) products that contain a total delta-9-tetrahydrocannabinol
41 concentration of more than three-tenths of one percent (0.3%) by
42 weight.



1 SECTION 105. IC 15-15-13-19, AS ADDED BY P.L.190-2019,
 2 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 19. (a) Hemp bud (as defined in ~~IC 35-48-1-17.2)~~
 4 **IC 35-48-1.1-23**) and hemp flower (as defined in ~~IC 35-48-1-17.3)~~
 5 **IC 35-48-1.1-24**) may be sold only to a processor licensed under this
 6 chapter.

7 (b) The state seed commissioner may impose a civil penalty under
 8 section 13 of this chapter for a violation of subsection (a).

9 SECTION 106. IC 15-15-13-20, AS ADDED BY P.L.190-2019,
 10 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2025]: Sec. 20. (a) A person who knowingly or intentionally
 12 violates:

13 (1) a term, condition, or requirement of a license issued; or

14 (2) a rule adopted;

15 under this chapter is subject to a civil penalty, determined by the state
 16 seed commissioner, not to exceed ten thousand dollars (\$10,000) per
 17 violation. The state seed commissioner may also revoke the license of
 18 a person who violates this subsection.

19 (b) A person who knowingly or intentionally:

20 (1) grows hemp;

21 (2) handles hemp; or

22 (3) sells agricultural hemp seed;

23 not including smokable hemp (as defined by ~~IC 35-48-1-26.6)~~;
 24 **IC 35-48-1.1-38**), and is not licensed under this chapter, commits a
 25 Class A misdemeanor.

26 SECTION 107. IC 15-18-5-22, AS ADDED BY P.L.2-2008,
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2025]: Sec. 22. (a) Obligations incurred by the board and
 29 other liabilities and claims against the board may be enforced only
 30 against the assets of the board in the same manner as if it were a
 31 corporation. Liabilities for the debts or actions of the board may not
 32 arise against:

33 (1) the state;

34 (2) a political subdivision (as defined in ~~IC 34-6-2-110)~~;
 35 **IC 34-6-2.1-155**); or

36 (3) a member, officer, employee, or agent of the board in an
 37 individual capacity.

38 (b) The members and employees of the board may not be held
 39 responsible individually to any person for errors in judgment, mistakes,
 40 or other acts either of commission or omission, as principal, agent, or
 41 employee, except for their own individual acts that result in the
 42 violation of any law.



(c) An employee of the board may not be held responsible individually for the act or omission of a member of the board.

(d) Any liability of the members of the board is several and not joint. A member of the board may not be held liable for the default of another member.

SECTION 108. IC 15-20-1-6, AS ADDED BY P.L.2-2008, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. An owner of a dog is exempt under section 4 of this chapter if the dog commits an act described in section 4 of this chapter during the period that the dog is owned by:

(1) the United States;

(2) an agency of the United States; or

(3) a governmental entity (as defined in ~~IC 34-6-2-49~~);

IC 34-6-2.1-77);

and the dog is engaged in assisting the owner or the owner's agent in the performance of law enforcement or military duties.

SECTION 109. IC 16-31-3-14, AS AMENDED BY P.L.170-2022, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a certificate or license, including cheating on a certification or licensure examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses required under this article or rules adopted under this article;

(5) is convicted of a crime, if the act that resulted in the conviction has a direct bearing on determining if the certificate holder or license holder should be entrusted to provide emergency medical services;

(6) is convicted of violating IC 9-19-14.5;

(7) fails to comply and maintain compliance with or violates any applicable provision, standard, or other requirement of this article or rules adopted under this article;



(8) continues to practice if the certificate holder or license holder becomes unfit to practice due to:

(A) professional incompetence that includes the undertaking of professional activities that the certificate holder or license holder is not qualified by training or experience to undertake;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or dependency on alcohol or other drugs that endanger the public by impairing the certificate holder's or license holder's ability to practice safely;

(9) engages in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(10) allows the certificate holder's or license holder's name or a certificate or license issued under this article to be used in connection with a person who renders services beyond the scope of that person's training, experience, or competence;

(11) is subjected to disciplinary action in another state or jurisdiction on grounds similar to those contained in this chapter. For purposes of this subdivision, a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction;

(12) assists another person in committing an act that would constitute a ground for disciplinary sanction under this chapter;

(13) allows a certificate or license issued by the commission to be:

(A) used by another person; or

(B) displayed to the public when the certificate or license is expired, inactive, invalid, revoked, or suspended; or

(14) fails to notify the department in writing of any misdemeanor or felony criminal conviction, except traffic related misdemeanors other than operating a motor vehicle under the influence of a drug or alcohol, within ninety (90) days after the entry of an order or judgment. A certified copy of the order or judgment with a letter of explanation must be submitted to the department along with the written notice.

(b) The department of homeland security may issue an order under IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if the department of homeland security determines that a certificate holder or license holder is subject to disciplinary sanctions under subsection (a):

(1) Revocation of a certificate holder's certificate or license



holder's license for a period not to exceed seven (7) years.

(2) Suspension of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.

(3) Censure of a certificate holder or license holder.

(4) Issuance of a letter of reprimand.

(5) Assessment of a civil penalty against the certificate holder or license holder in accordance with the following:

(A) The civil penalty may not exceed five hundred dollars (\$500) per day per violation.

(B) If the certificate holder or license holder fails to pay the civil penalty within the time specified by the department of homeland security, the department of homeland security may suspend the certificate holder's certificate or license holder's license without additional proceedings.

(6) Placement of a certificate holder or license holder on probation status and requirement of the certificate holder or license holder to:

(A) report regularly to the department of homeland security upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the department of homeland security;

(C) continue or renew professional education approved by the department of homeland security until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department of homeland security considers appropriate to the public interest or to the rehabilitation or treatment of the certificate holder or license holder.

The department of homeland security may withdraw or modify this probation if the department of homeland security finds after a hearing that the deficiency that required disciplinary action is remedied or that changed circumstances warrant a modification of the order.

(c) If an applicant or a certificate holder or license holder has engaged in or knowingly cooperated in fraud or material deception to obtain a certificate or license, including cheating on the certification or licensure examination, the department of homeland security may rescind the certificate or license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the certificate or license for a length of



1 time established by the department of homeland security.

2 (d) The department of homeland security may deny certification or
3 licensure to an applicant who would be subject to disciplinary sanctions
4 under subsection (b) if that person were a certificate holder or license
5 holder, has had disciplinary action taken against the applicant or the
6 applicant's certificate or license to practice in another state or
7 jurisdiction, or has practiced without a certificate or license in violation
8 of the law. A certified copy of the record of disciplinary action is
9 conclusive evidence of the other jurisdiction's disciplinary action.

10 (e) The department of homeland security may order a certificate
11 holder or license holder to submit to a reasonable physical or mental
12 examination if the certificate holder's or license holder's physical or
13 mental capacity to practice safely and competently is at issue in a
14 disciplinary proceeding. Failure to comply with a department of
15 homeland security order to submit to a physical or mental examination
16 makes a certificate holder or license holder liable to temporary
17 suspension under subsection (i).

18 (f) Except as provided under subsection (a), subsection (g), and
19 section 14.5 of this chapter, a certificate or license may not be denied,
20 revoked, or suspended because the applicant, certificate holder, or
21 license holder has been convicted of an offense. The acts from which
22 the applicant's, certificate holder's, or license holder's conviction
23 resulted may be considered as to whether the applicant or certificate
24 holder or license holder should be entrusted to serve the public in a
25 specific capacity.

26 (g) The department of homeland security may deny, suspend, or
27 revoke a certificate or license issued under this article if the individual
28 who holds or is applying for the certificate or license is convicted of
29 any of the following:

- 30 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 31 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 32 (3) Possession of a controlled substance under IC 35-48-4-7(a).
- 33 (4) Fraudulently obtaining a controlled substance under
34 IC 35-48-4-7(c).
- 35 (5) Manufacture of paraphernalia as a Class D felony (for a crime
36 committed before July 1, 2014) or Level 6 felony (for a crime
37 committed after June 30, 2014) under IC 35-48-4-8.1(b).
- 38 (6) Dealing in paraphernalia as a Class D felony (for a crime
39 committed before July 1, 2014) or Level 6 felony (for a crime
40 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 41 (7) Possession of paraphernalia as a Class D felony (for a crime
42 committed before July 1, 2014) or Level 6 felony (for a crime



committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving:

(A) possession of a synthetic drug (as defined in IC 35-31.5-2-321);

(B) possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(i) Class D felony (for a crime committed before July 1, 2014); or

(ii) Level 6 felony (for a crime committed after June 30, 2014);

under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or

(C) possession of a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~; **IC 35-48-1.1-8**).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

(h) A decision of the department of homeland security under subsections (b) through (g) may be appealed to the commission under IC 4-21.5-3-7.

(i) The department of homeland security may temporarily suspend a certificate holder's certificate or license holder's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department of homeland security finds that a certificate holder or license holder would represent a clear and immediate danger to the public's health, safety, or property if the certificate holder or license holder were allowed to continue to practice.

(j) On receipt of a complaint or information alleging that a person certified or licensed under this chapter or IC 16-31-3.5 has engaged in or is engaging in a practice that is subject to disciplinary sanctions under this chapter, the department of homeland security must initiate an investigation against the person.

(k) The department of homeland security shall conduct a factfinding investigation as the department of homeland security considers proper in relation to the complaint.



(l) The department of homeland security may reinstate a certificate or license that has been suspended under this section if the department of homeland security is satisfied that the applicant is able to practice with reasonable skill, competency, and safety to the public. As a condition of reinstatement, the department of homeland security may impose disciplinary or corrective measures authorized under this chapter.

(m) The department of homeland security may not reinstate a certificate or license that has been revoked under this chapter.

(n) The department of homeland security must be consistent in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department of homeland security's findings or orders.

(o) A certificate holder may not surrender the certificate holder's certificate, and a license holder may not surrender the license holder's license, without the written approval of the department of homeland security, and the department of homeland security may impose any conditions appropriate to the surrender or reinstatement of a surrendered certificate or license.

(p) For purposes of this section, "certificate holder" means a person who holds:

- (1) an unlimited certificate;
- (2) a limited or probationary certificate; or
- (3) an inactive certificate.

(q) For purposes of this section, "license holder" means a person who holds:

- (1) an unlimited license;
- (2) a limited or probationary license; or
- (3) an inactive license.

SECTION 110. IC 16-31-3-14.5, AS AMENDED BY P.L. 142-2020, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14.5. The department of homeland security may issue an order under IC 4-21.5-3-6 to deny an applicant's request for certification or licensure or permanently revoke a certificate or license under procedures provided by section 14 of this chapter if the individual who holds the certificate or license issued under this title is convicted of any of the following:

- (1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.
- (2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.
- (3) Dealing in methamphetamine under IC 35-48-4-1.1.



(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**, or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(13) A crime of violence (as defined in IC 35-50-1-2(a)).

SECTION 111. IC 16-41-11-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) This section does not apply to a medical review panel created under IC 34-18-10 (or IC 27-12-10 before its repeal) or a peer review committee (as defined in ~~IC 34-6-2-99~~). **IC 34-6-2.1-145**.

(b) The state department may authorize by rule expert review panels to provide confidential consultation and advice to health care workers who are:

(1) infected with the human immunodeficiency virus (HIV); or

(2) infected with the hepatitis-B virus (HBV) and are hepatitis-Be antigen (HBeAg) positive.

(c) All proceedings and communications of an authorized expert review panel are confidential and privileged communications.

(d) A member or a member of the staff of an authorized expert review panel is immune from any civil liability for any act, statement, determination, or recommendation made in good faith in the scope of the panel's duties.



1 SECTION 112. IC 16-42-21-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this
 3 chapter, "controlled substance" has the meaning set forth in ~~IC 35-48-1.~~
 4 **IC 35-48-1.1.**

5 SECTION 113. IC 16-42-27-2, AS AMENDED BY P.L.36-2023,
 6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2025]: Sec. 2. (a) A prescriber may, directly or by standing
 8 order, prescribe or dispense an overdose intervention drug without
 9 examining the individual to whom it may be administered if all of the
 10 following conditions are met:

11 (1) The overdose intervention drug is dispensed or prescribed to:

12 (A) a person at risk of experiencing an opioid-related
 13 overdose; or

14 (B) a family member, a friend, or any other individual or entity
 15 in a position to assist an individual who, there is reason to
 16 believe, is at risk of experiencing an opioid-related overdose.

17 (2) The prescriber instructs the individual receiving the overdose
 18 intervention drug or prescription to summon emergency services
 19 either immediately before or immediately after administering the
 20 overdose intervention drug to an individual experiencing an
 21 opioid-related overdose.

22 (3) The prescriber provides education and training on drug
 23 overdose response and treatment, including the administration of
 24 an overdose intervention drug.

25 (4) The prescriber provides drug addiction treatment information
 26 and referrals to drug treatment programs, including programs in
 27 the local area and programs that offer medication assisted
 28 treatment that includes a federal Food and Drug Administration
 29 approved long acting, nonaddictive medication for the treatment
 30 of opioid or alcohol dependence.

31 (b) A prescriber may provide a prescription of an overdose
 32 intervention drug to an individual as a part of the individual's addiction
 33 treatment plan.

34 (c) An individual described in subsection (a)(1) may administer an
 35 overdose intervention drug to an individual who is suffering from an
 36 overdose.

37 (d) An individual described in subsection (a)(1) may not be
 38 considered to be practicing medicine without a license in violation of
 39 IC 25-22.5-8-2, if the individual, acting in good faith, does the
 40 following:

41 (1) Obtains the overdose intervention drug from a prescriber or
 42 entity acting under a standing order issued by a prescriber.



(2) Administers the overdose intervention drug to an individual who is experiencing an apparent opioid-related overdose.

(3) Attempts to summon emergency services either immediately before or immediately after administering the overdose intervention drug.

(e) An entity acting under a standing order issued by a prescriber must do the following:

(1) Annually register with either the:

(A) state department; or

(B) local health department in the county where services will be provided by the entity;

in a manner prescribed by the state department.

(2) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(3) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(4) Submit an annual report to the state department containing:

(A) the number of sales of the overdose intervention drug dispensed;

(B) the dates of sale of the overdose intervention drug dispensed; and

(C) any additional information requested by the state department.

(f) The state department shall ensure that a statewide standing order for the dispensing of an overdose intervention drug in Indiana is issued under this section. The state health commissioner or a designated public health authority who is a licensed prescriber may, as part of the individual's official capacity, issue a statewide standing order that may be used for the dispensing of an overdose intervention drug under this section. A statewide standing order issued under this section must allow for choice in the:

(1) purchasing;

(2) dispensing; and

(3) distributing;

of any formulation or dosage of a naloxone product that is approved by the federal Food and Drug Administration. The immunity provided in IC 34-13-3-3 applies to an individual described in this subsection.



(g) A law enforcement officer may not take an individual into custody based solely on the commission of an offense described in subsection (h), if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that the individual:

- (1) obtained the overdose intervention drug as described in subsection (a)(1);
- (2) complied with the provisions in subsection (d);
- (3) administered an overdose intervention drug to an individual who appeared to be experiencing an opioid-related overdose;
- (4) provided:
 - (A) the individual's full name; and
 - (B) any other relevant information requested by the law enforcement officer;
- (5) remained at the scene with the individual who reasonably appeared to be in need of medical assistance until emergency medical assistance arrived;
- (6) cooperated with emergency medical assistance personnel and law enforcement officers at the scene; and
- (7) came into contact with law enforcement because the individual requested emergency medical assistance for another individual who appeared to be experiencing an opioid-related overdose.

(h) An individual who meets the criteria in subsection (g) is immune from criminal prosecution for the following:

- (1) IC 35-48-4-6 (possession of cocaine).
- (2) IC 35-48-4-6.1 (possession of methamphetamine).
- (3) IC 35-48-4-7 (possession of a controlled substance).
- (4) IC 35-48-4-8.3 (possession of paraphernalia).
- (5) IC 35-48-4-11 (possession of marijuana).
- (6) An offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~;
IC 35-48-1.1-8), or possession of a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

SECTION 114. IC 20-23-4-44, AS AMENDED BY P.L.104-2022, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 44. (a) This section applies only to a school corporation with territory in a county having a population of more than one hundred eighty-five thousand (185,000) and less than two hundred thousand (200,000).

(b) This section applies if there is a:



(1) tie vote in an election for a member of the governing body of a school corporation; or

(2) vacancy on the governing body of a school corporation.

(c) Notwithstanding any other law, if a tie vote occurs among any of the candidates for the governing body or a vacancy occurs on the governing body, the remaining members of the governing body, even if the remaining members do not constitute a majority of the governing body, shall by a majority vote of the remaining members:

(1) select one (1) of the candidates who shall be declared and certified elected; or

(2) fill the vacancy by appointing an individual to fill the vacancy.

(d) An individual appointed to fill a vacancy under subsection (c)(2):

(1) must satisfy all the qualifications required of a member of the governing body; and

(2) shall fill the remainder of the unexpired term of the vacating member.

(e) If a tie vote occurs among the remaining members of the governing body or the governing body fails to act within thirty (30) days after the election or the vacancy occurs, the fiscal body (as defined in ~~IC 3-5-2-25~~) **IC 3-5-2.1-48**) of the township in which the greatest percentage of population of the school district resides shall break the tie or make the appointment. A member of the fiscal body who was a candidate and is involved in a tie vote may not cast a vote under this subsection.

(f) If the fiscal body of a township is required to act under this section and a vote in the fiscal body results in a tie, the deciding vote to break the tie vote shall be cast by the executive.

SECTION 115. IC 20-26-4-4.5, AS AMENDED BY P.L.233-2015, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.5. (a) The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

(b) If a vacancy in a school board office exists because of the death of a school board member, the remaining members of the governing body shall meet and select an individual to fill the vacancy after the secretary of the governing body receives notice of the death under IC 5-8-6 and in accordance with section 4 of this chapter.

SECTION 116. IC 20-27-8-3, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) As used in this section, "controlled substance" has the meaning set forth in ~~IC 35-48-1~~ **IC 35-48-1.1**.

(b) An individual who is a school bus driver and who knowingly and



intentionally:

(1) consumes a controlled substance or an intoxicating liquor within six (6) hours before:

(A) going on duty; or

(B) operating a school bus; or

(2) consumes or possesses a controlled substance or an intoxicating liquor while on duty or while operating a school bus; commits a Class A misdemeanor.

(c) It is a defense in a prosecution under this section if a controlled substance is consumed or possessed in accordance with a medical prescription issued by an Indiana physician to the individual who consumes or possesses the controlled substance.

SECTION 117. IC 20-28-5-8, AS AMENDED BY P.L.125-2022, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies when a prosecuting attorney knows that a licensed employee of a public school or a nonpublic school has been convicted of an offense listed in subsection (c). The prosecuting attorney shall immediately give written notice of the conviction to the following:

(1) The secretary of education.

(2) Except as provided in subdivision (3), the superintendent of the school corporation that employs the licensed employee or the equivalent authority if a nonpublic school employs the licensed employee.

(3) The presiding officer of the governing body of the school corporation that employs the licensed employee, if the convicted licensed employee is the superintendent of the school corporation.

(b) The superintendent of a school corporation, presiding officer of the governing body, or equivalent authority for a nonpublic school shall immediately notify the secretary of education when the individual knows that a current or former licensed employee of the public school or nonpublic school has been convicted of an offense listed in subsection (c), or when the governing body or equivalent authority for a nonpublic school takes any final action in relation to an employee who engaged in any offense listed in subsection (c).

(c) Except as provided in section 8.5 of this chapter, the department shall permanently revoke the license of a person who is known by the department to have been convicted of any of the following:

(1) The following felonies:

(A) A sex crime under IC 35-42-4 (including criminal deviate conduct (IC 35-42-4-2) (before its repeal)).

(B) Kidnapping (IC 35-42-3-2).



- 1 (C) Criminal confinement (IC 35-42-3-3).
- 2 (D) Incest (IC 35-46-1-3).
- 3 (E) Dealing in or manufacturing cocaine or a narcotic drug (IC
- 4 35-48-4-1).
- 5 (F) Dealing in methamphetamine (IC 35-48-4-1.1).
- 6 (G) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 7 (H) Dealing in a schedule I, II, or III controlled substance (IC
- 8 35-48-4-2).
- 9 (I) Dealing in a schedule IV controlled substance (IC
- 10 35-48-4-3).
- 11 (J) Dealing in a schedule V controlled substance (IC
- 12 35-48-4-4).
- 13 (K) Dealing in a counterfeit substance (IC 35-48-4-5).
- 14 (L) Dealing in marijuana, hash oil, hashish, or salvia as a
- 15 felony (IC 35-48-4-10).
- 16 (M) An offense under IC 35-48-4 involving the manufacture
- 17 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 18 synthetic drug lookalike substance (as defined in
- 19 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 20 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a
- 21 controlled substance analog (as defined in ~~IC 35-48-1-9.3~~;
- 22 **IC 35-48-1.1-8**), or a substance represented to be a controlled
- 23 substance (as described in IC 35-48-4-4.6).
- 24 (N) Homicide (IC 35-42-1).
- 25 (O) Voluntary manslaughter (IC 35-42-1-3).
- 26 (P) Reckless homicide (IC 35-42-1-5).
- 27 (Q) Battery as any of the following:
- 28 (i) A Class A felony (for a crime committed before July 1,
- 29 2014) or a Level 2 felony (for a crime committed after June
- 30 30, 2014).
- 31 (ii) A Class B felony (for a crime committed before July 1,
- 32 2014) or a Level 3 felony (for a crime committed after June
- 33 30, 2014).
- 34 (iii) A Class C felony (for a crime committed before July 1,
- 35 2014) or a Level 5 felony (for a crime committed after June
- 36 30, 2014).
- 37 (R) Aggravated battery (IC 35-42-2-1.5).
- 38 (S) Robbery (IC 35-42-5-1).
- 39 (T) Carjacking (IC 35-42-5-2) (before its repeal).
- 40 (U) Arson as a Class A felony or Class B felony (for a crime
- 41 committed before July 1, 2014) or as a Level 2, Level 3, or
- 42 Level 4 felony (for a crime committed after June 30, 2014) (IC



- 1 35-43-1-1(a)).
- 2 (V) Burglary as a Class A felony or Class B felony (for a crime
- 3 committed before July 1, 2014) or as a Level 1, Level 2, Level
- 4 3, or Level 4 felony (for a crime committed after June 30,
- 5 2014) (IC 35-43-2-1).
- 6 (W) Human trafficking (IC 35-42-3.5).
- 7 (X) Dealing in a controlled substance resulting in death (IC
- 8 35-42-1-1.5).
- 9 (Y) Attempt under IC 35-41-5-1 to commit an offense listed in
- 10 this subsection.
- 11 (Z) Conspiracy under IC 35-41-5-2 to commit an offense listed
- 12 in this subsection.
- 13 (2) Public indecency (IC 35-45-4-1) committed:
- 14 (A) after June 30, 2003; or
- 15 (B) before July 1, 2003, if the person committed the offense
- 16 by, in a public place:
- 17 (i) engaging in sexual intercourse or other sexual conduct
- 18 (as defined in IC 35-31.5-2-221.5);
- 19 (ii) appearing in a state of nudity with the intent to arouse
- 20 the sexual desires of the person or another person, or being
- 21 at least eighteen (18) years of age, with the intent to be seen
- 22 by a child less than sixteen (16) years of age; or
- 23 (iii) fondling the person's genitals or the genitals of another
- 24 person.
- 25 (d) The department shall permanently revoke the license of a person
- 26 who is known by the department to have been convicted of a federal
- 27 offense or an offense in another state that is comparable to a felony or
- 28 misdemeanor listed in subsection (c).
- 29 (e) A license may be suspended by the secretary of education as
- 30 specified in IC 20-28-7.5.
- 31 (f) The department shall develop a data base of information on
- 32 school corporation employees who have been reported to the
- 33 department under this section.
- 34 (g) Upon receipt of information from the office of judicial
- 35 administration in accordance with IC 33-24-6-3 concerning persons
- 36 convicted of an offense listed in subsection (c), the department shall:
- 37 (1) cross check the information received from the office of
- 38 judicial administration with information concerning licensed
- 39 teachers (as defined in IC 20-18-2-22(b)) maintained by the
- 40 department; and
- 41 (2) if a licensed teacher (as defined in IC 20-18-2-22(b)) has been
- 42 convicted of an offense described in subsection (c), revoke the



1 licensed teacher's license.

2 SECTION 118. IC 21-12-6-5, AS AMENDED BY P.L.235-2023,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2025]: Sec. 5. (a) Unless a student qualifies under subsection
5 (b), to qualify to participate in the program, a student must meet the
6 following requirements:

7 (1) Be a resident of Indiana.

8 (2) Be:

9 (A) enrolled in grade 7 or 8 at a:

10 (i) public school; or

11 (ii) nonpublic school that is accredited either by the Indiana
12 state board of education or by a national or regional
13 accrediting agency whose accreditation is accepted as a
14 school improvement plan under IC 20-31-4.1-2; or

15 (B) otherwise qualified under the rules of the commission that
16 are adopted under IC 21-18.5-4-9(2) to include students who
17 are in grades other than grade 8 as eligible students.

18 (3) Be a member of a household with an annual income of not
19 more than the amount required for the individual to qualify for
20 free or reduced priced lunches under the national school lunch
21 program, as determined for the immediately preceding taxable
22 year for the household for which the student was claimed as a
23 dependent.

24 (4) Agree that the student will:

25 (A) graduate from a secondary school located in Indiana that
26 meets the admission criteria of an eligible institution;

27 (B) not illegally use controlled substances (as defined in
28 ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**);

29 (C) not commit a crime or an infraction described in
30 IC 9-30-5;

31 (D) not commit any other crime or delinquent act (as described
32 in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or
33 IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their
34 repeal));

35 (E) timely apply, when the eligible student is a senior in high
36 school:

37 (i) for admission to an eligible institution; and

38 (ii) for any federal and state student financial assistance
39 available to the eligible student to attend an eligible
40 institution;

41 (F) achieve a cumulative grade point average upon graduation
42 of:



- 1 (i) at least 2.0, if the student graduates from high school
- 2 before July 1, 2014; and
- 3 (ii) at least 2.5, if the student graduates from high school
- 4 after June 30, 2014;
- 5 on a 4.0 grading scale (or its equivalent if another grading
- 6 scale is used) for courses taken during grades 9, 10, 11, and
- 7 12; and
- 8 (G) complete an academic success program required under the
- 9 rules adopted by the commission, if the student initially enrolls
- 10 in high school after June 30, 2013.
- 11 (b) A student qualifies to participate in the program if the student:
- 12 (1) before or during grade 7 or grade 8, is placed by or with the
- 13 consent of the department of child services, by a court order, or by
- 14 a child placing agency in:
- 15 (A) a foster family home;
- 16 (B) the home of a relative or other unlicensed caretaker;
- 17 (C) a child caring institution; or
- 18 (D) a group home;
- 19 (2) meets the requirements in subsection (a)(1) through (a)(2);
- 20 and
- 21 (3) agrees in writing, together with the student's caseworker (as
- 22 defined in IC 31-9-2-11) or legal guardian, to the conditions set
- 23 forth in subsection (a)(4).
- 24 (c) The commission may require that an applicant apply
- 25 electronically to participate in the program using an online Internet
- 26 application on the commission's website.
- 27 SECTION 119. IC 21-12-6-6, AS AMENDED BY P.L.165-2016,
- 28 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2025]: Sec. 6. (a) A student may apply to the commission for
- 30 a scholarship. To qualify for a scholarship, the student must meet the
- 31 following requirements:
- 32 (1) Be an eligible student who qualified to participate in the
- 33 program under section 5 of this chapter.
- 34 (2) Be a resident of Indiana.
- 35 (3) Be a graduate from a secondary school located in Indiana that
- 36 meets the admission criteria of an eligible institution and have
- 37 achieved a cumulative grade point average in high school of:
- 38 (A) at least 2.0 on a 4.0 grading scale, if the student is
- 39 expected to graduate from high school before July 1, 2014; and
- 40 (B) at least 2.5 on a 4.0 grading scale, if the student is
- 41 expected to graduate from high school after June 30, 2014.
- 42 (4) Have applied to attend and be accepted to attend as a full-time



1 student an eligible institution.

2 (5) Certify in writing that before the student's graduation from
3 high school the student:

4 (A) did not illegally use controlled substances (as defined in
5 ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**);

6 (B) did not illegally consume alcoholic beverages;

7 (C) did not commit any other crime or a delinquent act (as
8 described in IC 31-37-1-2 or IC 31-37-2-2 through
9 IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5)
10 before their repeal));

11 (D) timely filed an application for other types of financial
12 assistance available to the student from the state or federal
13 government; and

14 (E) completed an academic success program required under
15 the rules adopted by the commission.

16 (6) Submit to the commission all the information and evidence
17 required by the commission to determine eligibility as a
18 scholarship applicant.

19 (7) This subdivision applies only to applicants who initially enroll
20 in the program under section 5 of this chapter or IC 21-12-6.5-2
21 after June 30, 2011. For purposes of this chapter, applicants who
22 are enrolled in the program before July 1, 2011, will not have an
23 income or financial resources test applied to them when they
24 subsequently apply for a scholarship. Have a lack of financial
25 resources reasonably available to the applicant, as defined by the
26 commission, that, in the absence of an award under this chapter,
27 would deter the scholarship applicant from completing the
28 applicant's education at the approved postsecondary educational
29 institution that the applicant has selected and that has accepted
30 the applicant.

31 (8) Meet any other minimum criteria established by the
32 commission.

33 (b) This section applies to an individual who graduates from high
34 school after December 31, 2011. To be eligible for a scholarship under
35 this section, a student must initially attend an eligible institution
36 described in subsection (a)(4) not later than the fall semester (or its
37 equivalent, as determined by the commission) in the year immediately
38 following the year in which the student graduates from high school.

39 SECTION 120. IC 22-4-8-3, AS AMENDED BY P.L.211-2019,
40 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2025]: Sec. 3. "Employment" shall not include the following:

42 (1) Except as provided in section 2(i) of this chapter, service



1 performed prior to January 1, 1978, in the employ of this state,
 2 any other state, any town or city, or political subdivision, or any
 3 instrumentality of any of them, other than service performed in
 4 the employ of a municipally owned public utility as defined in this
 5 article; or service performed in the employ of the United States of
 6 America, or an instrumentality of the United States immune under
 7 the Constitution of the United States from the contributions
 8 imposed by this article, except that to the extent that the Congress
 9 of the United States shall permit states to require any
 10 instrumentalities of the United States to make payments into an
 11 unemployment fund under a state unemployment compensation
 12 statute, all of the provisions of this article shall be applicable to
 13 such instrumentalities, in the same manner, to the same extent,
 14 and on the same terms as to all other employers, employing units,
 15 individuals, and services. However, if this state shall not be
 16 certified for any year by the Secretary of Labor under Section
 17 3304 of the Internal Revenue Code the payments required of such
 18 instrumentalities with respect to that year shall be refunded by the
 19 commissioner from the fund in the same manner and within the
 20 same period as is provided in IC 22-4-32-19 with respect to
 21 contribution erroneously paid or wrongfully assessed.

22 (2) Service with respect to which unemployment compensation is
 23 payable under an unemployment compensation system
 24 established by an Act of Congress; however, the department is
 25 authorized to enter into agreements with the proper agencies
 26 under the Act of Congress which agreements shall become
 27 effective ten (10) days after publication, in accordance with rules
 28 adopted by the department under IC 4-22-2, to provide reciprocal
 29 treatment to individuals who have, after acquiring potential rights
 30 to benefits under this article, acquired rights to unemployment
 31 compensation under the Act of Congress, or who have, after
 32 having acquired potential rights to unemployment compensation
 33 under the Act of Congress, acquired rights to benefits under this
 34 article.

35 (3) "Agricultural labor" as provided in section 2(l)(1) of this
 36 chapter shall include only services performed:

37 (A) on a farm, in the employ of any person, in connection with
 38 cultivating the soil or in connection with raising or harvesting
 39 any agricultural or horticultural commodity, including the
 40 raising, shearing, feeding, caring for, training, and
 41 management of livestock, bees, poultry, and furbearing
 42 animals and wildlife;



(B) in the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of a farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of the service is performed on a farm;

(C) in connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15(g) of the Agricultural Marketing Act (12 U.S.C. 1141j(g)) as amended, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

(D) in the employ of:

(i) the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if the operator produced more than one-half (1/2) of the commodity with respect to which the service is performed; or

(ii) a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described in item (i), but only if the operators produce more than one-half (1/2) of the commodity with respect to which the service is performed; except the provisions of items (i) and (ii) shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or

(E) on a farm operated for profit if the service is not in the course of the employer's trade or business or is domestic service in a private home of the employer.

(4) As used in subdivision (3), "farm" includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, nurseries, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities.

(5) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, except as provided



1 in section 2(m) of this chapter.

2 (6) Service performed on or in connection with a vessel or aircraft
3 not an American vessel or American aircraft, if the employee is
4 employed on and in connection with the vessel or aircraft when
5 outside the United States.

6 (7) Service performed by an individual in the employ of child or
7 spouse, and service performed by a child under the age of
8 twenty-one (21) in the employ of a parent.

9 (8) Service not in the course of the employing unit's trade or
10 business performed in any calendar quarter by an individual,
11 unless the cash remuneration paid for the service is fifty dollars
12 (\$50) or more and the service is performed by an individual who
13 is regularly employed by the employing unit to perform the
14 service. For the purposes of this subdivision, an individual shall
15 be deemed to be regularly employed to perform service not in the
16 course of an employing unit's trade or business during a calendar
17 quarter only if:

18 (A) on each of some of twenty-four (24) days during the
19 quarter that the individual performs the service for some
20 portion of the day; or

21 (B) the individual was regularly employed (as determined
22 under clause (A)) by an employing unit in the performance of
23 a service during the preceding calendar quarter.

24 (9) Service performed by an individual in any calendar quarter in
25 the employ of any organization exempt from income tax under
26 Section 501 of the Internal Revenue Code (except those services
27 included in sections 2(i) and 2(j) of this chapter) if the
28 remuneration for the service is less than fifty dollars (\$50).

29 (10) Service performed in the employ of a hospital, if the service
30 is performed by a patient of the hospital.

31 (11) Service performed in the employ of a school or eligible
32 postsecondary educational institution if the service is performed:

33 (A) by a student who is enrolled and is regularly attending
34 classes at the school or eligible postsecondary educational
35 institution; or

36 (B) by the spouse of a student, if the spouse is advised, at the
37 time the spouse commences to perform the service, that:

38 (i) the employment of the spouse to perform the service is
39 provided under a program to provide financial assistance to
40 the student by the school or eligible postsecondary
41 educational institution; and

42 (ii) the employment will not be covered by any program of



- 1 unemployment insurance.
- 2 (12) Service performed by an individual who is enrolled at a
- 3 nonprofit or public educational institution which normally
- 4 maintains a regular faculty and curriculum and normally has a
- 5 regularly organized body of students in attendance at the place
- 6 where its educational activities are carried on as a student in a
- 7 full-time program, taken for credit at the institution, which
- 8 combines academic instruction with work experience, if the
- 9 service is an integral part of the program, and the institution has
- 10 so certified to the employer, except that this subdivision shall not
- 11 apply to service performed in a program established for or on
- 12 behalf of an employer or group of employers.
- 13 (13) Service performed in the employ of a government foreign to
- 14 the United States of America, including service as a consular or
- 15 other officer or employee or a nondiplomatic representative.
- 16 (14) Service performed in the employ of an instrumentality
- 17 wholly owned by a government foreign to that of the United
- 18 States of America, if the service is of a character similar to that
- 19 performed in foreign countries by employees of the United States
- 20 of America or of an instrumentality of the United States of
- 21 America, and if the department finds that the Secretary of State of
- 22 the United States has certified to the Secretary of the Treasury of
- 23 the United States that the government, foreign to the United
- 24 States, with respect to whose instrumentality exemption is
- 25 claimed, grants an equivalent exemption with respect to similar
- 26 service performed in such country by employees of the United
- 27 States and of instrumentalities of the United States.
- 28 (15) Service performed as a student nurse in the employ of a
- 29 hospital or nurses' training school by an individual who is
- 30 enrolled and is regularly attending classes in a nurses' training
- 31 school chartered or approved pursuant to state law; and service
- 32 performed as an intern in the employ of a hospital by an
- 33 individual who has completed a four (4) year course in a medical
- 34 school chartered or approved pursuant to state law.
- 35 (16) Service performed by an individual as an insurance producer
- 36 or as an insurance solicitor, if all service performed by the
- 37 individual is performed for remuneration solely by way of
- 38 commission.
- 39 (17) Service performed by an individual:
- 40 (A) under the age of eighteen (18) in the delivery or
- 41 distribution of newspapers or shopping news, not including
- 42 delivery or distribution to any point for subsequent delivery or



distribution; or

(B) in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by the individual at a fixed price, the individual's compensation being based on the retention of the excess of the price over the amount at which the newspapers or magazines are charged to the individual, whether or not the individual is guaranteed a minimum amount of compensation for the service, or is entitled to be credited with the unsold newspapers or magazines turned back.

(18) Service performed in the employ of an international organization to the extent the services are excluded from employment under 26 CFR 31.3306(c)(16).

(19) Except as provided in IC 22-4-7-1, services covered by an election duly approved by the agency charged with the administration of any other state or federal unemployment compensation law in accordance with an arrangement pursuant to IC 22-4-22-1 through IC 22-4-22-5, during the effective period of such election.

(20) If the service performed during one-half (1/2) or more of any pay period by an individual for an employing unit constitutes employment, all the services of the individual for the period shall be deemed to be employment; but if the services performed during more than one-half (1/2) of any pay period by an individual do not constitute employment, then none of the services of the individual for the period shall be deemed to be employment. As used in this subdivision, "pay period" means a period of not more than thirty-one (31) consecutive days for which a payment of remuneration is ordinarily made to the individual by the employing unit. This subdivision shall not be applicable with respect to services performed in a pay period by any individual where any service is excepted by subdivision (2).

(21) Service performed by an inmate of a custodial or penal institution.

(22) Service performed as a precinct election officer (as defined in ~~IC 3-5-2-40.1~~). **IC 3-5-2.1-82).**

(23) Services performed by a direct seller:

(A) in the trade or business of:

(i) selling, or soliciting the sale of, consumer products or services to any buyer on a buy-sell basis, deposit-commission basis, or similar basis, in any place other than in a permanent retail establishment; or



(ii) selling, or soliciting the sale of, consumer products or services in any place other than in a permanent retail establishment;

(B) when substantially all the remuneration, whether or not paid in cash, for the performance of the services is directly related to sales or other output, including performance of services, rather than the number of hours worked; and

(C) when the services performed by the person are performed pursuant to a written contract and the contract provides that the person who performs the services will not be treated as an employee for tax purposes under the contract.

SECTION 121. IC 22-4-15-1, AS AMENDED BY P.L.117-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Regarding an individual's most recent separation from employment before filing an initial or additional claim for benefits, an individual who voluntarily left the employment without good cause in connection with the work or was discharged from the employment for just cause is ineligible for waiting period or benefit rights for the week in which the disqualifying separation occurred and until:

(1) the individual has earned remuneration in employment in at least eight (8) weeks; and

(2) the remuneration earned equals or exceeds the product of the weekly benefit amount multiplied by eight (8).

If the qualification amount has not been earned at the expiration of an individual's benefit period, the unearned amount shall be carried forward to an extended benefit period or to the benefit period of a subsequent claim.

(b) When it has been determined that an individual has been separated from employment under disqualifying conditions as outlined in this section, the maximum benefit amount of the individual's current claim, as initially determined, shall be reduced by an amount determined as follows:

(1) For the first separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim, as initially determined; multiplied by

(B) seventy-five percent (75%);

rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar.

(2) For the second separation from employment under



disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim determined under subdivision (1); multiplied by

(B) eighty-five percent (85%);

rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar.

(3) For the third and any subsequent separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim determined under subdivision (2); multiplied by

(B) ninety percent (90%);

rounded (if not already a multiple of one dollar (\$1)) to the next higher dollar.

(c) The disqualifications provided in this section shall be subject to the following modifications:

(1) An individual shall not be subject to disqualification because of separation from the individual's employment if:

(A) the individual left to accept with another employer previously secured permanent full-time work which offered reasonable expectation of continued covered employment and betterment of wages or working conditions and thereafter was employed on said job;

(B) having been simultaneously employed by two (2) employers, the individual leaves one (1) such employer voluntarily without good cause in connection with the work but remains in employment with the second employer with a reasonable expectation of continued employment; or

(C) the individual left to accept recall made by a base period employer.

(2) An individual whose unemployment is the result of medically substantiated physical disability and who is involuntarily unemployed after having made reasonable efforts to maintain the employment relationship shall not be subject to disqualification under this section for such separation.

(3) An individual who left work to enter the armed forces of the United States shall not be subject to disqualification under this section for such leaving of work.

(4) An individual whose employment is terminated under the compulsory retirement provision of a collective bargaining agreement to which the employer is a party, or under any other



1 plan, system, or program, public or private, providing for
 2 compulsory retirement and who is otherwise eligible shall not be
 3 deemed to have left the individual's work voluntarily without
 4 good cause in connection with the work. However, if such
 5 individual subsequently becomes reemployed and thereafter
 6 voluntarily leaves work without good cause in connection with the
 7 work, the individual shall be deemed ineligible as outlined in this
 8 section.

9 (5) An otherwise eligible individual shall not be denied benefits
 10 for any week because the individual is in training approved under
 11 Section 236(a)(1) of the Trade Act of 1974, nor shall the
 12 individual be denied benefits by reason of leaving work to enter
 13 such training, provided the work left is not suitable employment,
 14 or because of the application to any week in training of provisions
 15 in this law (or any applicable federal unemployment
 16 compensation law), relating to availability for work, active search
 17 for work, or refusal to accept work. For purposes of this
 18 subdivision, the term "suitable employment" means with respect
 19 to an individual, work of a substantially equal or higher skill level
 20 than the individual's past adversely affected employment (as
 21 defined for purposes of the Trade Act of 1974), and wages for
 22 such work at not less than eighty percent (80%) of the individual's
 23 average weekly wage as determined for the purposes of the Trade
 24 Act of 1974.

25 (6) An individual is not subject to disqualification because of
 26 separation from the individual's employment if:

- 27 (A) the employment was outside the individual's labor market;
- 28 (B) the individual left to accept previously secured full-time
 29 work with an employer in the individual's labor market; and
- 30 (C) the individual actually became employed with the
 31 employer in the individual's labor market.

32 (7) An individual who, but for the voluntary separation to move
 33 to another labor market to join a spouse who had moved to that
 34 labor market, shall not be disqualified for that voluntary
 35 separation, if the individual is otherwise eligible for benefits.
 36 Benefits paid to the spouse whose eligibility is established under
 37 this subdivision shall not be charged against the employer from
 38 whom the spouse voluntarily separated.

39 (8) An individual shall not be subject to disqualification if the
 40 individual voluntarily left employment or was discharged due to
 41 circumstances directly caused by domestic or family violence (as
 42 defined in IC 31-9-2-42). An individual who may be entitled to



benefits based on this modification may apply to the office of the attorney general under IC 5-26.5 to have an address designated by the office of the attorney general to serve as the individual's address for purposes of this article.

(9) An individual shall not be subject to disqualification if the individual:

(A) has requested an exemption from an employer's COVID-19 immunization requirement;

(B) has complied with the requirements set forth in IC 22-5-4.6; and

(C) was discharged from employment for failing or refusing to receive an immunization against COVID-19.

As used in this subsection, "labor market" means the area surrounding an individual's permanent residence, outside which the individual cannot reasonably commute on a daily basis. In determining whether an individual can reasonably commute under this subdivision, the department shall consider the nature of the individual's job.

(d) "Discharge for just cause" as used in this section is defined to include but not be limited to:

(1) separation initiated by an employer for falsification of an employment application to obtain employment through subterfuge;

(2) knowing violation of a reasonable and uniformly enforced rule of an employer, including a rule regarding attendance;

(3) if an employer does not have a rule regarding attendance, an individual's unsatisfactory attendance, if good cause for absences or tardiness is not established;

(4) damaging the employer's property through willful negligence;

(5) refusing to obey instructions;

(6) reporting to work under the influence of alcohol or drugs or consuming alcohol or drugs on employer's premises during working hours;

(7) conduct endangering safety of self or coworkers;

(8) incarceration in jail following conviction of a misdemeanor or felony by a court of competent jurisdiction; or

(9) any breach of duty in connection with work which is reasonably owed an employer by an employee.

(e) To verify that domestic or family violence has occurred, an individual who applies for benefits under subsection (c)(8) shall provide one (1) of the following:

(1) A report of a law enforcement agency (as defined in IC 10-13-3-10).



(2) A protection order issued under IC 34-26-5.

(3) A foreign protection order (as defined in ~~IC 34-6-2-48.5~~;
IC 34-6-2.1-76).

(4) An affidavit from a domestic violence service provider verifying services provided to the individual by the domestic violence service provider.

SECTION 122. IC 22-4-15-6.1, AS AMENDED BY P.L.121-2014, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.1. (a) Notwithstanding any other provisions of this article, all of the individual's wage credits established prior to the day upon which the individual was discharged for gross misconduct in connection with work are canceled.

(b) As used in this section, "gross misconduct" means any of the following committed in connection with work, as determined by the department by a preponderance of the evidence:

(1) A felony.

(2) A Class A misdemeanor.

(3) Working, or reporting for work, in a state of intoxication caused by the individual's use of alcohol or a controlled substance (as defined in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**).

(4) Battery on another individual while on the employer's property or during working hours.

(5) Theft or embezzlement.

(6) Fraud.

(c) If evidence is presented that an action or requirement of the employer may have caused the conduct that is the basis for the employee's discharge, the conduct is not gross misconduct under this section.

(d) Lawful conduct not otherwise prohibited by an employer is not gross misconduct under this section.

SECTION 123. IC 22-15-5-16, AS AMENDED BY P.L.142-2020, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under subsection (b) if the department finds that a practitioner has:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;



(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;

(5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;

(6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(7) continued to practice although the practitioner has become unfit to practice due to:

(A) professional incompetence;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;

(8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;

(10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;

(11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(12) allowed a license issued by the department to be:

(A) used by another person; or

(B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

For purposes of subdivision (10), a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction.

(b) The department may impose one (1) or more of the following sanctions if the department finds that a practitioner is subject to disciplinary sanctions under subsection (a):

(1) Permanent revocation of a practitioner's license.

(2) Suspension of a practitioner's license.

(3) Censure of a practitioner.



1 (4) Issuance of a letter of reprimand.

2 (5) Assessment of a civil penalty against the practitioner in
3 accordance with the following:

4 (A) The civil penalty may not be more than one thousand
5 dollars (\$1,000) for each violation listed in subsection (a),
6 except for a finding of incompetency due to a physical or
7 mental disability.

8 (B) When imposing a civil penalty, the department shall
9 consider a practitioner's ability to pay the amount assessed. If
10 the practitioner fails to pay the civil penalty within the time
11 specified by the department, the department may suspend the
12 practitioner's license without additional proceedings. However,
13 a suspension may not be imposed if the sole basis for the
14 suspension is the practitioner's inability to pay a civil penalty.

15 (6) Placement of a practitioner on probation status and
16 requirement of the practitioner to:

17 (A) report regularly to the department upon the matters that
18 are the basis of probation;

19 (B) limit practice to those areas prescribed by the department;

20 (C) continue or renew professional education approved by the
21 department until a satisfactory degree of skill has been attained
22 in those areas that are the basis of the probation; or

23 (D) perform or refrain from performing any acts, including
24 community restitution or service without compensation, that
25 the department considers appropriate to the public interest or
26 to the rehabilitation or treatment of the practitioner.

27 The department may withdraw or modify this probation if the
28 department finds after a hearing that the deficiency that required
29 disciplinary action has been remedied or that changed
30 circumstances warrant a modification of the order.

31 (c) If an applicant or a practitioner has engaged in or knowingly
32 cooperated in fraud or material deception to obtain a license to
33 practice, including cheating on the licensing examination, the
34 department may rescind the license if it has been granted, void the
35 examination or other fraudulent or deceptive material, and prohibit the
36 applicant from reapplying for the license for a length of time
37 established by the department.

38 (d) The department may deny licensure to an applicant who has had
39 disciplinary action taken against the applicant or the applicant's license
40 to practice in another state or jurisdiction or who has practiced without
41 a license in violation of the law. A certified copy of the record of
42 disciplinary action is conclusive evidence of the other jurisdiction's



1 disciplinary action.

2 (e) The department may order a practitioner to submit to a
3 reasonable physical or mental examination if the practitioner's physical
4 or mental capacity to practice safely and competently is at issue in a
5 disciplinary proceeding. Failure to comply with a department order to
6 submit to a physical or mental examination makes a practitioner liable
7 to temporary suspension under subsection (j).

8 (f) Except as provided under subsection (g) or (h), a license may not
9 be denied, revoked, or suspended because the applicant or holder has
10 been convicted of an offense. The acts from which the applicant's or
11 holder's conviction resulted may, however, be considered as to whether
12 the applicant or holder should be entrusted to serve the public in a
13 specific capacity.

14 (g) The department may deny, suspend, or revoke a license issued
15 under this chapter if the individual who holds the license is convicted
16 of any of the following:

- 17 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 18 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 19 (3) Possession of a controlled substance under IC 35-48-4-7(a).
- 20 (4) Fraudulently obtaining a controlled substance under
21 IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or
22 IC 35-48-4-7(c) (for a crime committed after June 30, 2014).
- 23 (5) Manufacture of paraphernalia as a Class D felony (for a crime
24 committed before July 1, 2014) or a Level 6 felony (for a crime
25 committed after June 30, 2014) under IC 35-48-4-8.1(b).
- 26 (6) Dealing in paraphernalia as a Class D felony (for a crime
27 committed before July 1, 2014) or a Level 6 felony (for a crime
28 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 29 (7) Possession of paraphernalia as a Class D felony (for a crime
30 committed before July 1, 2014) or a Level 6 felony (for a crime
31 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
32 its amendment on July 1, 2015).
- 33 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
34 D felony (for a crime committed before July 1, 2014) or a Level
35 6 felony (for a crime committed after June 30, 2014) under
36 IC 35-48-4-11.
- 37 (9) A felony offense under IC 35-48-4 involving possession of a
38 synthetic drug (as defined in IC 35-31.5-2-321), possession of a
39 controlled substance analog (as defined in ~~IC 35-48-1-9.3~~;
40 **IC 35-48-1.1-8**), or possession of a synthetic drug lookalike
41 substance (as defined in IC 35-31.5-2-321.5 (before its repeal on
42 July 1, 2019)) as a:



- 1 (A) Class D felony for a crime committed before July 1, 2014;
- 2 or
- 3 (B) Level 6 felony for a crime committed after June 30, 2014;
- 4 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 5 (10) Maintaining a common nuisance under IC 35-48-4-13
- 6 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 7 controlled substance.
- 8 (11) An offense relating to registration, labeling, and prescription
- 9 forms under IC 35-48-4-14.
- 10 (h) The department shall deny, revoke, or suspend a license issued
- 11 under this chapter if the individual who holds the license is convicted
- 12 of any of the following:
- 13 (1) Dealing in a controlled substance resulting in death under
- 14 IC 35-42-1-1.5.
- 15 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 16 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 17 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 18 (5) Dealing in a schedule I, II, or III controlled substance under
- 19 IC 35-48-4-2.
- 20 (6) Dealing in a schedule IV controlled substance under
- 21 IC 35-48-4-3.
- 22 (7) Dealing in a schedule V controlled substance under
- 23 IC 35-48-4-4.
- 24 (8) Dealing in a substance represented to be a controlled
- 25 substance under IC 35-48-4-4.5 (repealed).
- 26 (9) Knowingly or intentionally manufacturing, advertising,
- 27 distributing, or possessing with intent to manufacture, advertise,
- 28 or distribute a substance represented to be a controlled substance
- 29 under IC 35-48-4-4.6.
- 30 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 31 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 32 under IC 35-48-4-10.
- 33 (12) An offense under IC 35-48-4 involving the manufacture or
- 34 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 35 synthetic drug lookalike substance (as defined in
- 36 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 37 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 38 substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**),
- 39 or a substance represented to be a controlled substance (as
- 40 described in IC 35-48-4-4.6).
- 41 (13) A violation of any federal or state drug law or rule related to
- 42 wholesale legend drug distributors licensed under IC 25-26-14.



1 (i) A decision of the department under subsections (b) through (h)
2 may be appealed to the commission under IC 4-21.5-3-7.

3 (j) The department may temporarily suspend a practitioner's license
4 under IC 4-21.5-4 before a final adjudication or during the appeals
5 process if the department finds that a practitioner represents a clear and
6 immediate danger to the public's health, safety, or property if the
7 practitioner is allowed to continue to practice.

8 (k) On receipt of a complaint or an information alleging that a
9 person licensed under this chapter has engaged in or is engaging in a
10 practice that jeopardizes the public health, safety, or welfare, the
11 department shall initiate an investigation against the person.

12 (l) Any complaint filed with the office of the attorney general
13 alleging a violation of this licensing program shall be referred to the
14 department for summary review and for its general information and any
15 authorized action at the time of the filing.

16 (m) The department shall conduct a fact finding investigation as the
17 department considers proper in relation to the complaint.

18 (n) The department may reinstate a license that has been suspended
19 under this section if, after a hearing, the department is satisfied that the
20 applicant is able to practice with reasonable skill, safety, and
21 competency to the public. As a condition of reinstatement, the
22 department may impose disciplinary or corrective measures authorized
23 under this chapter.

24 (o) The department may not reinstate a license that has been
25 revoked under this chapter. An individual whose license has been
26 revoked under this chapter may not apply for a new license until seven
27 (7) years after the date of revocation.

28 (p) The department shall seek to achieve consistency in the
29 application of sanctions authorized in this chapter. Significant
30 departures from prior decisions involving similar conduct must be
31 explained in the department's findings or orders.

32 (q) A practitioner may petition the department to accept the
33 surrender of the practitioner's license instead of having a hearing before
34 the commission. The practitioner may not surrender the practitioner's
35 license without the written approval of the department, and the
36 department may impose any conditions appropriate to the surrender or
37 reinstatement of a surrendered license.

38 (r) A practitioner who has been subjected to disciplinary sanctions
39 may be required by the commission to pay the costs of the proceeding.
40 The practitioner's ability to pay shall be considered when costs are
41 assessed. If the practitioner fails to pay the costs, a suspension may not
42 be imposed solely upon the practitioner's inability to pay the amount



assessed. The costs are limited to costs for the following:

- (1) Court reporters.
- (2) Transcripts.
- (3) Certification of documents.
- (4) Photo duplication.
- (5) Witness attendance and mileage fees.
- (6) Postage.
- (7) Expert witnesses.
- (8) Depositions.
- (9) Notarizations.

SECTION 124. IC 23-17-2-7, AS AMENDED BY P.L.245-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) "Corporation" means a public benefit, mutual benefit, or religious corporation incorporated under or subject to this article.

(b) The term does not include a foreign corporation.

(c) For purposes of IC 23-17-24, the term does not include a homeowners association (as defined in ~~IC 34-6-2-58~~). **IC 34-6-2.1-87**.

SECTION 125. IC 23-17-21-2, AS AMENDED BY P.L.118-2017, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) A mutual benefit corporation may purchase the corporation's memberships if, after the purchase is completed:

(1) the corporation would be able to pay the corporation's debts as the debts become due in the usual course of the corporation's activities; and

(2) the corporation's total assets would at least equal the sum of the corporation's total liabilities.

(b) Corporations may make distributions upon dissolution in conformity with IC 23-0.5-6, IC 23-17-22, or IC 23-17-24.

(c) A corporation may, in conformity with the purposes of the corporation, make distributions to and confer benefits on a member or an affiliate that is a governmental entity (as defined under ~~IC 34-6-2-49~~) **IC 34-6-2.1-77**) or a member or an affiliate that is another nonprofit domestic or foreign entity if, after any distribution is completed:

(1) the corporation would be able to pay the corporation's debts as the debts become due in the usual course of the corporation's activities; and

(2) the corporation's total assets would at least equal the corporation's total liabilities.

An affiliate is an entity that directly or indirectly controls, is controlled by, or is under common control with the corporation. Control includes



1 the power to select the corporation's board of directors.

2 (d) Corporations may repay loans or advances in accordance with
3 and to the extent authorized under IC 23-17-7-9.

4 SECTION 126. IC 24-1-1-5.1, AS ADDED BY P.L.135-2008,
5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2025]: Sec. 5.1. The attorney general may bring an action on
7 behalf of the state or a political subdivision (as defined in
8 ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**) for injuries or damages sustained
9 directly or indirectly as a result of a violation of this chapter.

10 SECTION 127. IC 24-1-1-5.2, AS ADDED BY P.L.135-2008,
11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2025]: Sec. 5.2. (a) The attorney general may bring an action
13 in a county on behalf of the state or a political subdivision (as defined
14 in ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**) for injuries or damages sustained
15 directly or indirectly as a result of a violation of this chapter.

16 (b) An action brought under this section may be brought, without
17 respect to the amount in controversy, in a circuit or superior court in a
18 county in which the defendant resides or is engaged in business, or in
19 which service may be obtained.

20 (c) The plaintiff in an action brought under this section is entitled
21 to recover a penalty of threefold the damages awarded in the action,
22 plus reasonable costs and attorney's fees.

23 SECTION 128. IC 24-1-2-5.1, AS AMENDED BY P.L.6-2023,
24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2025]: Sec. 5.1. (a) The attorney general may bring an action
26 on behalf of the state or a political subdivision (as defined in
27 ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**) for one (1) or more of the following,
28 together with the costs and expenses of the suit, including reasonable
29 attorney's fees and expert fees, in connection with a violation of this
30 chapter:

31 (1) Appropriate injunctive or other equitable relief, including
32 disgorgement of any gains derived from the violation.

33 (2) A civil penalty, as prescribed in subsection (c).

34 (3) Injuries or damages sustained directly or indirectly by the state
35 or political subdivision as a result of the violation.

36 (b) The attorney general may bring an action in the name of the state
37 as parens patriae on behalf of one (1) or more natural persons residing
38 in Indiana for one (1) or more of the following, together with the costs
39 and expenses of the suit, including reasonable attorney's fees and
40 expert fees, in connection with a violation of this chapter:

41 (1) Appropriate injunctive or other equitable relief, including
42 disgorgement of any gains derived from the violation.



(2) A civil penalty, as prescribed in subsection (c).

(3) Injuries or damages sustained directly or indirectly by the one
(1) or more natural persons as a result of the violation.

(c) In an action brought under subsection (a) or (b) after June 30, 2023, the attorney general may recover a civil penalty of not more than:
(1) one hundred thousand dollars (\$100,000) per violation from any natural person who violates this chapter; or
(2) one million dollars (\$1,000,000) from any other person (as defined in section 10 of this chapter), other than a natural person, that violates this chapter.

SECTION 129. IC 24-1-3-3.1, AS ADDED BY P.L.135-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.1. The attorney general may bring an action on behalf of the state or a political subdivision (as defined in ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**) for injuries or damages sustained directly or indirectly as a result of a:

- (1) contract or combination described in section 1 of this chapter;
- or
- (2) violation of this chapter.

SECTION 130. IC 24-1-4-5, AS ADDED BY P.L.135-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. The attorney general may bring an action on behalf of the state or any political subdivision (as defined in ~~IC 34-6-2-110~~) **IC 34-6-2.1-155**) that has been directly or indirectly injured or damaged by:

- (1) an arrangement, agreement, trust, or combination described in section 1 of this chapter; or
- (2) any other violation of this chapter.

SECTION 131. IC 24-4-21-1, AS AMENDED BY P.L.190-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Certificate of analysis" means a certificate from an independent testing laboratory describing the results of the laboratory's testing of a sample.
- (2) "Independent testing laboratory" means a laboratory:
 - (A) with respect to which no person having a direct or indirect interest in the laboratory also has a direct or indirect interest in a facility that:
 - (i) processes, distributes, or sells low THC hemp extract, or a substantially similar substance in another jurisdiction;
 - (ii) cultivates, processes, distributes, dispenses, or sells



1 marijuana; or

2 (iii) cultivates, processes, or distributes hemp; and

3 (B) that is accredited as a testing laboratory to International
4 Organization for Standardization (ISO) 17025 by a third party
5 accrediting body such as the American Association for
6 Laboratory Accreditation (A2LA) or Assured Calibration and
7 Laboratory Accreditation Select Services (ACLASS).

8 (3) "Low THC hemp extract" has the meaning set forth in
9 ~~IC 35-48-1-17.5.~~ **IC 35-48-1.1-27.**

10 SECTION 132. IC 24-4-22-1, AS AMENDED BY P.L.10-2019,
11 SECTION 106, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this chapter, "low
13 THC hemp extract" has the meaning set forth in ~~IC 35-48-1-17.5.~~
14 **IC 35-48-1.1-27.**

15 SECTION 133. IC 24-5-0.5-4, AS AMENDED BY P.L.118-2024,
16 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2025] [EFFECTIVE] JULY 1, 2025]: Sec. 4. (a) A person
18 relying upon an uncured or incurable deceptive act may bring an action
19 for the damages actually suffered as a consumer as a result of the
20 deceptive act or five hundred dollars (\$500), whichever is greater. The
21 court may increase damages for a willful deceptive act in an amount
22 that does not exceed the greater of:

23 (1) three (3) times the actual damages of the consumer suffering
24 the loss; or

25 (2) one thousand dollars (\$1,000).

26 Except as provided in subsection (k), the court may award reasonable
27 attorney's fees to the party that prevails in an action under this
28 subsection. This subsection does not apply to a consumer transaction
29 in real property, including a claim or action involving a construction
30 defect (as defined in IC 32-27-3-1(5)) brought against a construction
31 professional (as defined in IC 32-27-3-1(4)), except for purchases of
32 time shares and camping club memberships. This subsection does not
33 apply with respect to a deceptive act described in section 3(b)(20) of
34 this chapter. This subsection also does not apply to a violation of
35 IC 24-4.7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages
36 awarded to a person under this section have priority over any civil
37 penalty imposed under this chapter.

38 (b) Any person who is entitled to bring an action under subsection
39 (a) on the person's own behalf against a supplier for damages for a
40 deceptive act may bring a class action against such supplier on behalf
41 of any class of persons of which that person is a member and which has
42 been damaged by such deceptive act, subject to and under the Indiana



Rules of Trial Procedure governing class actions, except as herein expressly provided. Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in a class action under this subsection, provided that such fee shall be determined by the amount of time reasonably expended by the attorney and not by the amount of the judgment, although the contingency of the fee may be considered. Except in the case of an extension of time granted by the attorney general under IC 24-10-2-2(b) in an action subject to IC 24-10, any money or other property recovered in a class action under this subsection which cannot, with due diligence, be restored to consumers within one (1) year after the judgment becomes final shall be returned to the party depositing the same. This subsection does not apply to a consumer transaction in real property, except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. Actual damages awarded to a class have priority over any civil penalty imposed under this chapter.

(c) The attorney general may bring an action to enjoin a deceptive act, including a deceptive act described in section 3(b)(20) of this chapter, notwithstanding subsections (a) and (b). However, the attorney general may seek to enjoin patterns of incurable deceptive acts with respect to consumer transactions in real property. In addition, the court may:

- (1) issue an injunction;
- (2) order the supplier to make payment of the money unlawfully received from the aggrieved consumers to be held in escrow for distribution to aggrieved consumers;
- (3) for a knowing violation against a senior consumer, increase the amount of restitution ordered under subdivision (2) in any amount up to three (3) times the amount of damages incurred or value of property or assets lost;
- (4) order the supplier to pay to the state the reasonable costs of the attorney general's investigation and prosecution related to the action;
- (5) provide for the appointment of a receiver; and
- (6) order the department of state revenue to suspend the supplier's registered retail merchant certificate, subject to the requirements and prohibitions contained in IC 6-2.5-8-7(a)(5), if the court finds that a violation of this chapter involved the sale or solicited sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (repealed)) (before July 1, 2019), a controlled substance analog



(as defined in ~~IC 35-48-1-9.3~~; **IC 35-48-1.1-8**), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(d) In an action under subsection (a), (b), or (c), the court may void or limit the application of contracts or clauses resulting from deceptive acts and order restitution to be paid to aggrieved consumers.

(e) In any action under subsection (a) or (b), upon the filing of the complaint or on the appearance of any defendant, claimant, or any other party, or at any later time, the trial court, the supreme court, or the court of appeals may require the plaintiff, defendant, claimant, or any other party or parties to give security, or additional security, in such sum as the court shall direct to pay all costs, expenses, and disbursements that shall be awarded against that party or which that party may be directed to pay by any interlocutory order by the final judgment or on appeal.

(f) Any person who violates the terms of an injunction issued under subsection (c) shall forfeit and pay to the state a civil penalty of not more than fifteen thousand dollars (\$15,000) per violation. For the purposes of this section, the court issuing an injunction shall retain jurisdiction, the cause shall be continued, and the attorney general acting in the name of the state may petition for recovery of civil penalties. Whenever the court determines that an injunction issued under subsection (c) has been violated, the court shall award reasonable costs to the state.

(g) If a court finds any person has knowingly violated section 3 or 10 of this chapter, other than section 3(b)(19), 3(b)(20), or 3(b)(40) of this chapter, the attorney general, in an action pursuant to subsection (c), may recover from the person on behalf of the state a civil penalty of a fine not exceeding five thousand dollars (\$5,000) per violation.

(h) If a court finds that a person has violated section 3(b)(19) of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty as follows:

(1) For a knowing or intentional violation, one thousand five hundred dollars (\$1,500).

(2) For a violation other than a knowing or intentional violation, five hundred dollars (\$500).

A civil penalty recovered under this subsection shall be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6 to be used for the administration and enforcement of section 3(b)(19) of this chapter.

(i) A senior consumer relying upon an uncured or incurable deceptive act, including an act related to hypnotism, may bring an



1 action to recover treble damages, if appropriate.

2 (j) An offer to cure is:

3 (1) not admissible as evidence in a proceeding initiated under this
4 section unless the offer to cure is delivered by a supplier to the
5 consumer or a representative of the consumer before the supplier
6 files the supplier's initial response to a complaint; and

7 (2) only admissible as evidence in a proceeding initiated under
8 this section to prove that a supplier is not liable for attorney's fees
9 under subsection (k).

10 If the offer to cure is timely delivered by the supplier, the supplier may
11 submit the offer to cure as evidence to prove in the proceeding in
12 accordance with the Indiana Rules of Trial Procedure that the supplier
13 made an offer to cure.

14 (k) A supplier may not be held liable for the attorney's fees and
15 court costs of the consumer that are incurred following the timely
16 delivery of an offer to cure as described in subsection (j) unless the
17 actual damages awarded, not including attorney's fees and costs, exceed
18 the value of the offer to cure.

19 (l) If a court finds that a person has knowingly violated section
20 3(b)(20) of this chapter, the attorney general, in an action under
21 subsection (c), may recover from the person on behalf of the state a
22 civil penalty not exceeding one thousand dollars (\$1,000) per
23 consumer. In determining the amount of the civil penalty in any action
24 by the attorney general under this subsection, the court shall consider,
25 among other relevant factors, the frequency and persistence of
26 noncompliance by the debt collector, the nature of the noncompliance,
27 and the extent to which the noncompliance was intentional. A person
28 may not be held liable in any action by the attorney general for a
29 violation of section 3(b)(20) of this chapter if the person shows by a
30 preponderance of evidence that the violation was not intentional and
31 resulted from a bona fide error, notwithstanding the maintenance of
32 procedures reasonably adapted to avoid the error. A person may not be
33 held liable in any action for a violation of this chapter for contacting a
34 person other than the debtor, if the contact is made in compliance with
35 the Fair Debt Collection Practices Act.

36 (m) If a court finds that a person has knowingly or intentionally
37 violated section 3(b)(40) of this chapter, the attorney general, in an
38 action under subsection (c), may recover from the person on behalf of
39 the state a civil penalty in accordance with IC 24-5-14.5-12(b). As
40 specified in IC 24-5-14.5-12(b), a civil penalty recovered under
41 IC 24-5-14.5-12(b) shall be deposited in the consumer protection
42 division telephone solicitation fund established by IC 24-4.7-3-6 to be



1 used for the administration and enforcement of IC 24-5-14.5. In
 2 addition to the recovery of a civil penalty in accordance with
 3 IC 24-5-14.5-12(b), the attorney general may also recover reasonable
 4 attorney fees and court costs from the person on behalf of the state.
 5 Those funds shall also be deposited in the consumer protection division
 6 telephone solicitation fund established by IC 24-4.7-3-6.

7 SECTION 134. IC 25-1-1.1-2, AS AMENDED BY P.L.142-2020,
 8 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2025]: Sec. 2. Notwithstanding IC 25-1-7, a board, a
 10 commission, or a committee may suspend, deny, or revoke a license or
 11 certificate issued under this title by the board, the commission, or the
 12 committee without an investigation by the office of the attorney general
 13 if the individual who holds the license or certificate is convicted of any
 14 of the following and the board, commission, or committee determines,
 15 after the individual has appeared in person, that the offense affects the
 16 individual's ability to perform the duties of the profession:

- 17 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 18 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 19 (3) Possession of a controlled substance under IC 35-48-4-7(a).
- 20 (4) Fraudulently obtaining a controlled substance under
- 21 IC 35-48-4-7(c).
- 22 (5) Manufacture of paraphernalia as a Class D felony (for a crime
- 23 committed before July 1, 2014) or a Level 6 felony (for a crime
- 24 committed after June 30, 2014) under IC 35-48-4-8.1(b).
- 25 (6) Dealing in paraphernalia as a Class D felony (for a crime
- 26 committed before July 1, 2014) or a Level 6 felony (for a crime
- 27 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 28 (7) Possession of paraphernalia as a Class D felony (for a crime
- 29 committed before July 1, 2014) or a Level 6 felony (for a crime
- 30 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
- 31 its amendment on July 1, 2015).
- 32 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
- 33 D felony (for a crime committed before July 1, 2014) or a Level
- 34 6 felony (for a crime committed after June 30, 2014) under
- 35 IC 35-48-4-11.
- 36 (9) A felony offense under IC 35-48-4 involving possession of a
- 37 synthetic drug (as defined in IC 35-31.5-2-321), possession of a
- 38 controlled substance analog (as defined in ~~IC 35-48-1-9.3~~;
- 39 **IC 35-48-1.1-8**), or possession of a synthetic drug lookalike
- 40 substance (as defined in IC 35-31.5-2-321.5 (before its repeal on
- 41 July 1, 2019)) as a:
- 42 (A) Class D felony for a crime committed before July 1, 2014;



1 or

2 (B) Level 6 felony for a crime committed after June 30, 2014;
3 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

4 (10) Maintaining a common nuisance under IC 35-48-4-13
5 (repealed) or IC 35-45-1-5, if the common nuisance involves a
6 controlled substance.

7 (11) An offense relating to registration, labeling, and prescription
8 forms under IC 35-48-4-14.

9 (12) A sex crime under IC 35-42-4.

10 (13) A felony that reflects adversely on the individual's fitness to
11 hold a professional license.

12 SECTION 135. IC 25-1-1.1-3, AS AMENDED BY P.L.142-2020,
13 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2025]: Sec. 3. A board, a commission, or a committee shall
15 revoke or suspend a license or certificate issued under this title by the
16 board, the commission, or the committee if the individual who holds
17 the license or certificate is convicted of any of the following:

18 (1) Dealing in a controlled substance resulting in death under
19 IC 35-42-1-1.5.

20 (2) Dealing in or manufacturing cocaine or a narcotic drug under
21 IC 35-48-4-1.

22 (3) Dealing in methamphetamine under IC 35-48-4-1.1.

23 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.

24 (5) Dealing in a schedule I, II, or III controlled substance under
25 IC 35-48-4-2.

26 (6) Dealing in a schedule IV controlled substance under
27 IC 35-48-4-3.

28 (7) Dealing in a schedule V controlled substance under
29 IC 35-48-4-4.

30 (8) Dealing in a substance represented to be a controlled
31 substance under IC 35-48-4-4.5 (before its repeal on July 1,
32 2019).

33 (9) Knowingly or intentionally manufacturing, advertising,
34 distributing, or possessing with intent to manufacture, advertise,
35 or distribute a substance represented to be a controlled substance
36 under IC 35-48-4-4.6.

37 (10) Dealing in a counterfeit substance under IC 35-48-4-5.

38 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
39 under IC 35-48-4-10.

40 (12) An offense under IC 35-48-4 involving the manufacture or
41 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
42 synthetic drug lookalike substance (as defined in



1 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
 2 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
 3 substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**,
 4 or a substance represented to be a controlled substance (as
 5 described in IC 35-48-4-4.6).

6 (13) A violation of any federal or state drug law or rule related to
 7 wholesale legend drug distributors licensed under IC 25-26-14.

8 SECTION 136. IC 25-1-9.3-3, AS ADDED BY P.L.28-2019,
 9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2025]: Sec. 3. As used in this chapter, "controlled substance"
 11 has the meaning set forth in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**.

12 SECTION 137. IC 25-1-9.5-8, AS AMENDED BY P.L.85-2021,
 13 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2025]: Sec. 8. (a) A prescriber may issue a prescription to a
 15 patient who is receiving services through the use of telehealth if the
 16 patient has not been examined previously by the prescriber in person
 17 if the following conditions are met:

18 (1) The prescriber has satisfied the applicable standard of care in
 19 the treatment of the patient.

20 (2) The issuance of the prescription by the prescriber is within the
 21 prescriber's scope of practice and certification.

22 (3) The prescription:

23 (A) meets the requirements of subsection (b); and

24 (B) is not for an opioid. However, an opioid may be prescribed
 25 if the opioid is a partial agonist that is used to treat or manage
 26 opioid dependence.

27 (4) The prescription is not for an abortion inducing drug (as
 28 defined in IC 16-18-2-1.6).

29 (5) If the prescription is for a medical device, including an
 30 ophthalmic device, the prescriber must use telehealth technology
 31 that is sufficient to allow the provider to make an informed
 32 diagnosis and treatment plan that includes the medical device
 33 being prescribed. However, a prescription for an ophthalmic
 34 device is also subject to the conditions in section 13 of this
 35 chapter.

36 (b) Except as provided in subsection (a), a prescriber may issue a
 37 prescription for a controlled substance (as defined in ~~IC 35-48-1-9~~)
 38 **IC 35-48-1.1-7**) to a patient who is receiving services through the use
 39 of telehealth, even if the patient has not been examined previously by
 40 the prescriber in person, if the following conditions are met:

41 (1) The prescriber maintains a valid controlled substance
 42 registration under IC 35-48-3.



(2) The prescriber meets the conditions set forth in 21 U.S.C. 829 et seq.

(3) A practitioner acting in the usual course of the practitioner's professional practices issues the prescription for a legitimate medical purpose.

(4) The telehealth communication is conducted using an audiovisual, real time, two-way interactive communication system.

(5) The prescriber complies with the requirements of the INSPECT program (IC 25-26-24).

(6) All other applicable federal and state laws are followed.

(c) A prescription for a controlled substance under this section must be prescribed and dispensed in accordance with IC 25-1-9.3 and IC 25-26-24.

SECTION 138. IC 25-1-20-2, AS ADDED BY P.L.166-2021, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. The following definitions apply throughout this chapter:

(1) "Arising (or arises) from a (or the) state disaster emergency" means an injury or harm:

(A) caused by or resulting from an act or omission performed in response to a state disaster emergency declared under IC 10-14-3-12 to respond to COVID-19; and

(B) arising from COVID-19 (as defined by ~~IC 34-6-2-10.4(b)~~; **IC 34-6-2.1-14(b)**).

(2) "COVID-19" has the meaning set forth in ~~IC 34-6-2-31.4(c)~~; **IC 34-6-2.1-40(c)**.

(3) "Health care provider" has the meaning set forth in IC 4-6-14-2.

(4) "Health care services" has the meaning set forth in ~~IC 34-6-2-55(b)~~; **IC 34-6-2.1-84(b)**.

SECTION 139. IC 25-23-1-19.5, AS AMENDED BY P.L.9-2022, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19.5. (a) This section does not apply to certified registered nurse anesthetists.

(b) The board shall establish a program under which advanced practice registered nurses who meet the requirements established by the board are authorized to prescribe drugs, including controlled substances (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) in accordance with IC 25-1-9.3.

(c) The authority granted by the board under this section:

(1) expires on October 31 of the odd-numbered year following the



1 year the authority was granted or renewed; and

2 (2) is subject to renewal indefinitely for successive periods of two
3 (2) years.

4 (d) The rules adopted under section 7 of this chapter concerning the
5 authority of advanced practice registered nurses to prescribe drugs
6 must do the following:

7 (1) Require an advanced practice registered nurse or a prospective
8 advanced practice registered nurse who seeks the authority to
9 submit an application to the board.

10 (2) Require an applicant to satisfy the following as a prerequisite
11 to the initial granting of the authority:

12 (A) Meet all the qualifications for licensure as a registered
13 nurse under this article.

14 (B) Successfully complete:

15 (i) education requirements determined by the board to be
16 appropriate to the advanced practice registered nurse's role;
17 and

18 (ii) a graduate level course in pharmacology providing at
19 least two (2) semester hours of academic credit.

20 (C) Either:

21 (i) provide documentation, as requested by the board, that
22 the applicant has graduated before December 31, 1997, from
23 an advanced, organized formal education program
24 appropriate to the practice and that is acceptable to the
25 board; or

26 (ii) complete a graduate, postgraduate, or doctoral advanced
27 practice registered nurse program from an accredited college
28 or university.

29 (3) Establish requirements for an advanced practice registered
30 nurse to comply with national certification or the certification's
31 equivalence, including a portfolio equivalence, appropriate to the
32 advanced practice registered nurse's role.

33 (4) Require, as a condition of the renewal of the authority, the
34 completion by the advanced practice registered nurse of the
35 continuing education requirements set out in section 19.7 of this
36 chapter.

37 SECTION 140. IC 25-24-3-6, AS AMENDED BY P.L.56-2015,
38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2025]: Sec. 6. As used in this chapter, "legend drug" has the
40 meaning set forth in IC 16-18-2-199. The term does not include
41 controlled substances (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**)
42 other than Tramadol (Ultram).



1 SECTION 141. IC 25-26-13-25, AS AMENDED BY P.L. 247-2019,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 25. (a) All original prescriptions, whether in
 4 written or electronic format, shall be numbered and maintained in
 5 numerical and chronological order, or in a manner approved by the
 6 board and accessible for at least two (2) years in the pharmacy. A
 7 prescription transmitted from a practitioner by means of
 8 communication other than writing must immediately be reduced to
 9 writing or recorded in an electronic format by the pharmacist. The files
 10 shall be open for inspection to any member of the board or the board's
 11 duly authorized agent or representative.

12 (b) A prescription may be electronically transmitted from the
 13 practitioner by computer or another electronic device to a pharmacy
 14 that is licensed under this article or any other state or territory. An
 15 electronic data intermediary that is approved by the board:

- 16 (1) may transmit the prescription information between the
- 17 prescribing practitioner and the pharmacy;
- 18 (2) may archive copies of the electronic information related to the
- 19 transmissions as necessary for auditing and security purposes; and
- 20 (3) must maintain patient privacy and confidentiality of all
- 21 archived information as required by applicable state and federal
- 22 laws.

23 (c) Except as provided in subsection (d), a prescription for any drug,
 24 the label of which bears either the legend, "Caution: Federal law
 25 prohibits dispensing without prescription" or "Rx Only", may not be
 26 refilled without written, electronically transmitted, or oral authorization
 27 of a licensed practitioner.

28 (d) A prescription for any drug, the label of which bears either the
 29 legend, "Caution: Federal law prohibits dispensing without
 30 prescription" or "Rx Only", may be refilled by a pharmacist without the
 31 written, electronically transmitted, or oral authorization of a licensed
 32 practitioner if all of the following conditions are met:

- 33 (1) The pharmacist has made every reasonable effort to contact
- 34 the original prescribing practitioner or the practitioner's designee
- 35 for consultation and authorization of the prescription refill.
- 36 (2) The pharmacist believes that, under the circumstances, failure
- 37 to provide a refill would be seriously detrimental to the patient's
- 38 health.
- 39 (3) The original prescription authorized a refill but a refill would
- 40 otherwise be invalid for either of the following reasons:
- 41 (A) All of the authorized refills have been dispensed.
- 42 (B) The prescription has expired under subsection (h).



1 (4) The prescription for which the patient requests the refill was:

2 (A) originally filled at the pharmacy where the request for a
3 refill is received and the prescription has not been transferred
4 for refills to another pharmacy at any time; or

5 (B) filled at or transferred to another location of the same
6 pharmacy or its affiliate owned by the same parent corporation
7 if the pharmacy filling the prescription has full access to
8 prescription and patient profile information that is
9 simultaneously and continuously updated on the parent
10 corporation's information system.

11 (5) The drug is prescribed for continuous and uninterrupted use
12 and the pharmacist determines that the drug is being taken
13 properly in accordance with IC 25-26-16.

14 (6) The pharmacist shall document the following information
15 regarding the refill:

16 (A) The information required for any refill dispensed under
17 subsection (e).

18 (B) The dates and times that the pharmacist attempted to
19 contact the prescribing practitioner or the practitioner's
20 designee for consultation and authorization of the prescription
21 refill.

22 (C) The fact that the pharmacist dispensed the refill without
23 the authorization of a licensed practitioner.

24 (7) The pharmacist notifies the original prescribing practitioner
25 of the refill and the reason for the refill by the practitioner's next
26 business day after the refill has been made by the pharmacist.

27 (8) Any pharmacist initiated refill under this subsection may not
28 be for more than the quantity on the most recent fill or a thirty
29 (30) day supply, whichever is less.

30 (9) Not more than one (1) pharmacist initiated refill is dispensed
31 under this subsection for a single prescription in a six (6) month
32 period.

33 (10) The drug prescribed is not a controlled substance.

34 A pharmacist may not refill a prescription under this subsection if the
35 practitioner has designated on the prescription form the words "No
36 Emergency Refill".

37 (e) When refilling a prescription, the refill record shall include:

38 (1) the date of the refill;

39 (2) the quantity dispensed if other than the original quantity; and

40 (3) the dispenser's identity on:

41 (A) the original prescription form; or

42 (B) another board approved, uniformly maintained, readily



1 retrievable record.

2 (f) The original prescription form or the other board approved
3 record described in subsection (e) must indicate by the number of the
4 original prescription the following information:

- 5 (1) The name and dosage form of the drug.
- 6 (2) The date of each refill.
- 7 (3) The quantity dispensed.
- 8 (4) The identity of the pharmacist who dispensed the refill.
- 9 (5) The total number of refills for that prescription.

10 (g) This subsection does not apply:

- 11 (1) unless a patient requests a prescription drug supply of more
- 12 than thirty (30) days;
- 13 (2) to the dispensing of a controlled substance (as defined in
- 14 ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**); or
- 15 (3) if a prescriber indicates on the prescription that the quantity of
- 16 the prescription may not be changed.

17 A pharmacist may dispense, upon request of the patient, personal or
18 legal representative of the patient, or guardian of the patient, not more
19 than a ninety (90) day supply of medication if the patient has completed
20 an initial thirty (30) day supply of the drug therapy and the
21 prescription, including any refills, allows a pharmacist to dispense at
22 least a ninety (90) day supply of the medication. However, a pharmacist
23 shall comply with state and federal laws and regulations concerning the
24 dispensing limitations concerning a prescription drug. The pharmacist
25 shall inform the customer concerning whether the additional supply of
26 the prescription will be covered under the patient's insurance, if
27 applicable.

28 (h) A prescription is valid for not more than one (1) year after the
29 original date of issue.

30 (i) A pharmacist may not knowingly dispense a prescription after
31 the demise of the practitioner, unless in the pharmacist's professional
32 judgment it is in the best interest of the patient's health.

33 (j) A pharmacist may not knowingly dispense a prescription after
34 the demise of the patient.

35 (k) A pharmacist or a pharmacy shall not resell, reuse, or
36 redistribute a medication that is returned to the pharmacy after being
37 dispensed unless the medication:

- 38 (1) was dispensed to an individual:
 - 39 (A) residing in an institutional facility (as defined in 856
 - 40 IAC 1-28.1-1(6));
 - 41 (B) in a hospice program under IC 16-25; or
 - 42 (C) in a county jail or department of correction facility;



- 1 (2) was properly stored and securely maintained according to
- 2 sound pharmacy practices;
- 3 (3) is returned unopened and:
- 4 (A) was dispensed in the manufacturer's original:
- 5 (i) bulk, multiple dose container with an unbroken tamper
- 6 resistant seal; or
- 7 (ii) unit dose package; or
- 8 (B) was packaged by the dispensing pharmacy in a:
- 9 (i) multiple dose blister container; or
- 10 (ii) unit dose package;
- 11 (4) was dispensed by the same pharmacy as the pharmacy
- 12 accepting the return;
- 13 (5) is not expired; and
- 14 (6) is not a controlled substance (as defined in ~~IC 35-48-1-9~~;
- 15 **IC 35-48-1.1-7**), unless the pharmacy holds a Category II permit
- 16 (as described in section 17 of this chapter).
- 17 (l) A pharmacist or a pharmacy shall not resell, reuse, or redistribute
- 18 medical devices or medical supplies used for prescription drug therapy
- 19 that have been returned to the pharmacy after being dispensed unless
- 20 the medical devices or medical supplies:
- 21 (1) were dispensed to an individual in a county jail or department
- 22 of correction facility;
- 23 (2) are not expired; and
- 24 (3) are returned unopened and in the original sealed packaging.
- 25 (m) A pharmacist may use the pharmacist's professional judgment
- 26 as to whether to accept medication for return under this section.
- 27 (n) This subsection does not apply to a controlled substance,
- 28 compounded drug, or biological product, or if the prescriber has
- 29 indicated adaptation of a prescription is not permitted. A pharmacist,
- 30 acting in good faith, exercising reasonable care, and obtaining patient
- 31 consent, may do the following:
- 32 (1) Change the quantity of a medication prescribed if:
- 33 (A) the prescribed quantity or package size is not
- 34 commercially available;
- 35 (B) the change in quantity is related to a change in dosage
- 36 form; or
- 37 (C) the change in quantity reflects the intended day supply.
- 38 (2) Change the dosage form of the prescription if it is in the best
- 39 interest of patient care, if the prescriber's directions are also
- 40 modified to equate to an equivalent amount of drug dispensed as
- 41 prescribed.
- 42 (3) Complete missing information on a prescription if there is



sufficient evidence to support the change.

(4) Extend a maintenance drug for the limited quantity necessary to coordinate a patient's refills in a medication synchronization program.

A pharmacist who adapts a prescription in accordance with this subsection must document the adaptation in the patient's record.

(o) A pharmacist who violates subsection (d) commits a Class A infraction.

SECTION 142. IC 25-26-24-2.5, AS ADDED BY P.L.264-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.5. As used in this chapter, "controlled substance" has the meaning set forth in ~~IC 35-48-1-9~~. **IC 35-48-1.1-7**. The term includes gabapentin.

SECTION 143. IC 25-26-26-7, AS ADDED BY P.L.208-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) As used in this chapter, "prescription drug" means a drug, as defined in IC 25-26-13-2, that requires a prescription before being dispensed or administered to a patient.

(b) The term does not include:

- (1) an abortion inducing drug (as defined in IC 16-18-2-1.6); or
- (2) controlled substances (as defined in ~~IC 35-48-1-9~~. **IC 35-48-1.1-7**).

SECTION 144. IC 25-29-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. If after a physical or mental examination under IC 25-1-9-7 and a hearing, the board determines that a podiatrist is impaired from practicing podiatric medicine with reasonable skill and safety because of a mental illness, a physical illness, or an excessive use or habitual abuse of a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or alcohol the board may impose any of the following, singly or in combination:

- (1) Require the podiatrist to submit to care, counseling, or treatment that is acceptable to the board.
- (2) Suspend, limit, or restrict the podiatrist's license for the duration of the impairment.
- (3) Revoke the podiatrist's license.

SECTION 145. IC 27-1-29-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. As used in this chapter, "political subdivision" has the meaning set forth in ~~IC 34-6-2-110~~. **IC 34-6-2.1-155**.

SECTION 146. IC 27-1-29.1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. As used in this chapter, "political subdivision" has the meaning set forth in



1 ~~IC 34-6-2-110~~ **IC 34-6-2.1-155.**

2 SECTION 147. IC 27-1-45.5-2, AS ADDED BY P.L.117-2021,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2025]: Sec. 2. As used in this chapter, "political subdivision"
5 has the meaning set forth in ~~IC 34-6-2-110~~ **IC 34-6-2.1-155.**

6 SECTION 148. IC 27-13-31-2 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) As used in this
8 section, "in good faith and without malice" when used to describe an
9 action taken or a decision or recommendation made means that:

10 (1) a reasonable effort has been taken to obtain the facts of the
11 matter;

12 (2) a reasonable belief exists that the action, decision, or
13 recommendation is warranted by the facts known; and

14 (3) if the action is described in IC 34-30-15-7, the action is made
15 in compliance with IC 34-30-15-7.

16 (b) As used in this section, "health care review committee" means
17 a peer review committee under ~~IC 34-6-2-99~~ **IC 34-6-2.1-145** (or
18 IC 34-4-12.6-1(c) before its repeal).

19 (c) In all actions to which this section applies, good faith shall be
20 presumed and malice shall be required to be proven by the person
21 aggrieved.

22 (d) A person who, in good faith and without malice:

23 (1) takes any action or makes a decision or recommendation as a
24 member, an agent, or an employee of a health care review
25 committee; or

26 (2) furnishes any record, information, or assistance to a health
27 care review committee;

28 is not subject to liability for damages in any legal action in
29 consequence of that action.

30 (e) Neither:

31 (1) the health maintenance organization or limited service health
32 maintenance organization that established the health care review
33 committee; or

34 (2) the officers, directors, employees, or agents of the health
35 maintenance organization or limited service health maintenance
36 organization;

37 are liable for damages in any civil action for the activities of a person
38 who, in good faith and without malice, takes any action or makes a
39 decision or recommendation as a member, an agent, or an employee of
40 a health care review committee, or furnishes any record, information,
41 or assistance to a health care review committee.

42 (f) This section does not relieve any person of liability arising from



1 treatment of a patient or an enrollee, or from a determination of the
 2 reimbursement to be provided under the terms of an insurance policy,
 3 a health maintenance organization contract, or another benefit program
 4 providing payment, reimbursement, or indemnification for health care
 5 costs based on the appropriateness of health care services delivered to
 6 an enrollee.

7 (g) A health care review committee shall comply with ~~IC 34-6-2-99~~.
 8 **IC 34-6-2.1-145.**

9 SECTION 149. IC 28-9-2-7 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. "Person" has the
 11 meaning set forth in ~~IC 3-5-2-36~~. **IC 3-5-2.1-77.**

12 SECTION 150. IC 31-9-2-24 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. "Controlled
 14 substance", for purposes of the juvenile law, has the meaning set forth
 15 in ~~IC 35-48-1~~. **IC 35-48-1.1.**

16 SECTION 151. IC 31-9-2-97.4, AS AMENDED BY P.L.3-2016,
 17 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2025]: Sec. 97.4. "Professional health care provider", for
 19 purposes of IC 31-19-25, has the meaning set forth in ~~IC 34-6-2-117~~.
 20 **IC 34-6-2.1-165.**

21 SECTION 152. IC 31-19-19-4, AS AMENDED BY P.L.128-2012,
 22 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2025]: Sec. 4. All papers, records, and information pertaining
 24 to the adoption, whether part of:

25 (1) the permanent record of the court; or

26 (2) a file in:

27 (A) the division of vital records;

28 (B) the department or local office;

29 (C) a licensed child placing agency; or

30 (D) a professional health care provider (as defined in

31 ~~IC 34-6-2-117~~; **IC 34-6-2.1-165**);

32 are confidential and may be disclosed only in accordance with
 33 IC 31-19-17, this chapter, or IC 31-19-20 through IC 31-19-25.5.

34 SECTION 153. IC 31-19-21-6, AS AMENDED BY P.L.3-2016,
 35 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2025]: Sec. 6. The following persons shall provide for the
 37 storage and indexing of consents made under this chapter to carry out
 38 IC 31-19-24 through IC 31-19-25.5:

39 (1) The state registrar.

40 (2) The department.

41 (3) County offices of family and children.

42 (4) Licensed child placing agencies.



(5) Professional health care providers (as defined in ~~IC 34-6-2-117~~; **IC 34-6-2.1-165**).

(6) Courts.

SECTION 154. IC 31-19-21-7, AS AMENDED BY P.L.128-2012, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. The following persons shall send a copy of a consent for the release of identifying information and any signed writing that withdraws or modifies a consent for the release of identifying information received by the person to the state registrar:

(1) The department.

(2) A local office.

(3) A licensed child placing agency.

(4) A professional health care provider (as defined in ~~IC 34-6-2-117~~; **IC 34-6-2.1-165**).

(5) An attorney.

(6) A court.

SECTION 155. IC 31-19-23-1, AS AMENDED BY P.L.128-2012, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following persons shall release nonidentifying information concerning an adoption in the entity's possession to any person described in IC 31-19-18-2(a) upon request:

(1) The state registrar.

(2) The department.

(3) A local office.

(4) A licensed child placing agency.

(5) A professional health care provider (as defined in ~~IC 34-6-2-117~~; **IC 34-6-2.1-165**).

(6) The attorney who arranged the adoption.

(7) A court.

SECTION 156. IC 31-19-24-1, AS AMENDED BY P.L.97-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Any interested person may file a petition with any court with probate jurisdiction in Indiana requesting the release of:

(1) medical information;

(2) nonidentifying information; or

(3) identifying information;

that is not available through the state registrar or not allowed to be released by the state registrar.

(b) The contents of a petition must include to the best knowledge of the petitioner the following:

(1) The full name and current address of the petitioner.



- 1 (2) The adopted person's:
 - 2 (A) full name;
 - 3 (B) sex;
 - 4 (C) date of birth;
 - 5 (D) place of birth, if known; and
 - 6 (E) current address, if known.
- 7 (3) The county of the adoption proceeding, if known.
- 8 (4) The name and address of the agency that placed the adopted
- 9 person, if known.
- 10 (5) The full name and current address of the petitioners for
- 11 adoption, if any.
- 12 (6) The date of the adoption proceeding, if known.
- 13 (7) The full name and current address of the birth parents, if
- 14 known.
- 15 (8) The nature of the:
 - 16 (A) medical;
 - 17 (B) identifying; or
 - 18 (C) nonidentifying;
- 19 information being sought.
- 20 (9) An affirmation:
 - 21 (A) by an attending physician, if medical information is
 - 22 sought, that indicates:
 - 23 (i) the nature of the illness;
 - 24 (ii) that the illness is believed to be hereditary or congenital;
 - 25 or
 - 26 (iii) why the information to be sought or shared is necessary
 - 27 for diagnosis or treatment of any person;
 - 28 (B) by the petitioner, if medical, identifying, or nonidentifying
 - 29 information is sought, that sets forth the reasons why the
 - 30 release of the information may be beneficial to the welfare of
 - 31 the adoptee, a birth parent, a relative of an adoptee, or a
 - 32 relative of a birth parent; and
 - 33 (C) that the medical, identifying, or nonidentifying information
 - 34 sought:
 - 35 (i) is not available through the state registrar; or
 - 36 (ii) is not allowed to be released by the state registrar.
- 37 (10) A statement by the petitioner that the petitioner agrees to the
- 38 payment of:
 - 39 (A) a reasonable fee for the services of a confidential
 - 40 intermediary if a confidential intermediary is appointed under
 - 41 section 2 of this chapter; and
 - 42 (B) reasonable fees and any actual expenses of an attorney, a



child placing agency, or a professional health care provider (as defined in ~~IC 34-6-2-117~~) **IC 34-6-2.1-165**) that is requested to search its records and release information under sections 2 through 11 of this chapter.

(11) A description of the medical, identifying, or nonidentifying information being sought.

SECTION 157. IC 31-19-24-3, AS AMENDED BY P.L.128-2012, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. Whenever the court appoints a confidential intermediary under section 2(2) of this chapter, the court shall do the following:

(1) Consider:

(A) the highly emotional and personal issues relating to adoption;

(B) the privacy rights of both birth parents, adoptees, and pre-adoptive siblings;

(C) the reasons the medical, identifying, or nonidentifying information is being sought under section 1 of this chapter; and

(D) any irreparable harm to a birth parent, an adoptee, or a pre-adoptive sibling that may arise if appropriate consideration is not given to the issues described in clauses (A) through (C).

(2) Provide the confidential intermediary with an order authorizing the confidential intermediary to search certain records that may include:

(A) the division of public health statistics;

(B) the department or local office;

(C) any licensed child placing agency; or

(D) any professional health care provider (as defined in ~~IC 34-6-2-117~~) **IC 34-6-2.1-165**).

An order under this subdivision must specify the information to be sought by the confidential intermediary.

(3) Specify the direct contact, if any, that a confidential intermediary may have with any person from whom the medical, identifying, or nonidentifying information is being sought, such as providing that the confidential intermediary may only inform the person of the existence of the adoption history program administered by the state registrar under IC 31-19-18 through IC 31-19-23, this chapter, IC 31-19-25, and IC 31-19-25.5.

(4) Specify the limitations, if any, that the court considers necessary to prevent the confidential intermediary's search under this chapter from resulting in harm to a birth parent, an adoptee,



1 or a pre-adoptive sibling.

2 (5) Require the confidential intermediary to affirm under oath that
3 the confidential intermediary agrees to act in good faith and
4 perform its responsibilities in accordance with sections 2 through
5 9 of this chapter.

6 (6) Instruct the confidential intermediary to act as quickly as
7 possible.

8 SECTION 158. IC 31-26-5-3, AS AMENDED BY P.L.183-2017,
9 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2025]: Sec. 3. (a) Family preservation services may provide:

11 (1) comprehensive, coordinated, flexible, and accessible services;
12 (2) intervention as early as possible with emphasis on establishing
13 a safe and nurturing environment;

14 (3) services to families who have members placed in care settings
15 outside the nuclear family; and

16 (4) planning options for temporary placement outside the family
17 if it would endanger the child to remain in the home.

18 (b) Unless authorized by a juvenile court, family preservation
19 services may not include a temporary out-of-home placement if a
20 person who is currently residing in the location designated as the
21 out-of-home placement has committed an act resulting in a
22 substantiated report of child abuse or neglect or has a juvenile
23 adjudication or a conviction for a nonwaivable offense, as defined in
24 IC 31-9-2-84.8.

25 (c) Before placing a child at imminent risk of placement in a
26 temporary out-of-home placement, the department shall conduct a
27 criminal history check (as defined in IC 31-9-2-22.5) for each person
28 described in subsection (b). However, the department is not required
29 to conduct a criminal history check under this section if the temporary
30 out-of-home placement is made to an entity or facility that is not a
31 residence (as defined in ~~IC 3-5-2-42.5~~ **IC 3-5-2.1-90**) or that is
32 licensed by the state.

33 SECTION 159. IC 31-34-4-2, AS AMENDED BY P.L.46-2024,
34 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2025]: Sec. 2. (a) If a child alleged to be a child in need of
36 services is taken into custody under an order of the court under this
37 chapter and the court orders out-of-home placement, the department is
38 responsible for that placement and care and must consider placing the
39 child with a:

40 (1) suitable and willing relative; or

41 (2) de facto custodian;

42 before considering any other out-of-home placement.



(b) The department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before the department places a child in need of services with a relative or a de facto custodian, the department shall complete an evaluation based on a home visit of the relative's home.

(d) Except as provided in subsection (f), before placing a child in need of services in an out-of-home placement, the department shall conduct a criminal history check of each person who is currently residing in the location designated as the out-of-home placement.

(e) Except as provided in subsection (g), the department may not make an out-of-home placement if a person described in subsection (d) has:

(1) committed an act resulting in a substantiated report of child abuse or neglect; or

(2) been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 or had a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult.

(f) The department is not required to conduct a criminal history check under subsection (d) if the department makes an out-of-home placement to an entity or a facility that is not a residence (as defined in ~~IC 3-5-2-42.5~~ **IC 3-5-2.1-90**) or that is licensed by the state.

(g) A court may order or the department may approve an out-of-home placement if:

(1) a person described in subsection (d) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; or

(ix) a felony under IC 9-30-5;

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as



- 1 defined in IC 31-9-2-84.8 that, if committed by an adult,
 2 would be a felony; and
 3 (2) the person's commission of the offense, delinquent act, or act
 4 of abuse or neglect described in subdivision (1) is not relevant to
 5 the person's present ability to care for a child, and the placement
 6 is in the best interest of the child.
 7 However, a court or the department shall not make an out-of-home
 8 placement if the person has been convicted of a nonwaivable offense,
 9 as defined in IC 31-9-2-84.8 that is not specifically excluded under
 10 subdivision (1)(B).
 11 (h) In considering the placement under subsection (g), the court or
 12 the department shall consider the following:
 13 (1) The length of time since the person committed the offense,
 14 delinquent act, or abuse or neglect.
 15 (2) The severity of the offense, delinquent act, or abuse or neglect.
 16 (3) Evidence of the person's rehabilitation, including the person's
 17 cooperation with a treatment plan, if applicable.
 18 SECTION 160. IC 31-34-18-6.1, AS AMENDED BY P.L.210-2019,
 19 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2025]: Sec. 6.1. (a) The predispositional report prepared by
 21 the department or caseworker must include the following information:
 22 (1) A description of all dispositional options considered in
 23 preparing the report.
 24 (2) An evaluation of each of the options considered in relation to
 25 the plan of care, treatment, rehabilitation, or placement
 26 recommended under the guidelines described in section 4 of this
 27 chapter.
 28 (3) A description of the due diligence efforts that the department
 29 has made to identify all adult relatives of the child.
 30 (4) The name, occupation and position, and any relationship to the
 31 child of each person with whom the preparer of the report
 32 conferred as provided in section 1.1 of this chapter.
 33 (5) The report and recommendations of the dual status assessment
 34 team if the child is a dual status child under IC 31-41.
 35 (b) If the department or caseworker is considering an out-of-home
 36 placement, including placement with a blood or an adoptive relative
 37 caretaker, the department or caseworker shall conduct a criminal
 38 history check (as defined in IC 31-9-2-22.5) for each person who is
 39 currently residing in the location designated as the out-of-home
 40 placement. The results of the criminal history check must be included
 41 in the predispositional report.
 42 (c) The department or caseworker is not required to conduct a



1 criminal history check under this section if:

2 (1) the department or caseworker is considering only an
3 out-of-home placement to an entity or a facility that:

4 (A) is not a residence (as defined in ~~IC 3-5-2-42.5~~;
5 **IC 3-5-2.1-90**); or

6 (B) is licensed by the state; or

7 (2) placement under this section is undetermined at the time the
8 predispositional report is prepared.

9 SECTION 161. IC 31-34-20-1.5, AS AMENDED BY P.L.142-2020,
10 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2025]: Sec. 1.5. (a) Except as provided in subsection (d), the
12 juvenile court may not enter a dispositional decree approving or
13 ordering placement of a child in another home under section 1(a)(3) of
14 this chapter or awarding wardship to the department that will place the
15 child in another home under section 1(a)(4) of this chapter if a person
16 who is currently residing in the home in which the child would be
17 placed under section 1(a)(3) or 1(a)(4) of this chapter has committed
18 an act resulting in a substantiated report of child abuse or neglect, has
19 a juvenile adjudication for an act that would be a nonwaivable offense,
20 as defined in IC 31-9-2-84.8 if committed by an adult, or has a
21 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

22 (b) The department or caseworker who prepared the predispositional
23 report shall conduct a criminal history check (as defined in
24 IC 31-9-2-22.5) to determine if a person described in subsection (a) has
25 committed an act resulting in a substantiated report of child abuse or
26 neglect, has a juvenile adjudication for an act that would be a
27 nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an
28 adult, or has a conviction for a nonwaivable offense, as defined in
29 IC 31-9-2-84.8. However, the department or caseworker is not required
30 to conduct a criminal history check under this section if criminal
31 history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes
32 whether a person described in subsection (a) has committed an act
33 resulting in a substantiated report of child abuse or neglect, has a
34 juvenile adjudication for an act that would be a nonwaivable offense,
35 as defined in IC 31-9-2-84.8 if committed by an adult, or has a
36 conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

37 (c) The department or caseworker is not required to conduct a
38 criminal history check under this section if:

39 (1) the department or caseworker is considering only an
40 out-of-home placement to an entity or a facility that:

41 (A) is not a residence (as defined in ~~IC 3-5-2-42.5~~;
42 **IC 3-5-2.1-90**); or



- 1 (B) is licensed by the state; or
- 2 (2) placement under this section is undetermined at the time the
- 3 predispositional report is prepared.
- 4 (d) A juvenile court may enter a dispositional decree that approves
- 5 placement of a child in another home or award wardship to the
- 6 department that will place the child in a home with a person described
- 7 in subsection (a) if:
- 8 (1) the person described in subsection (a) has:
- 9 (A) committed an act resulting in a substantiated report of
- 10 child abuse or neglect;
- 11 (B) been convicted of:
- 12 (i) battery (IC 35-42-2-1);
- 13 (ii) criminal recklessness (IC 35-42-2-2) as a felony;
- 14 (iii) criminal confinement (IC 35-42-3-3) as a felony;
- 15 (iv) arson (IC 35-43-1-1) as a felony;
- 16 (v) nonsupport of a dependent child (IC 35-46-1-5);
- 17 (vi) operating a motorboat while intoxicated (IC 35-46-9-6)
- 18 as a felony;
- 19 (vii) a felony involving a weapon under IC 35-47;
- 20 (viii) a felony relating to controlled substances under
- 21 IC 35-48-4; or
- 22 (ix) a felony under IC 9-30-5;
- 23 if the conviction did not occur within the past five (5) years; or
- 24 (C) had a juvenile adjudication for a nonwaivable offense, as
- 25 defined in IC 31-9-2-84.8 that, if committed by an adult,
- 26 would be a felony; and
- 27 (2) the person's commission of the offense, delinquent act, or act
- 28 of abuse or neglect described in subdivision (1) is not relevant to
- 29 the person's present ability to care for a child, and placing a child
- 30 in another home or awarding wardship to the department is in the
- 31 best interest of the child.
- 32 However, a court may not enter a dispositional decree that approves
- 33 placement of a child in another home or awards wardship to the
- 34 department if the person has been convicted of a nonwaivable offense,
- 35 as defined in IC 31-9-2-84.8 that is not specifically excluded under
- 36 subdivision (1)(B).
- 37 (e) In considering the placement under subsection (d), the court
- 38 shall consider the following:
- 39 (1) The length of time since the person committed the offense,
- 40 delinquent act, or act that resulted in the substantiated report of
- 41 abuse or neglect.
- 42 (2) The severity of the offense, delinquent act, or abuse or neglect.



(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 162. IC 31-37-17-6.1, AS AMENDED BY P.L. 101-2022, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.1. (a) The predispositional report prepared by a probation officer must include the following information:

(1) A validated risk and needs assessment as described in section 1 of this chapter.

(2) A description of all dispositional options considered in preparing the report.

(3) An evaluation of each of the options considered in relation to the plan of care, treatment, rehabilitation, or placement recommended under the guidelines described in section 4 of this chapter.

(4) The name, occupation and position, and any relationship to the child of each person with whom the preparer of the report conferred as provided in section 1.1 of this chapter.

(5) The items required under section 1 of this chapter.

(6) The results of a dual status screening tool to determine whether the child is a dual status child as described in IC 31-41-1-2.

(b) If a probation officer is considering an out-of-home placement, including placement with a relative, the probation officer must conduct a criminal history check (as defined in IC 31-9-2-22.5) for each person who is currently residing in the location designated as the out-of-home placement. The results of the criminal history check must be included in the predispositional report.

(c) A probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in ~~IC 3-5-2-42.5~~;

IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

SECTION 163. IC 31-37-19-6.5, AS AMENDED BY P.L. 142-2020, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility



that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The juvenile probation officer who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the probation officer is not required to conduct a criminal history check under this section if criminal history information obtained under IC 31-37-17-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The juvenile probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in ~~IC 3-5-2-42.5~~;
IC 3-5-2.1-90); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) The juvenile court may enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) a felony under IC 9-30-5;



- 1 (ii) battery (IC 35-42-2-1);
- 2 (iii) criminal recklessness (IC 35-42-2-2) as a felony;
- 3 (iv) criminal confinement (IC 35-42-3-3) as a felony;
- 4 (v) arson (IC 35-43-1-1) as a felony;
- 5 (vi) nonsupport of a dependent child (IC 35-46-1-5);
- 6 (vii) operating a motorboat while intoxicated (IC 35-46-9-6)
- 7 as a felony;
- 8 (viii) a felony involving a weapon under IC 35-47; or
- 9 (ix) a felony relating to controlled substances under
- 10 IC 35-48-4;

11 if the conviction did not occur within the past five (5) years; or

12 (C) had a juvenile adjudication for a nonwaivable offense, as

13 defined in IC 31-9-2-84.8 that, if committed by an adult,

14 would be a felony; and

15 (2) the person's commission of the offense, delinquent act, or act

16 of abuse or neglect described in subdivision (1) is not relevant to

17 the person's present ability to care for a child, and placing the

18 child in another home is in the best interest of the child.

19 However, a court may not enter a dispositional decree placing a child

20 in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or

21 awarding wardship to a person or facility under this subsection if a

22 person with whom the child is or will be placed has been convicted of

23 a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not

24 specifically excluded under subdivision (1)(B).

25 (e) In considering the placement under subsection (d), the court

26 shall consider the following:

- 27 (1) The length of time since the person committed the offense,
- 28 delinquent act, or act that resulted in the substantiated report of
- 29 abuse or neglect.
- 30 (2) The severity of the offense, delinquent act, or abuse or neglect.
- 31 (3) Evidence of the person's rehabilitation, including the person's
- 32 cooperation with a treatment plan, if applicable.

33 SECTION 164. IC 31-37-19-13, AS AMENDED BY P.L. 111-2021,

34 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

35 JULY 1, 2025]: Sec. 13. (a) This section applies if a child is a

36 delinquent child under IC 31-37-1 due to the commission of a

37 delinquent act that, if committed by an adult, would be:

- 38 (1) dealing in:
 - 39 (A) a controlled substance (as defined in ~~IC 35-48-1-9~~;
 - 40 **IC 35-48-1.1-7**); or
 - 41 (B) a counterfeit substance (as defined in ~~IC 35-48-1-10~~;
 - 42 **IC 35-48-1.1-9**);



(2) possessing:

(A) a controlled substance (as defined in ~~IC 35-48-1-9~~;

IC 35-48-1.1-7); or

(B) a prescription drug (as defined in ~~IC 35-48-1-25~~;

IC 35-48-1.1-35);

for which the child does not have a prescription; or

(3) conspiring to commit an act described in subdivision (1) or

(2).

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to invalidate the child's driver's license or permit for a period specified by the court of at least six (6) months but not more than one (1) year from the time the child would otherwise be eligible for a learner's permit.

SECTION 165. IC 31-37-19-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be:

(1) dealing in:

(A) a controlled substance (as defined in ~~IC 35-48-1-9~~;

IC 35-48-1.1-7); or

(B) a counterfeit substance (as defined in ~~IC 35-48-1-10~~;

IC 35-48-1.1-9);

(2) possessing:

(A) a controlled substance (as defined in ~~IC 35-48-1-9~~;

IC 35-48-1.1-7); or

(B) a prescription drug (as defined in ~~IC 35-48-1-25~~;

IC 35-48-1.1-35);

for which the child does not have a prescription; or

(3) conspiring to commit an act described in subdivision (1) or

(2).

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles not to issue the child a learner's permit for a period specified by the court of at least six (6) months but not more than one (1) year from the time the child would otherwise be eligible for a learner's permit.

SECTION 166. IC 32-21-5-7, AS AMENDED BY P.L.175-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) The Indiana real estate commission established by IC 25-34.1-2-1 shall adopt a specific disclosure form that contains the following:



(1) Disclosure by the owner of the known condition of the following:

(A) The foundation.

(B) The mechanical systems.

(C) The roof.

(D) The structure.

(E) The water and sewer systems.

(F) Additions that may require improvements to the sewage disposal system.

(G) Other areas that the Indiana real estate commission determines are appropriate.

(2) Disclosure by the owner of known:

(A) contamination caused by the manufacture of a controlled substance (as defined by ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) on the property that has not been certified as decontaminated by a qualified inspector who is certified under IC 16-19-3.1; or

(B) manufacture of methamphetamine or dumping of waste from the manufacture of methamphetamine in a residential structure on the property.

(3) A notice to the prospective buyer that contains substantially the following language:

"The prospective buyer and the owner may wish to obtain professional advice or inspections of the property and provide for appropriate provisions in a contract between them concerning any advice, inspections, defects, or warranties obtained on the property."

(4) A notice to the prospective buyer that contains substantially the following language:

"The representations in this form are the representations of the owner and are not the representations of the agent, if any. This information is for disclosure only and is not intended to be a part of any contract between the buyer and owner."

(5) A disclosure by the owner that an airport is located within a geographical distance from the property as determined by the Indiana real estate commission. The commission may consider the differences between an airport serving commercial airlines and an airport that does not serve commercial airlines in determining the distance to be disclosed.

(6) A disclosure by the owner that:

(A) the property is located near a military installation, within a state area of interest (as defined in IC 36-7-30.2-6), and may be impacted to some degree by the effects of the installation's



1 military operations; and

2 (B) local laws may restrict use and development of the
3 property to promote compatibility with military installation
4 operations.

5 (7) If the owner has personal knowledge of the fact that all or a
6 portion of the real estate is located within a community's
7 floodplain boundaries, as indicated in a Federal Emergency
8 Management Agency Flood Insurance Rate Map, a disclosure by
9 the owner of that fact.

10 (b) Responsibility for the disclosure required under subsection
11 (a)(6) rests solely with the owner of the property and no liability for the
12 owner's failure to make the required disclosure shall accrue to any third
13 party. Failure of the owner to make the required disclosure under
14 subsection (a)(6) shall not:

15 (1) invalidate the transfer of the property; or

16 (2) create any encumbrance or lien upon any legal or equitable
17 title to the property.

18 SECTION 167. IC 32-21-13-1, AS ADDED BY P.L.5-2010,
19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2025]: Sec. 1. The definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to
21 this chapter.

22 SECTION 168. IC 32-30-8-2, AS AMENDED BY P.L.80-2019,
23 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (d), as
25 used in this chapter, "property" means a house, a building, a mobile
26 home, or an apartment that is leased for residential or commercial
27 purposes.

28 (b) The term includes:

29 (1) an entire building or complex of buildings; or

30 (2) a mobile home community;

31 and all real property of any nature appurtenant to and used in
32 connection with the house, building, mobile home, or apartment,
33 including all individual rental units and common areas.

34 (c) The term does not include a hotel, motel, or other guest house,
35 part of which is rented to a transient guest.

36 (d) For actions brought by the attorney general in relation to the sale
37 or solicited sale of a synthetic drug (as defined in IC 35-31.5-2-321),
38 a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~;
39 **IC 35-48-1.1-8**), or a substance represented to be a controlled
40 substance (as described in IC 35-48-4-4.6), "property" means a house,
41 a building, a mobile home, or an apartment that is owned or leased for
42 commercial or residential purposes. The term includes all real property



of any nature appurtenant to and used in connection with the house, building, mobile home, or apartment.

SECTION 169. IC 32-30-8-10.5, AS AMENDED BY P.L.80-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.5. In addition to the remedies and penalties specified in sections 10, 11, 12, and 13 of this chapter, the court may do any of the following in an action brought under this chapter concerning the sale or solicited sale of a synthetic drug (as defined in IC 35-31.5-2-321), a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6):

(1) Issue a restraining order against the person subject to IC 32-30-7-9 and IC 32-30-7-13.

(2) Issue a preliminary injunction, temporary forfeiture, or closure order pending final decision on a permanent injunction subject to IC 32-30-7-12.

(3) Issue an order of abatement subject to IC 32-30-7-22.

SECTION 170. IC 33-23-1-4.5, AS ADDED BY P.L.252-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4.5. "Drug related felony" has the meaning set forth in ~~IC 35-48-1-16.3~~. **IC 35-48-1.1-17**.

SECTION 171. IC 33-23-16-2, AS AMENDED BY P.L.187-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this chapter, "chemical test" means an analysis of an individual's:

- (1) blood;
- (2) breath;
- (3) hair;
- (4) sweat;
- (5) saliva;
- (6) urine; or
- (7) other bodily substance;

to determine the presence of alcohol, a drug, or a controlled substance (as defined in ~~IC 35-48-1-9~~). **IC 35-48-1.1-7**).

SECTION 172. IC 33-33-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. A judge or candidate for judge of the Allen superior court may not:

- (1) accept a contribution (as defined in ~~IC 3-5-2-15~~) **IC 3-5-2.1-27**) from any political party, political action committee (as defined in ~~IC 3-5-2-37~~), **IC 3-5-2.1-78**), or regular party committee (as defined in ~~IC 3-5-2-42~~), **IC 3-5-2.1-89**); or
- (2) accept more than a total of ten thousand dollars (\$10,000) in



1 contributions from all sources to pay expenses connected with the
 2 candidate's candidacy.

3 SECTION 173. IC 33-33-49-13.1, AS ADDED BY P.L.245-2017,
 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2025]: Sec. 13.1. (a) As used in this chapter:

6 (1) "close relative" has the meaning set forth in IC 33-23-11-2;
 7 and

8 (2) "committee" refers to the Marion County judicial selection
 9 committee established by subsection (b).

10 (b) The Marion County judicial selection committee is established
 11 to:

12 (1) select nominees for the court; and

13 (2) make recommendations to the voters concerning the retention
 14 of a judge on the court.

15 (c) The committee consists of the following fourteen (14) members:

16 (1) Four (4) members who reside in Marion County, appointed as
 17 follows:

18 (A) One (1) member appointed by the speaker of the house of
 19 representatives.

20 (B) One (1) member appointed by the minority leader of the
 21 house of representatives.

22 (C) One (1) member appointed by the president pro tempore
 23 of the senate.

24 (D) One (1) member appointed by the minority leader of the
 25 senate.

26 A person appointed under this subdivision may not be a member
 27 of the general assembly.

28 (2) An attorney who resides in Marion County and practices
 29 primarily in the area of criminal law, appointed by the president
 30 of the Indianapolis bar association.

31 (3) An attorney who resides in Marion County and practices
 32 primarily in the area of criminal law, appointed by the president
 33 of the Marion County bar association.

34 (4) An attorney who resides in Marion County, appointed by the
 35 president of the Indiana Trial Lawyers Association.

36 (5) An attorney who resides in Marion County, appointed by the
 37 president of the Defense Trial Counsel of Indiana.

38 (6) Two (2) members appointed by the chairperson of each major
 39 political party (as defined by ~~IC 3-5-2-30(2)~~ **IC 3-5-2.1-62(2)**) in
 40 Marion County. Each of the four (4) members appointed under
 41 this subdivision must reside in Marion County and must reflect
 42 the diversity and makeup of Marion County.



(7) The chief judge of the Indiana Court of Appeals or a designee of the chief judge who is a judge of the Indiana Court of Appeals. The chief judge or chief judge's designee serves as the vice chairperson of the committee ex officio.

(8) The chief justice of Indiana or a designee of the chief justice who is a justice of the Indiana Supreme Court. The chief justice or chief justice's designee serves as the chairperson of the committee ex officio.

(d) If a member of the committee is employed by a law firm, no other person employed by the same law firm may be appointed to the committee.

(e) A member of the committee may not be:

(1) a current or former judge of the Marion superior or circuit court;

(2) a current or former judicial officer appointed by the Marion superior or circuit court;

(3) a current or former employee of the Marion superior or circuit court; or

(4) a close relative of anyone described in subdivision (1), (2), or (3).

This subsection does not apply to a member appointed under subsection (c)(7) or (c)(8).

(f) All attorney members of the committee must be in active and good standing with the Indiana Supreme Court.

(g) Each member of the committee who is not an ex officio member serves a four (4) year term, beginning on July 1, 2017, and ending on June 30, 2021. A member of the committee may be reappointed for one (1) or more additional four (4) year terms. If a member is appointed to fill a vacancy, the member serves during the unexpired term of the member's predecessor and may be reappointed for one (1) or more additional four (4) year terms.

(h) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy.

(i) An ex officio member of the committee ceases to be a member of the committee at the time the person no longer holds the office that entitles the person to be a member of the committee.

(j) A member of the committee described in subsection (c)(1) through (c)(6) who no longer resides in Marion County is considered to have resigned from the committee. A member of the committee who no longer resides in Marion County shall notify the chairperson in writing of the member's change in residence.



- 1 (k) A quorum consists of nine (9) members of the committee.
- 2 (l) The affirmative votes of nine (9) members of the committee are
- 3 required for the committee to take official action with respect to any
- 4 candidate for judicial office.
- 5 (m) The committee shall:
- 6 (1) nominate judicial candidates for the court in accordance with
- 7 section 13.4 of this chapter; and
- 8 (2) make recommendations concerning retention in accordance
- 9 with section 13.7 of this chapter.
- 10 (n) The committee meets upon the call of the chairperson.
- 11 (o) The committee shall meet in the Indiana statehouse or in any
- 12 other appropriate location in Marion County, as determined by the
- 13 chairperson.
- 14 (p) Except as otherwise provided in subsection (q) or otherwise
- 15 provided in this chapter, the committee may adopt its own policies and
- 16 operating procedures. The policies and procedures must comply with
- 17 IC 5-14-1.5 (the open door law) and this chapter, and must include
- 18 procedures by which eligible candidates for a vacancy on the court may
- 19 submit their names to the committee. The policies and procedures are
- 20 public records, and the meetings of the committee at which the policies
- 21 and procedures are considered for initial adoption or amendment must
- 22 be publicly announced and open to the public. Applications of
- 23 candidates for judicial appointment are public records.
- 24 (q) Notwithstanding IC 5-14-1.5-2, the committee is a public agency
- 25 for the purposes of IC 5-14-1.5. The committee may meet in executive
- 26 session under IC 5-14-1.5-6.1 for the consideration of a candidate for
- 27 appointment to or retention on the court if:
- 28 (1) notice of the executive session is given in the manner
- 29 prescribed by IC 5-14-1.5-5; and
- 30 (2) all interviews of candidates are conducted at meetings open to
- 31 the public.
- 32 (r) Notwithstanding IC 5-14-3-4, all public records (as defined in
- 33 IC 5-14-3-2) of the committee are subject to IC 5-14-3-3, including
- 34 records described in IC 5-14-3-4(b)(12). However, the following
- 35 records are excepted from public inspection and copying at the
- 36 discretion of the committee:
- 37 (1) Personnel files of committee employees and members and
- 38 files of applicants for employment with the committee to the
- 39 extent permitted under IC 5-14-3-4(b)(8).
- 40 (2) Records specifically prepared for discussion or developed
- 41 during discussion in an executive session under IC 5-14-1.5-6.1,
- 42 unless the records are prepared for use in the consideration of a



1 candidate for retention or judicial appointment.

2 (3) Investigatory records prepared for the committee until:

3 (A) the records are considered in connection with the
4 consideration of a candidate;

5 (B) the records are publicly discussed by the committee in
6 connection with the consideration of a candidate;

7 (C) a candidate elects to have the records released by the
8 committee; or

9 (D) the committee elects to release the records that the
10 committee considers appropriate in response to publicly
11 disseminated statements relating to the activities or actions of
12 the committee;

13 whichever occurs first.

14 (4) The work product of an attorney (as defined in IC 5-14-3-2)
15 representing the committee.

16 (s) When an event described by subsection (r)(3) occurs, the
17 investigatory record becomes available for public inspection and
18 copying under IC 5-14-3-3.

19 (t) A former member of the committee may not be nominated as a
20 judge of the court if the person has served as a member of the
21 committee within the previous five (5) years.

22 SECTION 174. IC 33-42-9-7, AS AMENDED BY P.L.185-2021,
23 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2025]: Sec. 7. (a) A notarial act may be performed by the
25 following individuals:

26 (1) Notaries public.

27 (2) An official court reporter acting under IC 33-41-1-6.

28 (3) Judges and justices of Indiana courts.

29 (4) The secretary of state.

30 (5) The clerk of the supreme court.

31 (6) Mayors, clerks, clerk-treasurers of towns and cities, township
32 trustees, in their respective towns, cities, and townships.

33 (7) Clerks of circuit courts and master commissioners in their
34 respective counties.

35 (8) Judges of United States district courts of Indiana, in their
36 respective jurisdictions.

37 (9) United States commissioners appointed for any United States
38 district court of Indiana, in their respective jurisdictions.

39 (10) A precinct election officer (as defined in ~~IC 3-5-2-40.1~~)
40 **IC 3-5-2.1-82**) and an absentee voter board member appointed
41 under IC 3-11-10 or IC 3-11.5-4, for any purpose authorized
42 under IC 3.



(11) A member of the Indiana election commission, a co-director of the election division, or an employee of the election division as defined under IC 3-6-4.2.

(12) County auditors in their respective counties.

(13) County recorders in their respective counties.

(14) Any member of the Indiana general assembly anywhere in Indiana.

(15) The adjutant general of the Indiana National Guard, specific active duty members, reserve duty members, or civilian employees of the Indiana National Guard designated by the adjutant general of the Indiana National Guard for any purpose related to the service of an active duty or reserve member of the Indiana National Guard.

(b) The signature and title of an individual performing a notarial act in Indiana is prima facie evidence of the fact that:

(1) the signature is genuine; and

(2) the individual holds the designated title.

SECTION 175. IC 34-6-2 IS REPEALED [EFFECTIVE JULY 1, 2025]. (Definitions for Civil Law Statute).

SECTION 176. IC 34-6-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 2.1. Definitions

Sec. 1. (a) "Actual damages", for purposes of IC 34-15-3, includes all damages that the plaintiff may have suffered in respect to the plaintiff's character, property, business, trade, profession, or occupation.

(b) "Actual damages", for purposes of IC 34-15-4, means all damages that the plaintiff may have suffered in respect to the plaintiff's reputation, property, business, trade, profession, or occupation.

(c) The phrase does not include any other damages.

Sec. 2. "Adult person", for purposes of IC 34-23-1-2, has the meaning set forth in IC 34-23-1-2(a).

Sec. 3. "Advance payment", for purposes of IC 34-44-2, means a payment made:

(1) by:

(A) the defendant in an action to recover damages for personal injuries, wrongful death, or property damage; or

(B) the defendant's insurance company; and

(2) to or for the plaintiff or any other person.

Sec. 4. "Advanced emergency medical technician", for purposes



1 of IC 34-18, has the meaning set forth in IC 34-18-2-3.5.

2 Sec. 5. (a) "Advertiser or sponsor", for purposes of IC 34-30-22,
3 means a person who for political, commercial, educational,
4 benevolent, or charitable purposes:

5 (1) donates or contributes money, materials, or products; or

6 (2) pays fees to advertise or display trademarks;
7 in connection with an event.

8 (b) The term does not include a person who exercises primary
9 control over an event.

10 Sec. 6. (a) "Agency", for purposes of IC 34-30-9, has the
11 meaning set forth in IC 4-20.5-1-3. The term includes any
12 institution supported by taxes.

13 (b) "Agency", for purposes of IC 34-52-2, refers to any elected
14 official or other authority exercising any of the executive, including
15 administrative, authority of the state. The term does not include
16 the legislative or judicial department of state government or a
17 political subdivision.

18 Sec. 7. "Aggrieved person", for purposes of IC 34-24-2, means
19 any of the following:

20 (1) A person who has an interest in property or in an
21 enterprise that:

22 (A) is the object of corrupt business influence (IC
23 35-45-6-2); or

24 (B) has suffered damages or harm as a result of corrupt
25 business influence (IC 35-45-6-2).

26 (2) An individual whose personal safety is threatened by
27 criminal organization (as defined in section 42 of this chapter)
28 activity.

29 (3) An individual or a business whose property value or
30 business activity is negatively affected due to criminal
31 organization (as defined in section 42 of this chapter) activity.

32 (4) A political subdivision in which criminal organization (as
33 defined in section 42 of this chapter) activity negatively affects
34 the property values or business activity of the political
35 subdivision or the personal safety of the political subdivision's
36 residents.

37 (5) The state.

38 Sec. 8. "Agricultural product", for purposes of IC 34-30-3 and
39 IC 34-30-5, means a natural product of a farm, a nursery, a grove,
40 an orchard, a vineyard, a garden, or an apiary. The term includes
41 trees and firewood.

42 Sec. 9. "Agritourism activity", for the purposes of IC 34-31-9,



1 has the meaning set forth in IC 34-31-9-2.

2 Sec. 10. "Agritourism provider", for the purposes of IC 34-31-9,
3 has the meaning set forth in IC 34-31-9-3.

4 Sec. 11. "Ambulance service", for purposes of IC 34-18, has the
5 meaning set forth in IC 34-18-2-4.

6 Sec. 12. "Annual aggregate", for purposes of IC 34-18, has the
7 meaning set forth in IC 34-18-2-5.

8 Sec. 13. "Arising (or arises) from a (or the) state disaster
9 emergency", for purposes of IC 34-7-8 and IC 34-30-13.5, means
10 an injury or harm:

11 (1) caused by or resulting from an act or omission performed
12 in response to a state disaster emergency declared under
13 IC 10-14-3-12 to respond to COVID-19; and

14 (2) arising from COVID-19.

15 Sec. 14. (a) "Arising from COVID-19", for purposes of
16 IC 34-30-32, has the meaning set forth in IC 34-30-32-2.

17 (b) "Arising from COVID-19", for purposes of section 13 of this
18 chapter, IC 34-12-5, and IC 34-13-3-3, means an injury or harm
19 caused by or resulting from:

20 (1) the actual, alleged, or possible exposure to or contraction
21 of COVID-19; or

22 (2) services, treatment, or other actions performed for
23 COVID-19.

24 (c) The definition under subsection (b) includes:

25 (1) the implementation of policies and procedures to:

26 (A) prevent or minimize the spread of COVID-19; and

27 (B) reallocate or procure staff or resources for COVID-19;

28 (2) testing in response to COVID-19;

29 (3) monitoring, collecting, reporting, tracking, tracing,
30 disclosing, or investigating COVID-19 exposure or other
31 COVID-19 related information;

32 (4) using, designing, manufacturing, providing, donating, or
33 servicing precautionary, diagnostic, collection, or other health
34 equipment or supplies, including personal protective
35 equipment, for COVID-19;

36 (5) closing or partially closing to prevent or minimize the
37 spread of COVID-19;

38 (6) delaying or modifying the scheduling or performance of a
39 nonemergency medical procedure or appointment due to
40 COVID-19;

41 (7) reasonable nonperformance of medical services due to
42 COVID-19; and



(8) providing services or products in response to government appeal or repurposing operations to address an urgent need for personal protective equipment, sanitation products, or other products necessary to protect the public from COVID-19.

Sec. 15. "Armory", for purposes of IC 34-30-8, means an armory constructed and operated under IC 10-16-3 or IC 10-16-4.

Sec. 16. "Asbestos claim", for purposes of IC 34-31-8, has the meaning set forth in IC 34-31-8-1.

Sec. 17. "Assisting sheriff", for purposes of IC 34-47-4, means the sheriff of a county other than the county in which a writ of attachment has been issued under IC 34-47-4.

Sec. 18. "Auctioneer", for purposes of IC 34-55-6, means an auctioneer licensed under IC 25-6-1.

Sec. 19. "Authority", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-6.

Sec. 20. "Authorized persons", for purposes of IC 34-43-1, include:

- (1) the patient;
- (2) a person authorized by the patient to request the records, if the authorization was made in writing not more than sixty (60) days before the date of the request for the records;
- (3) physicians or other professionals within the hospital;
- (4) a person entitled to request health records under IC 16-39-1-3;
- (5) a coroner who is investigating a death under IC 36-2-14-6; and
- (6) any other person designated by order of a court of competent jurisdiction.

Sec. 21. "Basic life support" has the meaning set forth in IC 16-18-2-33.5.

Sec. 22. "Beverages", for purposes of IC 34-30-8, includes alcoholic beverages.

Sec. 23. "Business", for purposes of IC 34-42, means each business, bank, industry, governmental entity, profession, occupation, and calling of every kind.

Sec. 24. "Center", for purposes of IC 34-57-3, means a community dispute resolution center or local program that provides conciliation, mediation, arbitration, or other dispute resolution services.

Sec. 25. "Certified copy of a certificate of title", for purposes of IC 34-40-4, means a document that is:



- (1) a copy of a certificate of title for a motor vehicle, by whatever name designated, that is issued by the bureau of motor vehicles or a governmental entity in another state;
- (2) prepared from a record of the governmental entity issuing the certificate of title; and
- (3) certified by the officer having legal custody of the record described in subdivision (2) or the officer's deputy.

Sec. 26. "Charitable entity", for purposes of IC 34-30-5, means any entity exempted from state gross retail tax under IC 6-2.5-5-25(a)(1)(B).

Sec. 27. (a) "Child", for purposes of IC 34-23-2, has the meaning set forth in IC 34-23-2.

(b) "Child", for purposes of IC 34-30-11, includes a child of any age.

(c) "Child", for purposes of IC 34-30-29, means an individual less than eighteen (18) years of age who does not have the capacity to exit a motor vehicle.

(d) "Child", for purposes of IC 34-31-4, means an unemancipated person who is less than eighteen (18) years of age.

Sec. 28. "Cognovit note", for purposes of IC 34-54-4, means a negotiable instrument or other written contract to pay money that contains a provision or stipulation:

- (1) giving to any person a power of attorney, or authority as attorney, for the maker, endorser, assignor, or other person liable on the negotiable instrument or contract, and in the name of the maker, endorser, assignor, or other obligor:

- (A) to appear in any court, whether of record or inferior;
- or

- (B) to waive personal service of process;
- in any action to enforce payment of money or any part of the money claimed to be due;

- (2) authorizing or purporting to authorize an attorney, agent, or other representative, however designated, to confess judgment on the instrument for a sum of money when the sum is to be ascertained, or the judgment is to be rendered or entered otherwise than by action of court upon a hearing after personal service upon the debtor, whether with or without attorney's fee; or

- (3) authorizing or purporting to authorize an attorney, agent, or representative to:

- (A) release errors or the right of appeal from any judgment; or



- 1 (B) consent to the issuance of execution on the judgment.
- 2 Sec. 29. "College, university, or junior college", for purposes of
- 3 IC 34-18, has the meaning set forth in IC 34-18-2-7.
- 4 Sec. 30. "Commissioner", for purposes of IC 34-18, has the
- 5 meaning set forth in IC 34-18-2-8.
- 6 Sec. 31. "Community health center", for purposes of IC 34-18,
- 7 has the meaning set forth in IC 34-18-2-9.
- 8 Sec. 32. "Community intellectual disability center", for
- 9 purposes of IC 34-18, has the meaning set forth in IC 34-18-2-11.
- 10 Sec. 33. "Community mental health center", for purposes of
- 11 IC 34-18, has the meaning set forth in IC 34-18-2-10.
- 12 Sec. 34. (a) "Compensation", for purposes of section 175 of this
- 13 chapter, does not include payments:
- 14 (1) to reimburse the expenses of a qualified director (as
- 15 defined in section 175 of this chapter); and
- 16 (2) for per diem.
- 17 (b) "Compensation", for purposes of IC 34-30-18, means
- 18 anything of value given as payment for performing a function. The
- 19 term does not include:
- 20 (1) payment for expenses, prizes, or trophies; or
- 21 (2) a payment to an individual of fifteen dollars (\$15) or less
- 22 for performing one (1) or more functions during a day.
- 23 (c) "Compensation", for purposes of IC 34-30-19, does not
- 24 include the following:
- 25 (1) Reimbursement or payment of reasonable expenses
- 26 incurred for the benefit of a sports or leisure activity.
- 27 (2) Any award, meal, or other gift that does not exceed one
- 28 hundred dollars (\$100) in value and is given as a token of
- 29 appreciation or recognition.
- 30 (3) Any per diem payment that does not exceed fifty dollars
- 31 (\$50) for personal services as a referee, umpire, judge, or
- 32 assistant to a referee, umpire, or judge.
- 33 Sec. 35. "Consumer", for purposes of IC 34-20, means:
- 34 (1) a purchaser;
- 35 (2) any individual who uses or consumes the product;
- 36 (3) any other person who, while acting for or on behalf of the
- 37 injured party, was in possession and control of the product in
- 38 question; or
- 39 (4) any bystander injured by the product who would
- 40 reasonably be expected to be in the vicinity of the product
- 41 during its reasonably expected use.
- 42 Sec. 36. "Corporation", for purposes of IC 34-31-8, has the



1 meaning set forth in IC 34-31-8-2.

2 Sec. 37. "Cost of the periodic payments agreement", for
3 purposes of IC 34-18-14, has the meaning set forth in
4 IC 34-18-14-1.

5 Sec. 38. "Costs", for purposes of this article, includes fees.

6 Sec. 39. (a) "Court", for purposes of IC 34-51-4, refers to the
7 court awarding a judgment.

8 (b) "Court", for purposes of IC 34-57-2, has the meaning set
9 forth in IC 34-57-2-17.

10 Sec. 40. (a) "COVID-19", for purposes of IC 34-30-32, has the
11 meaning set forth in IC 34-30-32-3.

12 (b) "COVID-19", for purposes of IC 34-30-33, has the meaning
13 set forth in IC 34-30-33-2.

14 (c) "COVID-19", for purposes of sections 14 and 84 of this
15 chapter, IC 34-7-8, IC 34-12-5, IC 34-13-3-3, IC 34-30-13.5-1, and
16 IC 34-30-13.5-3, has the meaning set forth in IC 34-30-32-3.

17 Sec. 41. "COVID-19 protective product", for purposes of
18 IC 34-30-33, has the meaning set forth in IC 34-30-33-2.

19 Sec. 42. "Criminal organization", for purposes of section 7 of
20 this chapter, has the meaning set forth in IC 35-45-9-1.

21 Sec. 43. "Cyber liability" means liability related to use of
22 computer systems.

23 Sec. 44. "Daily newspaper", for purposes of IC 34-15-4, means
24 a newspaper that publishes five (5) or more issues each week.

25 Sec. 45. "Debt", for purposes of sections 63, 107, 112, 113, and
26 188 of this chapter and IC 34-55-10, means a legally or an
27 equitably enforced monetary obligation or liability of an individual
28 arising out of contract, tort, or otherwise.

29 Sec. 46. "Department", for purposes of IC 34-13-3-7, refers to
30 the department of correction.

31 Sec. 47. "Disclosure", for purposes of IC 34-21.5, has the
32 meaning set forth in IC 34-21.5-2-1.

33 Sec. 48. "Distribute", for purposes of IC 34-21.5, has the
34 meaning set forth in IC 34-21.5-2-1.

35 Sec. 49. "Domestic animal", for purposes of IC 34-30-30, has the
36 meaning set forth in IC 34-30-30-1.

37 Sec. 50. "Domestic or family violence" means, except for an act
38 of self-defense, the occurrence of at least one (1) of the following
39 acts committed by a family or household member:

40 (1) Attempting to cause, threatening to cause, or causing
41 physical harm to another family or household member.

42 (2) Placing a family or household member in fear of physical



1 harm.

2 (3) Causing a family or household member to involuntarily
3 engage in sexual activity by force, threat of force, or duress.

4 (4) Abusing (as described in IC 35-46-3-0.5), torturing (as
5 described in IC 35-46-3-0.5), mutilating (as described in
6 IC 35-46-3-0.5), or killing a vertebrate animal without
7 justification with the intent to threaten, intimidate, coerce,
8 harass, or terrorize a family or household member.

9 For purposes of IC 34-26-5, domestic and family violence also
10 includes stalking (as defined in IC 35-45-10-1) or a sex offense
11 under IC 35-42-4, whether or not the stalking or sex offense is
12 committed by a family or household member.

13 Sec. 51. "Economically feasible", for purposes of IC 34-55-6,
14 means a finding by the court that:

15 (1) a reasonable probability exists that with the use of
16 auctioneer services a valid and enforceable bid will be made
17 at the execution for a sale price equal to or greater than the
18 amount of the judgment and the costs and expenses necessary
19 to its satisfaction, including the costs of the auctioneer; and

20 (2) no such probability exists without the use of an auctioneer.

21 Sec. 52. "Emergency", for purposes of IC 34-30-6, means an
22 occurrence or an imminent threat of an occurrence that involves
23 a hazardous substance or compressed gas and that creates the
24 possibility of harm to any person, to property, or to the
25 environment.

26 Sec. 53. "Emergency medical technician", for purposes of
27 IC 34-18, has the meaning set forth in IC 34-18-2-12.

28 Sec. 54. (a) "Employee" and "public employee", for purposes of
29 section 137 of this chapter, IC 34-13-2, IC 34-13-3, IC 34-13-4, and
30 IC 34-30-14, mean a person presently or formerly acting on behalf
31 of a governmental entity, whether temporarily or permanently or
32 with or without compensation, including members of boards,
33 committees, commissions, authorities, and other instrumentalities
34 of governmental entities, volunteer firefighters (as defined in
35 IC 36-8-12-2), and elected public officials.

36 (b) The term also includes attorneys at law whether employed
37 by the governmental entity as employees or independent
38 contractors and physicians licensed under IC 25-22.5 and
39 optometrists who provide medical or optical care to confined
40 offenders (as defined in IC 11-8-1) within the course of their
41 employment by or contractual relationship with the department of
42 correction. However, the term does not include:



- (1) an independent contractor (other than an attorney at law, a physician, or an optometrist described in this section);
- (2) an agent or employee of an independent contractor;
- (3) a person appointed by the governor to an honorary advisory or honorary military position; or
- (4) a physician licensed under IC 25-22.5 with regard to a claim against the physician for an act or omission occurring or allegedly occurring in the physician's capacity as an employee of a hospital.

(c) For purposes of IC 34-13-3 and IC 34-13-4, the term includes a person that engages in an act or omission before July 1, 2004, in the person's capacity as:

- (1) a contractor under IC 6-1.1-4-32 (repealed);
- (2) an employee acting within the scope of the employee's duties for a contractor under IC 6-1.1-4-32 (repealed);
- (3) a subcontractor of the contractor under IC 6-1.1-4-32 (repealed) that is acting within the scope of the subcontractor's duties; or
- (4) an employee of a subcontractor described in subdivision (3) that is acting within the scope of the employee's duties.

Sec. 55. "Enterprise", for purposes of IC 34-24-2, has the meaning set forth in IC 35-45-6-1.

Sec. 56. "Equine", for purposes of IC 34-31-5, means a horse, pony, mule, donkey, or hinny.

Sec. 57. (a) "Equine activity", for purposes of IC 34-31-5, includes the following:

- (1) Equine shows, fairs, competitions, performances, or parades that involve equines and any of the equine disciplines, including dressage, hunter and jumper horse shows, grand prix jumping, three (3) day events, combined training, rodeos, driving, pulling, cutting, polo, steeplechasing, English and western performance riding, endurance trail riding and western games, and hunting.
- (2) Equine training or teaching activities.
- (3) Boarding equines.
- (4) Riding, driving, inspecting, or evaluating an equine, whether or not monetary consideration or anything of value is exchanged.
- (5) Rides, trips, hunts, or other equine activities of any type (even if informal or impromptu) that are sponsored by an equine activity sponsor.
- (6) Placing or replacing horseshoes on an equine.



1 (b) The term does not include being a spectator at an equine
2 activity.

3 Sec. 58. "Equine activity sponsor", for purposes of IC 34-31-5,
4 means a person who sponsors, organizes, or provides facilities for
5 an equine activity.

6 Sec. 59. "Equine professional", for purposes of IC 34-31-5,
7 means a person who, for compensation:

8 (1) instructs a participant on riding, driving, or being a
9 passenger upon an equine;

10 (2) rents to a participant an equine for the purpose of riding,
11 driving, or being a passenger upon the equine; or

12 (3) rents equipment or tack to a participant.

13 Sec. 60. (a) "Evaluation of patient care", for purposes of
14 IC 34-30-15, relates to:

15 (1) the accuracy of diagnosis;

16 (2) the propriety, appropriateness, quality, or necessity of
17 care rendered by a professional health care provider; and

18 (3) the reasonableness of the utilization of services,
19 procedures, and facilities in the treatment of individual
20 patients.

21 (b) The term does not relate to charges for services or to
22 methods used in arriving at diagnoses.

23 Sec. 61. "Event", for purposes of section 5 of this chapter and
24 IC 34-30-22, means:

25 (1) a performance;

26 (2) a benefit;

27 (3) a fundraiser;

28 (4) an auction;

29 (5) a meal;

30 (6) a concert;

31 (7) a sporting event;

32 (8) a festival;

33 (9) a parade;

34 (10) a reception;

35 (11) a trade show;

36 (12) a convention;

37 (13) an educational program; or

38 (14) another occasion organized by or for a federally tax
39 exempt organization.

40 Sec. 62. "Exempt", for purposes of IC 34-55-10, means
41 protected from a judicial lien, process, or proceeding to collect a
42 debt.



1 **Sec. 63. "Exemption", for purposes of IC 34-55-10, means**
 2 **protection from a judicial lien, process, or proceeding to collect a**
 3 **debt.**

4 **Sec. 64. (a) "Extreme sport area", for purposes of IC 34-13-3,**
 5 **means an indoor or outdoor ramp, course, or area specifically**
 6 **designated for the exclusive recreational or sporting use of one (1)**
 7 **or more types of extreme sport equipment.**

8 **(b) The term does not include property used at any time as a**
 9 **public sidewalk, footpath, vehicle parking lot, multiple use trail,**
 10 **multiple use greenway, or other public way.**

11 **Sec. 65. "Extreme sport equipment", for purposes of section 64**
 12 **of this chapter and IC 34-13-3, means any of the following**
 13 **nonmotorized devices:**

14 **(1) Skateboards.**

15 **(2) Roller skates.**

16 **(3) Inline skates.**

17 **(4) Freestyle bicycles.**

18 **(5) Mountain bicycles.**

19 **(6) An apparatus that is:**

20 **(A) wheeled;**

21 **(B) recreational or sporting in nature;**

22 **(C) powered solely by the physical efforts of the user; and**

23 **(D) generally known, as the term is used in Rule 201 of the**
 24 **Indiana Rules of Evidence, as an apparatus used for**
 25 **extreme sport.**

26 **Sec. 66. "Family law arbitrator", for purposes of IC 34-57-5,**
 27 **means:**

28 **(1) an attorney certified as a family law specialist in Indiana**
 29 **by an independent certifying organization that is approved**
 30 **and monitored under Rule 30 of the Rules for Admission to**
 31 **the Bar;**

32 **(2) a private judge qualified under Rule 1.3 of the Indiana**
 33 **Supreme Court Rules for Alternative Dispute Resolution;**

34 **(3) an individual who is a former magistrate or commissioner**
 35 **of an Indiana court of record; or**

36 **(4) an attorney who is a registered domestic relations**
 37 **mediator under Rule 2.5(B) of the Indiana Supreme Court**
 38 **Rules for Alternative Dispute Resolution.**

39 **Sec. 67. (a) An individual is a "family or household member" of**
 40 **another person if the individual:**

41 **(1) is a current or former spouse of the other person;**

42 **(2) is dating or has dated the other person;**



1 (3) is engaged or was engaged in a sexual relationship with the
2 other person;

3 (4) is related by blood or adoption to the other person;

4 (5) is or was related by marriage to the other person;

5 (6) has or previously had an established legal relationship:

6 (A) as a guardian of the other person;

7 (B) as a ward of the other person;

8 (C) as a custodian of the other person;

9 (D) as a foster parent of the other person; or

10 (E) in a capacity with respect to the other person similar to
11 those listed in clauses (A) through (D);

12 (7) has a child in common with the other person; or

13 (8) has adopted a child of the other person.

14 (b) An individual is a "family or household member" of both
15 persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5),
16 (a)(6), (a)(7), or (a)(8) applies if the individual is a minor child of
17 one (1) of the persons.

18 Sec. 68. (a) "Fault", for purposes of IC 34-20, means an act or
19 omission that is negligent, willful, wanton, reckless, or intentional
20 toward the person or property of others. The term includes the
21 following:

22 (1) Unreasonable failure to avoid an injury or to mitigate
23 damages.

24 (2) A finding under IC 34-20-2 (or IC 33-1-1.5-3 before its
25 repeal) that a person is subject to liability for physical harm
26 caused by a product, notwithstanding the lack of negligence
27 or willful, wanton, or reckless conduct by the manufacturer
28 or seller.

29 (b) "Fault", for purposes of IC 34-51-2 and IC 34-51-6, includes
30 any act or omission that is negligent, willful, wanton, reckless, or
31 intentional toward the person or property of others. The term also
32 includes unreasonable assumption of risk not constituting an
33 enforceable express consent, incurred risk, and unreasonable
34 failure to avoid an injury or to mitigate damages.

35 Sec. 69. "Fees or other expenses", for purposes of IC 34-52-2,
36 include:

37 (1) the reasonable expenses of expert witnesses that are found
38 by a court under IC 34-52-2 to be necessary for the
39 preparation of the petitioner's case;

40 (2) the reasonable costs of any:

41 (A) study;

42 (B) analysis;



- 1 (C) engineering report; or
- 2 (D) test project;
- 3 that are found by a court under IC 34-52-2 to be necessary for
- 4 the preparation of the petitioner's case;
- 5 (3) any reasonable discovery expenses, that are found by a
- 6 court under IC 34-52-2 to be necessary for the preparation of
- 7 the petitioner's case; and
- 8 (4) reasonable attorney's fees.

9 Sec. 70. "Financial interest", for purposes of IC 34-30-13.5-3,
10 means an ownership or investment interest through equity, debt,
11 or other means. The term includes an ownership or investment
12 interest in an entity that holds, either directly or through a
13 subsidiary, an ownership or investment interest.

14 Sec. 71. "Fire control or protection equipment", for purposes of
15 IC 34-30-10.5, includes vehicles, firefighting tools, protective gear,
16 breathing apparatuses, and other supplies, equipment, and tools
17 used in firefighting or emergency rescue.

18 Sec. 72. "Firearm", for purposes of IC 34-28-7 and IC 34-30-20,
19 has the meaning set forth in IC 35-47-1-5.

20 Sec. 73. "Food item", for purposes of IC 34-30-5, means any
21 item that may be ingested as a normal part of the human diet. The
22 term includes food that was prepared for serving by a food source
23 (as defined in section 74 of this chapter) but not served by the food
24 source.

25 Sec. 74. "Food source", for purposes of IC 34-30-5, means any
26 of the following:

- 27 (1) A restaurant.
- 28 (2) A cafeteria.
- 29 (3) A hospital.
- 30 (4) A hotel.
- 31 (5) A caterer.
- 32 (6) A public or a private school, or postsecondary educational
- 33 institution.
- 34 (7) A fraternal organization or veterans organization.
- 35 (8) Any other person that prepares and serves food to
- 36 individuals in the ordinary course of that person's business.

37 Sec. 75. "Foreign judgment", for purposes of IC 34-54-11,
38 means any judgment, decree or order of:

- 39 (1) a court of the United States; or
- 40 (2) any other court that is entitled to the full faith and credit
- 41 of Indiana.

42 Sec. 76. "Foreign protection order", for purposes of



1 IC 34-26-5-17, means a protection order issued by a tribunal of:

- 2 (1) another state; or
 3 (2) an Indian tribe;

4 regardless of whether the protection order was issued in an
 5 independent proceeding or as part of another criminal or civil
 6 proceeding.

7 Sec. 77. (a) "Governmental entity", for purposes of section 137
 8 of this chapter, IC 34-13-2, IC 34-13-3, and IC 34-13-4, means the
 9 state or a political subdivision of the state. For purposes of
 10 IC 34-13-2, IC 34-13-3, and IC 34-13-4, the term includes a charter
 11 school.

12 (b) "Governmental entity", for purposes of section 149(j) of this
 13 chapter, means the state or a political subdivision of the state.

14 Sec. 78. "Grant recipient", for purposes of IC 34-57-3, means a
 15 nonprofit corporation or an organization that administers a
 16 community dispute resolution center under IC 34-57-3.

17 Sec. 79. (a) "Gratuitously renders emergency care", for
 18 purposes of IC 34-30-12-1, means the giving of emergency care
 19 (including the use of an automatic external defibrillator):

- 20 (1) that was volunteered without legal obligation on the part
 21 of the person rendering the emergency care; and
 22 (2) for which the person rendering the emergency care does
 23 not expect remuneration.

24 (b) Emergency care may not be considered to be gratuitously
 25 rendered emergency care solely because of the failure to send a bill
 26 for the emergency care.

27 Sec. 80. (a) "Harassment", for purposes of IC 34-26-5, means
 28 conduct directed toward a victim that includes, but is not limited
 29 to, repeated or continuing impermissible contact:

- 30 (1) that would cause a reasonable person to suffer emotional
 31 distress; and
 32 (2) that actually causes the victim to suffer emotional distress.

33 (b) "Harassment" does not include statutorily or
 34 constitutionally protected activity, such as lawful picketing
 35 pursuant to labor disputes or lawful employer-related activities
 36 pursuant to labor disputes.

37 Sec. 81. "Hazardous substance", for purposes of IC 34-30-6,
 38 means:

- 39 (1) a material or waste that has been determined to be
 40 hazardous or potentially hazardous to any individual, to
 41 property, or to the environment by the United States
 42 Environmental Protection Agency, the federal Nuclear



1 Regulatory Commission, the United States Department of
 2 Transportation, the environmental rules board, or the United
 3 States Occupational Safety and Health Agency or any agent
 4 or designee of any of the above mentioned boards, agencies,
 5 or commission; or

6 (2) any substance that may be potentially hazardous to any
 7 person, to property or to the environment.

8 Sec. 82. "Health care", for purposes of IC 34-18, has the
 9 meaning set forth in IC 34-18-2-13.

10 Sec. 83. (a) "Health care provider", for purposes of IC 34-18,
 11 has the meaning set forth in IC 34-18-2-14.

12 (b) "Health care provider", for purposes of IC 34-30-12.5, has
 13 the meaning set forth in IC 34-30-12.5-2.

14 Sec. 84. (a) "Health care services":

15 (1) except as provided in subdivision (2), for purposes of
 16 IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a);
 17 and

18 (2) for purposes of IC 34-30-13-1.2, means only noninvasive
 19 examinations, treatments, and procedures and the following
 20 invasive procedures:

21 (A) Routine dental services.

22 (B) Injections.

23 (C) Suturing of minor lacerations.

24 (D) Incisions of boils or superficial abscesses.

25 The term does not include performance of an abortion,
 26 including abortion by surgical means, by use of an abortion
 27 inducing drug, or by prescribing a controlled substance or
 28 scheduled drug under IC 35-48.

29 (b) "Health care services", for purposes of IC 34-30-13.5,
 30 means:

31 (1) any services provided by an individual licensed under:

32 (A) IC 25-2.5;

33 (B) IC 25-10;

34 (C) IC 25-13;

35 (D) IC 25-14;

36 (E) IC 25-19;

37 (F) IC 25-22.5;

38 (G) IC 25-23;

39 (H) IC 25-23.5;

40 (I) IC 25-23.6;

41 (J) IC 25-24;

42 (K) IC 25-26;



- 1 (L) IC 25-27;
- 2 (M) IC 25-27.5;
- 3 (N) IC 25-29;
- 4 (O) IC 25-33;
- 5 (P) IC 25-34.5; or
- 6 (Q) IC 25-35.6;
- 7 (2) services provided as the result of hospitalization, to an
- 8 individual admitted to a health facility licensed under
- 9 IC 16-28, or to a person residing in a housing with services
- 10 establishment (as defined by IC 12-10-15-3);
- 11 (3) services incidental to the furnishing of services described
- 12 in subdivision (1) or (2);
- 13 (4) any services by individuals:
- 14 (A) licensed as paramedics;
- 15 (B) certified as advanced emergency medical technicians;
- 16 or
- 17 (C) certified as emergency medical technicians under
- 18 IC 16-31;
- 19 (5) any services provided by individuals certified as
- 20 emergency medical responders under IC 16-31;
- 21 (6) any services provided by certified health care
- 22 professionals who are registered with the Indiana department
- 23 of health, including:
- 24 (A) certified nurse aides certified under IC 16-28-1-11;
- 25 (B) qualified medication aides certified under
- 26 IC 16-28-1-11; and
- 27 (C) home health aides registered under rules adopted
- 28 under IC 16-27-1-7;
- 29 (7) any services provided by unlicensed health care
- 30 professionals who have successfully completed any applicable
- 31 training required by the Indiana department of health;
- 32 (8) any services provided by health care volunteers who are
- 33 permitted to practice during an event that is declared a
- 34 disaster emergency under IC 10-14-3-12 to respond to
- 35 COVID-19;
- 36 (9) any services provided by individuals with provisional or
- 37 temporary licenses who are permitted to practice during an
- 38 event that is declared a disaster emergency under
- 39 IC 10-14-3-12 to respond to COVID-19; or
- 40 (10) any other services or goods furnished for the purpose of
- 41 preventing, alleviating, curing, or healing human illness,
- 42 physical disability, or injury.



1 **Sec. 85. "Health facility", for purposes of IC 34-18, has the**
 2 **meaning set forth in IC 34-18-2-15.**

3 **Sec. 86. "Hitchhiker", for purposes of IC 34-30-11, means a**
 4 **passenger who has solicited a ride in violation of IC 9-21-17-16.**

5 **Sec. 87. "Homeowners association", for purposes of section 175**
 6 **of this chapter, means a corporation or other entity that:**

7 **(1) is organized and operated exclusively for the benefit of two**

8 **(2) or more persons who each own a dwelling in fee simple;**
 9 **and**

10 **(2) acts, in accordance with the articles, bylaws, and other**
 11 **documents governing the entity, to:**

12 **(A) acquire, transfer, manage, repair, maintain, or engage**
 13 **in construction on or in the land and improvements on the**
 14 **land related to the use of the dwellings owned by the**
 15 **members of the corporation;**

16 **(B) purchase insurance to cover a casualty or an activity**
 17 **on or in the land and improvements on the land;**

18 **(C) engage in an activity incidental to an activity described**
 19 **in clause (A) or (B); or**

20 **(D) engage in more than one (1) of the activities described**
 21 **in clauses (A) through (C).**

22 **Sec. 88. "Hospital", for purposes of IC 34-18, has the meaning**
 23 **set forth in IC 34-18-2-16.**

24 **Sec. 89. "Hospital medical record", for purposes of IC 34-43-1,**
 25 **means the hospital's clinical record maintained on each hospital**
 26 **patient as provided in IC 16-18-2-168.**

27 **Sec. 90. "Ice skater", for purposes of IC 34-31-6.5, means a**
 28 **person, including an invitee, who wears ice skates while in an ice**
 29 **skating rink for the purpose of recreational or competitive ice**
 30 **skating, whether or not the person pays consideration for entrance**
 31 **to the skating rink.**

32 **Sec. 91. "Ice skating rink", for purposes of IC 34-31-6.5, means**
 33 **a building, facility, or other property where an area specifically**
 34 **designed for use for recreational or competitive ice skating is**
 35 **present.**

36 **Sec. 92. "Illegal drug", for purposes of IC 34-24-4, means a drug**
 37 **that is illegal to distribute under state law.**

38 **Sec. 93. "Illegal drug market", for purposes of IC 34-24-4,**
 39 **means the support system of illegal drug related operations, from**
 40 **production to retail sales, through which an illegal drug reaches a**
 41 **drug user.**

42 **Sec. 94. "Illegal drug market target community", for purposes**



of IC 34-24-4, means the following areas where a person participates in the illegal drug market:

(1) The county in which the person's place of participation is located if the person violates a statute concerning possession or dealing of an illegal drug that is punishable as a Level 6 felony.

(2) The county described in subdivision (1) plus all counties with a border contiguous to the county if the person violates a statute concerning possession or dealing of an illegal drug that is punishable as a Level 5 felony.

(3) The counties described in subdivision (2) plus all counties with a border contiguous to those counties if the person violates a statute concerning possession or dealing of an illegal drug that is punishable as a Level 3 or Level 4 felony.

(4) Indiana if the person violates a statute in Indiana concerning possession or dealing of an illegal drug that is punishable as a Level 1 or Level 2 felony.

Sec. 95. "In good faith", for purposes of IC 34-13-3 and IC 34-30-15, refers to an act taken:

(1) without malice;

(2) after a reasonable effort to obtain the facts of the matter; and

(3) in the reasonable belief that the action taken is warranted by the facts known.

Sec. 96. "Incapacitated", for purposes of IC 34-13-3, has the meaning set forth in IC 29-3-1-7.5.

Sec. 97. "Indian tribe", for purposes of sections 76, 106, and 170 of this chapter and IC 34-26-5-17, means an Indian:

(1) tribe;

(2) band;

(3) pueblo;

(4) nation; or

(5) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians.

Sec. 98. "Individual drug user", for purposes of IC 34-24-4, means an individual whose illegal drug use is the basis of an action brought under IC 34-24-4 (or IC 34-1-70 before its repeal).



1 Sec. 99. "Inherent risks of agritourism activities", for the
2 purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-4.

3 Sec. 100. "Inherent risks of equine activities", for purposes of
4 IC 34-31-5, means the dangers or conditions that are an integral
5 part of equine activities, including the following:

6 (1) The propensity of an equine to behave in ways that may
7 result in injury, harm, or death to persons on or around the
8 equine.

9 (2) The unpredictability of an equine's reaction to such things
10 as sound, sudden movement, unfamiliar objects, people, or
11 other animals.

12 (3) Hazards such as surface and subsurface conditions.

13 (4) Collisions with other equines or objects.

14 (5) The potential of a participant to act in a negligent manner
15 that may contribute to injury to the participant or others,
16 such as failing to maintain control over the animal or not
17 acting within the participant's ability.

18 Sec. 101. "Innocent successor corporation", for purposes of
19 IC 34-31-8, has the meaning set forth in IC 34-31-8-3.

20 Sec. 102. "Insured", for purposes of IC 34-53, means a person
21 insured by an insurer.

22 Sec. 103. (a) "Insurer", for purposes of IC 34-18, has the
23 meaning set forth in IC 34-18-2-17.

24 (b) "Insurer", for purposes of IC 34-53, has the meaning set
25 forth in IC 27-1-2-3.

26 Sec. 104. "Interested party", for purposes of IC 34-50-2, has the
27 meaning set forth in IC 34-50-2-1.

28 Sec. 105. "Intimate image", for purposes of IC 34-21.5, has the
29 meaning set forth in IC 34-21.5-2-1.

30 Sec. 106. "Issuing state or Indian tribe", for purposes of
31 IC 34-26-5-17, means the state or Indian tribe whose tribunal
32 issues a protection order.

33 Sec. 107. "Judicial lien", for purposes of sections 63 and 113 of
34 this chapter, means a lien on property obtained by a judgment,
35 levy, or another legal or equitable process or proceeding instituted
36 to collect a debt.

37 Sec. 108. "Land", for the purposes of IC 34-31-9, has the
38 meaning set forth in IC 34-31-9-5.

39 Sec. 109. "Law", as for example "the law relating to other civil
40 actions", for purposes of IC 34-13-5, means the statutes, including
41 but not limited to IC 34-13-5 (and IC 34-4-17 before its repeal), and
42 any applicable rules of the Indiana supreme court on any subject.



1 **Sec. 110. "Law enforcement costs", for purposes of IC 34-24-1,**
 2 **means:**

3 (1) expenses incurred by the law enforcement agency that
 4 makes a seizure under IC 34-24-1 (or IC 34-4-30.1 before its
 5 repeal) for the criminal investigation associated with the
 6 seizure;

7 (2) repayment of the investigative fund of the law enforcement
 8 agency that makes a seizure under IC 34-24-1 to the extent
 9 that the agency can specifically identify any part of the money
 10 as having been expended from the fund; and

11 (3) expenses of the prosecuting attorney associated with the
 12 costs of proceedings associated with the seizure and the
 13 offenses related to the seizure.

14 **Sec. 111. "Law enforcement officer", for purposes of**
 15 **IC 34-26-5, has the meaning set forth in IC 35-31.5-2-185.**

16 **Sec. 112. "Levy", for purposes of section 107 of this chapter and**
 17 **IC 34-55-10, means the seizure of property under a writ of**
 18 **attachment, a garnishment, an execution, or a similar legal or**
 19 **equitable process issued to collect a debt.**

20 **Sec. 113. "Lien", for purposes of section 107 of this chapter and**
 21 **IC 34-55-10, means a security interest, judicial lien, statutory lien,**
 22 **common law lien, or another interest in property to secure the**
 23 **payment of a debt or the performance of an obligation.**

24 **Sec. 114. "Lifetime sex or violent offender", for purposes of**
 25 **IC 34-28-2, has the meaning set forth in IC 34-28-2-1.5.**

26 **Sec. 115. "Livestock", for purposes of IC 34-30-5, means any**
 27 **animal or fowl raised for commercial purposes.**

28 **Sec. 116. "Local law enforcement authority", for purposes of**
 29 **IC 34-28-2, has the meaning set forth in IC 34-28-2-1.5.**

30 **Sec. 117. (a) "Loss", for purposes of IC 34-13-3, means injury**
 31 **to or death of a person or damage to property.**

32 **(b) "Loss", for purposes of IC 34-30-6, means injury to or death**
 33 **of a human being or damage to property or to the environment.**

34 **Sec. 118. "Malpractice", for purposes of IC 34-18, has the**
 35 **meaning set forth in IC 34-18-2-18.**

36 **Sec. 119. (a) "Manufacturer", for purposes of IC 34-20, means**
 37 **a person or an entity who designs, assembles, fabricates, produces,**
 38 **constructs, or otherwise prepares a product or a component part**
 39 **of a product before the sale of the product to a user or consumer.**
 40 **"Manufacturer" includes a seller who:**

41 (1) has actual knowledge of a defect in a product;

42 (2) creates and furnishes a manufacturer with specifications



relevant to the alleged defect for producing the product or who otherwise exercises some significant control over all or a portion of the manufacturing process;

(3) alters or modifies the product in any significant manner after the product comes into the seller's possession and before it is sold to the ultimate user or consumer;

(4) is owned in whole or significant part by the manufacturer; or

(5) owns in whole or significant part the manufacturer.

(b) A seller who discloses the name of the actual manufacturer of a product is not a manufacturer under this section merely because the seller places or has placed a private label on a product.

Sec. 120. "Manufacturer or supplier", for purposes of IC 34-30-33, has the meaning set forth in IC 34-30-33-2.

Sec. 121. "Mediation", for purposes of IC 34-57-3, means a process where at least two (2) disputing parties choose to be guided to a mutually agreeable solution with the aid of a mediator.

Sec. 122. "Mediator", for purposes of IC 34-57-3, means a neutral and impartial person who assists in the resolution of a dispute through the mediation process.

Sec. 123. "Mental health service provider", for purposes of IC 34-30-16, means any of the following:

(1) A physician licensed under IC 25-22.5.

(2) A hospital licensed under IC 16-21.

(3) A private institution licensed under IC 12-25.

(4) A psychologist licensed under IC 25-33.

(5) A school psychologist licensed by the Indiana state board of education.

(6) A postsecondary educational institution counseling center under the direction of a licensed psychologist, physician, or mental health professional.

(7) A registered nurse or licensed practical nurse licensed under IC 25-23.

(8) A clinical social worker licensed under IC 25-23.6-5-2.

(9) A partnership, a limited liability company, a corporation, or a professional corporation (as defined in IC 23-1.5-1-10) whose partners, members, or shareholders are mental health service providers described in subdivisions (1) through (6).

(10) A community mental health center (as defined in IC 12-7-2-38).

(11) A program for the treatment, care, or rehabilitation of alcohol abusers or drug abusers that is:



(A) certified under IC 12-23-1-6; or

(B) created and funded under IC 12-23-14 or IC 33-23-16.

(12) A state institution (as defined in IC 12-7-2-184).

(13) A provider (as defined in IC 12-7-2-149.1(5)).

Sec. 124. "Migrant health center", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-20.

Sec. 125. "Military base", for purposes of IC 34-30-21, means a United States or an Indiana government military installation that:

(1) has an area of at least sixty thousand (60,000) acres and is used for the design, construction, maintenance, and testing of electronic devices and ordnance;

(2) has an area of at least nine hundred (900) acres and serves as an urban training center for military units, civilian personnel, and first responders; or

(3) has an area of at least five thousand (5,000) acres and serves as a joint training center for active and reserve components of the armed forces of the United States.

Sec. 126. "Minor", for purposes of IC 34-28-3, means a person less than eighteen (18) years of age.

Sec. 127. "Monetary consideration", for the purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-6.

Sec. 128. (a) "Motor vehicle", for purposes of IC 34-30-29.2 and IC 34-40-4, has the meaning set forth in IC 9-13-2-105(a).

(b) "Motor vehicle", for purposes of IC 34-30-30, has the meaning set forth in IC 34-30-30-2.

Sec. 129. "Moving traffic violation", for purposes of IC 34-28-5, means a violation of:

(1) a statute defining an infraction; or

(2) an ordinance;

that applies when a motor vehicle is in motion.

Sec. 130. "Municipal corporation", for purposes of IC 34-13-5, means:

(1) a:

(A) local subdivision of the state; or

(B) public instrumentality or public corporate body created by state law;

including but not limited to cities, towns, townships, counties, school corporations, special taxing districts, conservancy districts, and any other local public instrumentality or corporation that has the right to sue and be sued;

(2) a corporate or other entity that leases a public



1 improvement to a municipal corporation; or

2 (3) the governing body of a municipal corporation and its
3 members and officers in their official capacity.

4 Sec. 131. "News service", for purposes of IC 34-15-4, means an
5 entity that is either a membership association or a corporation with
6 subscribers that:

7 (1) gathers and transmits news to its members or subscribers;
8 and

9 (2) maintains an office in Indiana.

10 Sec. 132. "Noneconomic damages", for purposes of
11 IC 34-30-29.2, has the meaning set forth in IC 34-30-29.2-2.

12 Sec. 133. "Nonparty", for purposes of IC 34-51-2, means a
13 person who caused or contributed to cause the alleged injury,
14 death, or damage to property but who has not been joined in the
15 action as a defendant.

16 Sec. 134. "Nonprofit religious organization", for purposes of
17 IC 34-31-7, means an organization, a church, a body of
18 communicants, or a group organized primarily for religious
19 purposes and not for pecuniary profit that:

20 (1) operates:

21 (A) under Section 501 of the Internal Revenue Code or the
22 Section 501 nonprofit status of the parent organization of
23 the organization, church, body of communicants, or group;
24 and

25 (B) under a constitution, a charter, an article, or a bylaw
26 containing a clause that provides that upon dissolution, all
27 remaining assets must:

28 (i) be used for nonprofit religious purposes; or

29 (ii) revert to the parent organization for nonprofit
30 religious purposes; or

31 (2) operates as a place of worship and is recognized as a
32 nonprofit organization by the Internal Revenue Service.

33 Sec. 135. (a) "Offender", for purposes of IC 34-13-3-7, means a
34 person who is committed to the department of correction or was
35 committed to the department of correction.

36 (b) "Offender", for purposes of IC 34-58, means a person who
37 is committed to the department of correction or incarcerated in a
38 jail.

39 Sec. 136. "Offeror", for purposes of IC 34-50, means a party to
40 a civil action who makes a qualified settlement offer (as defined in
41 section 176 of this chapter) to a recipient (as defined in section 177
42 of this chapter) who is an opposing party in the civil action.



1 Sec. 137. (a) "Operator", for purposes of IC 34-30-3, means a
2 person who is an owner, a lessee, a tenant, or an occupant of land
3 or premises that are used in the production of agricultural
4 products.

5 (b) "Operator", for purposes of IC 34-31-6, means a person or
6 an entity, other than a governmental entity or an employee of a
7 governmental entity, that owns, manages, controls, directs, or has
8 operational responsibility for a roller skating rink.

9 (c) "Operator", for purposes of IC 34-31-6.5, means an
10 approved postsecondary educational institution (as defined in
11 IC 21-7-13-6) that owns, manages, controls, directs, or has
12 operational responsibility for an ice skating rink.

13 (d) "Operator", for purposes of IC 34-31-11.4, means an:

- 14 (1) elementary school (as defined under IC 20-18-2-4);
- 15 (2) approved secondary school (as defined under
- 16 IC 21-12-1-5); or
- 17 (3) approved postsecondary school (as defined under
- 18 IC 21-7-13-6);

19 that owns, manages, controls, directs, or has operational
20 responsibility for a recreational facility.

21 Sec. 138. "Paramedic", for purposes of IC 34-18, has the
22 meaning set forth in IC 34-18-2-21.

23 Sec. 139. (a) "Parents", for purposes of IC 34-28-3, means:

- 24 (1) the child's birth mother and father who:
 - 25 (A) is listed as the father on the birth certificate;
 - 26 (B) is presumed by law under IC 31-14-7 to be the child's
 - 27 father; or
 - 28 (C) has established paternity with a court order;
- 29 (2) in the case of adoption, the adopting father and mother of
- 30 a child;
- 31 (3) where custody of a child has been awarded in a court
- 32 proceeding to someone other than the mother or father, the
- 33 court appointed guardian or custodian of the child;
- 34 (4) where the child's parents are divorced, the parent to whom
- 35 the divorce decree or modification awards physical custody or
- 36 control of the child; or
- 37 (5) if the child's parents are living apart, the parent to whom
- 38 physical custody or control of the child has been awarded by
- 39 a court order.

40 (b) The term does not include a natural or adopting parent who
41 has given written consent for the child to be adopted by another (if
42 the child has been adopted by another), nor does the term include



1 a child's parent who has lost custody of the child under subsection
2 (a)(3), (a)(4), or (a)(5).

3 Sec. 140. "Partially emancipated minor", for purposes of
4 IC 34-28-3, means a minor who has been given certain limited
5 authority to contract under IC 34-28-3.

6 Sec. 141. (a) "Participant", for purposes of IC 34-31-5, means
7 a person, whether an amateur or a professional, who engages in an
8 equine activity, whether or not a fee is paid to participate in the
9 equine activity.

10 (b) "Participant", for purposes of IC 34-31-9, has the meaning
11 set forth in 34-31-9-7.

12 Sec. 142. "Participate", for purposes of IC 34-28-3, means any
13 action a person takes:

14 (1) according to license or authority of the entity that
15 sanctions a professional automobile or motorcycle racing
16 event; or

17 (2) by direction or authority of the race organizer of a
18 sanctioned event;

19 including participation as a driver, mechanic, pit crew member, or
20 unpaid volunteer in and around the pit and race track area.

21 Sec. 143. (a) "Participate in the illegal drug market", for
22 purposes of IC 34-24-4, means to:

23 (1) distribute;

24 (2) possess with an intent to distribute;

25 (3) commit an act intended to facilitate the marketing or
26 distribution of; or

27 (4) agree to distribute;

28 an illegal drug.

29 (b) The term does not include the purchase or receipt of an
30 illegal drug for personal use only.

31 Sec. 144. "Patient", for purposes of IC 34-18, has the meaning
32 set forth in IC 34-18-2-22.

33 Sec. 145. (a) "Peer review committee", for purposes of
34 IC 34-30-15, means a committee that:

35 (1) has the responsibility of evaluation of:

36 (A) qualifications of professional health care providers;

37 (B) patient care rendered by professional health care
38 providers; or

39 (C) the merits of a complaint against a professional health
40 care provider that includes a determination or
41 recommendation concerning the complaint, and the
42 complaint is based on the competence or professional



conduct of an individual health care provider, whose competence or conduct affects or could affect adversely the health or welfare of a patient or patients; and

(2) meets the following criteria:

(A) The committee is organized:

(i) by a state, regional, or local organization of professional health care providers or by a nonprofit foundation created by the professional organization for purposes of improvement of patient care;

(ii) by the professional staff of a hospital, another health care facility, a nonprofit health care organization (under section 165(23) of this chapter), a professional health care organization, or a medical school located in Indiana;

(iii) by state or federal law or regulation;

(iv) by a governing board of a hospital, a nonprofit health care organization (under section 165(23) of this chapter), or professional health care organization;

(v) as a governing board or committee of the board of a hospital, a nonprofit health care organization (under section 165(23) of this chapter), or professional health care organization;

(vi) by an organization, a plan, or a program described in section 165(16) through 165(17) of this chapter;

(vii) as a hospital or a nonprofit health care organization (under section 165(23) of this chapter) medical staff or a section of that staff;

(viii) as a governing board or committee of the board of a professional health care provider (as defined in section 165(16) through 165(17) of this chapter); or

(ix) by a perinatal center described in IC 16-21-13.

(B) At least fifty percent (50%) of the committee members are:

(i) individual professional health care providers, the governing board of a hospital, the governing board of a nonprofit health care organization (under section 165(23) of this chapter), or professional health care organization, or the governing board or a committee of the board of a professional health care provider (as defined in section 165(16) through 165(17) of this chapter); or

(ii) individual professional health care providers and the



committee is organized as an interdisciplinary committee to conduct evaluation of patient care services.

(b) However, "peer review committee" does not include a medical review panel created under IC 34-18-10 (or IC 27-12-10 before its repeal).

Sec. 146. "Performance", for purposes of IC 34-30-4, means the acts of a qualified director pertaining to the setting of policy and the controlling or overseeing of the activities or functional responsibilities of the entity served by the qualified director.

Sec. 147. "Period of illegal drug use", for purposes of IC 34-24-4, means the time:

- (1) of an individual drug user's first use of an illegal drug to the accrual of the cause of action under this chapter; and
- (2) that is presumed to begin two (2) years before the cause of action accrues unless a defendant in the action proves otherwise by clear and convincing evidence.

Sec. 148. "Periodic payments agreement", for purposes of IC 34-18-14, has the meaning set forth in IC 34-18-14-2.

Sec. 149. (a) "Person", for purposes of IC 34-14, has the meaning set forth in IC 34-14-1-13.

(b) "Person", for purposes of IC 34-11-2-11.5 and IC 34-24-4, means:

- (1) an individual;
- (2) a governmental entity;
- (3) a corporation;
- (4) a firm;
- (5) a trust;
- (6) a partnership; or
- (7) an incorporated or unincorporated association that exists under or is authorized by the laws of this state, another state, or a foreign country.

(c) "Person", for purposes of section 67 of this chapter and IC 34-30-29-1, means an adult or a minor.

(d) "Person", for purposes of IC 34-26-4, has the meaning set forth in IC 35-31.5-2-234.

(e) "Person", for purposes of IC 34-30-5, means any of the following:

- (1) An individual.
- (2) A corporation.
- (3) A partnership.
- (4) An unincorporated association.
- (5) The state (as defined in section 193 of this chapter).



(6) A political subdivision (as defined in section 155 of this chapter).

(7) Any other entity recognized by law.

(f) "Person", for purposes of IC 34-30-6, means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity that:

(1) has qualifications or experience in:

(A) storing, transporting, or handling a hazardous substance or compressed gas;

(B) fighting fires;

(C) emergency rescue; or

(D) first aid care; or

(2) is otherwise qualified to provide assistance appropriate to remedy or contribute to the remedy of the emergency.

(g) "Person", for purposes of IC 34-30-18, includes:

(1) an individual;

(2) an incorporated or unincorporated organization or association;

(3) the State of Indiana;

(4) a political subdivision (as defined in IC 36-1-2-13);

(5) an agency of the state or a political subdivision; or

(6) a group of such persons acting in concert.

(h) "Person", for purposes of sections 58, 59, 100, and 141 of this chapter, means an individual, an incorporated or unincorporated organization or association, or a group of such persons acting in concert.

(i) "Person", for purposes of IC 34-30-10.5, means the following:

(1) A political subdivision (as defined in IC 36-1-2-13).

(2) A volunteer fire department (as defined in IC 36-8-12-2).

(3) An employee of an entity described in subdivision (1) or (2) who acts within the scope of the employee's responsibilities.

(4) A volunteer firefighter (as defined in IC 36-8-12-2) who is acting for a volunteer fire department.

(5) A corporation, a limited liability company, a partnership, an unincorporated association, or any other entity recognized by law.

(j) "Person", for purposes of IC 34-28-7, means:

(1) an individual;

(2) a governmental entity;

(3) a corporation;

(4) a firm;



- (5) a trust;
- (6) a partnership; or
- (7) an incorporated or unincorporated association that exists under or is authorized by the laws of this state, another state, or a foreign country.

(k) "Person", for purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-8.

(l) "Person", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-4.

Sec. 150. "Personnel of a peer review committee", for purposes of IC 34-30-15, means not only members of the committee but also all of the committee's employees, representatives, agents, attorneys, investigators, assistants, clerks, staff, and any other person or organization who serves a peer review committee in any capacity.

Sec. 151. (a) "Physical harm", for purposes of IC 34-20, means bodily injury, death, loss of services, and rights arising from any such injuries, as well as sudden, major damage to property.

(b) The term does not include gradually evolving damage to property or economic losses from such damage.

Sec. 152. "Physician", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-23.

Sec. 153. "Place of illegal drug activity", for purposes of IC 34-24-4, means each county in which:

- (1) an individual drug user possesses or uses an illegal drug; or
- (2) the individual drug user:
 - (A) resides;
 - (B) attends school; or
 - (C) is employed;
 during the period of the individual drug user's illegal drug use;

unless a defendant in an action brought under IC 34-24-4 proves otherwise by clear and convincing evidence.

Sec. 154. "Place of participation", for purposes of IC 34-24-4, means each county in which:

- (1) a person participates in the illegal drug market; or
- (2) the person:
 - (A) resides;
 - (B) attends school; or
 - (C) is employed;
 during the period of the person's participation in the illegal drug market.



1 **Sec. 155. "Political subdivision", for purposes of IC 34-12-3.5**
 2 **and IC 34-13-3, means a:**

- 3 (1) county;
 4 (2) township;
 5 (3) city;
 6 (4) town;
 7 (5) separate municipal corporation;
 8 (6) special taxing district;
 9 (7) state educational institution;
 10 (8) city or county hospital;
 11 (9) school corporation;
 12 (10) board or commission of one (1) of the entities listed in
 13 subdivisions (1) through (9);
 14 (11) drug enforcement task force operated jointly by political
 15 subdivisions;
 16 (12) community correctional service program organized
 17 under IC 12-12-1; or
 18 (13) solid waste management district established under
 19 IC 13-21 or IC 13-9.5-2 (before its repeal).

20 **Sec. 156. "Position of the agency", for purposes of IC 34-52-2,**
 21 **means the litigation stance taken by the state in a civil action**
 22 **subject to IC 34-52-2.**

23 **Sec. 157. "Possessor of land", for purposes of IC 34-31-11, has**
 24 **the meaning set forth in IC 34-31-11-1.**

25 **Sec. 158. "Practitioner", for purposes of IC 34-30-14, means a**
 26 **person described in IC 16-42-19-5 who acts within the scope of the**
 27 **practitioner's practice.**

28 **Sec. 159. "Prejudgment interest", for purposes of IC 34-51-4,**
 29 **means interest on the amount of a judgment that is computed for**
 30 **a period preceding the date that the court returns a verdict or**
 31 **finding in the proceeding.**

32 **Sec. 160. "Premises", for purposes of IC 34-30-32, has the**
 33 **meaning set forth in IC 34-30-32-5.**

34 **Sec. 161. "Prior civil law and procedure", for purposes of**
 35 **IC 34-7, refers to the statutes that are repealed or amended in the**
 36 **recodification act of the 1998 regular session of the general**
 37 **assembly as the statutes existed before the effective date of the**
 38 **applicable or corresponding provision of the recodification act of**
 39 **the 1998 regular session of the general assembly.**

40 **Sec. 162. (a) "Product", for purposes of IC 34-20, means any**
 41 **item or good that is personalty at the time it is conveyed by the**
 42 **seller to another party.**



(b) The term does not apply to a transaction that, by its nature, involves wholly or predominantly the sale of a service rather than a product.

Sec. 163. "Product liability action", for purposes of IC 34-20, means an action that is brought:

(1) against a manufacturer or seller of a product; and
(2) for or on account of physical harm;
regardless of the substantive legal theory or theories upon which the action is brought.

Sec. 164. "Professional health care organization", for purposes of IC 34-30-15, refers to an organization described in section 165(14) or 165(25) of this chapter.

Sec. 165. "Professional health care provider", for purposes of IC 34-30-15, means:

- (1) a physician licensed under IC 25-22.5;
- (2) a dentist licensed under IC 25-14;
- (3) a hospital licensed under IC 16-21;
- (4) a podiatrist licensed under IC 25-29;
- (5) a chiropractor licensed under IC 25-10;
- (6) an optometrist licensed under IC 25-24;
- (7) a psychologist licensed under IC 25-33;
- (8) a pharmacist licensed under IC 25-26;
- (9) a health facility licensed under IC 16-28-2;
- (10) a registered or licensed practical nurse licensed under IC 25-23;
- (11) a physical therapist licensed under IC 25-27;
- (12) a home health agency licensed under IC 16-27-1;
- (13) a community mental health center (as defined in IC 12-7-2-38);
- (14) a health care organization whose members, shareholders, subsidiaries, affiliates, or partners are:
 - (A) professional health care providers described in subdivisions (1) through (13);
 - (B) professional corporations comprised of health care professionals (as defined in IC 23-1.5-1-8); or
 - (C) professional health care providers described in subdivisions (1) through (13) and professional corporations comprised of persons described in subdivisions (1) through (13);
- (15) a private psychiatric hospital licensed under IC 12-25;
- (16) a preferred provider organization (including a preferred provider arrangement or reimbursement agreement under



1 IC 27-8-11);

2 (17) a health maintenance organization (as defined in
3 IC 27-13-1-19) or a limited service health maintenance
4 organization (as defined in IC 27-13-34-4);

5 (18) a respiratory care practitioner licensed under IC 25-34.5;

6 (19) an occupational therapist licensed under IC 25-23.5;

7 (20) a state institution (as defined in IC 12-7-2-184);

8 (21) a clinical social worker who is licensed under
9 IC 25-23.6-5-2;

10 (22) a provider (as defined in IC 12-7-2-149.1(5));

11 (23) a nonprofit health care organization affiliated with a
12 hospital that is owned or operated by a religious order, whose
13 members are members of that religious order;

14 (24) a nonprofit health care organization with one (1) or more
15 hospital affiliates;

16 (25) a health care organization that owns or controls, in whole
17 or in part, one (1) or more entities described in subdivisions
18 (1) through (24);

19 (26) a provider organization (as defined in IC 16-18-2-296);

20 (27) a paramedic licensed under IC 16-31;

21 (28) an emergency medical technician certified under
22 IC 16-31;

23 (29) an emergency medical responder certified under
24 IC 16-31; or

25 (30) an advanced emergency medical technician certified
26 under IC 16-31.

27 Sec. 166. "Professional staff", for purposes of IC 34-30-15,
28 means:

29 (1) all individual professional health care providers
30 authorized to provide health care in a hospital or other health
31 care facility; or

32 (2) the multidisciplinary staff of a community mental health
33 center (as defined in IC 12-7-2-38).

34 Sec. 167. "Program", for purposes of IC 34-57-3, refers to the
35 community dispute resolution centers program established under
36 IC 34-57-3-2.

37 Sec. 168. (a) "Property", for purposes of IC 34-24-2, has the
38 meaning set forth in IC 35-31.5-2-253.

39 (b) "Property", for purposes of IC 34-30-9, includes the
40 following:

41 (1) Real property.

42 (2) Private ways.



1 (3) Waters.

2 (4) A structure located on property listed in subdivisions (1)
3 through (3).

4 Sec. 169. "Protected person" means a petitioner or a family or
5 household member of the petitioner who is protected by the terms
6 of a civil protection order issued under IC 34-26-5.

7 Sec. 170. (a) "Protection order" or "order for protection", for
8 purposes of sections 76, 169, and 182 of this chapter and
9 IC 34-26-5, means an injunction or other order issued by a tribunal
10 of the issuing state or Indian tribe to prevent an individual from:

11 (1) engaging in violent or threatening acts against;

12 (2) engaging in harassment of;

13 (3) engaging in contact or communication with; or

14 (4) being in physical proximity to;

15 another person, including temporary and final orders issued by
16 civil and criminal courts.

17 (b) The term does not include a support or child custody order
18 issued under the dissolution and child custody laws of a state or
19 Indian tribe, except to the extent that the order qualifies as a
20 protection order under subsection (a) and is entitled to full faith
21 and credit under a federal law other than 18 U.S.C. 2265.

22 (c) The term applies to an order regardless of whether the order
23 is obtained by filing an independent action or as a pendente lite
24 order in another proceeding if any civil order was issued in
25 response to a complaint, petition, or motion filed by or on behalf of
26 a person seeking protection.

27 Sec. 171. "Protection order records", for purposes of
28 IC 34-26-7.5, has the meaning set forth in IC 34-26-7.5-2.

29 Sec. 172. "Psychiatric hospital", for purposes of IC 34-18, has
30 the meaning set forth in IC 34-18-2-24.

31 Sec. 173. "Public employee", for purposes of IC 34-13-2,
32 IC 34-13-3, and IC 34-13-4, has the meaning set forth in section 54
33 of this chapter.

34 Sec. 174. (a) "Public lawsuit", for purposes of IC 34-13-5,
35 means:

36 (1) any action in which the validity, location, wisdom,
37 feasibility, extent, or character of construction, financing, or
38 leasing of a public improvement by a municipal corporation
39 is questioned directly or indirectly, including but not limited
40 to suits for declaratory judgments or injunctions to declare
41 invalid or to enjoin the construction, financing, or leasing;
42 and



(2) any action to declare invalid or enjoin the creation, organization, or formation of any municipal corporation.

(b) The definition of "public lawsuit", as used in IC 34-13-5, shall not be construed to broaden any right of action as is validly limited by applicable law.

Sec. 175. "Qualified director", for purposes of IC 34-30-4, means any of the following individuals:

(1) An individual who serves without compensation for personal services as a member of a board or commission of the state or a political subdivision for the purpose of setting policy, controlling, or otherwise overseeing the activities or functional responsibilities of that board or commission.

(2) An individual who serves without compensation for personal services as a director or an officer for the purpose of setting policy, controlling, or otherwise overseeing the activities or functional responsibilities of a nonprofit corporation operating under IC 12-29, except IC 12-29-3-6 or an agency providing services under IC 12-12-3, or a nonprofit corporation that has one (1) of the following purposes:

(A) Religion.

(B) Charity.

(C) Benevolence.

(D) Providing goods or services at no charge to the general public.

(E) Education.

(F) Scientific activity.

(G) Developing or providing hospital services.

(H) Medical research.

(I) Developing or providing ambulance services or emergency medical treatment services.

(3) An individual who serves without compensation for personal services as a director for the purpose of setting policy, controlling, or otherwise overseeing the activities or functional responsibilities of an organization that acts as an advocate for its members and that has as its members individuals or organizations that are:

(A) members of a particular trade or industry; or

(B) members of the business community of a particular municipality or area of the state.

(4) An individual who serves without compensation for personal services as a director of a national, regional, or local fraternity or sorority that is connected with, and under the



supervision of, a postsecondary educational institution located within Indiana.

(5) An individual who serves the purpose of setting policy, controlling, or otherwise overseeing the activities or functional responsibilities of a homeowners association (as defined in section 87 of this chapter).

(6) An individual who serves without compensation for personal services as a director for the purpose of setting policy, controlling, or otherwise overseeing the activities or functional responsibilities of the Special Olympics or the Pan American Games.

"Compensation", for purposes of this section, has the meaning set forth in section 34(a) of this chapter.

Sec. 176. "Qualified settlement offer", for purposes of IC 34-50, means an offer of full and final settlement to resolve all claims and defenses at issue between the offeror (as defined in section 136 of this chapter) and the recipient (as defined in section 177 of this chapter).

Sec. 177. "Recipient", for purposes of IC 34-50, means a party to a civil action who receives a qualified settlement offer (as defined in section 176 of this chapter) from an offeror (as defined in section 136 of this chapter) who is an opposing party in the civil action.

Sec. 178. "Recreation", for purposes of IC 34-31-11.4, includes physical exercise, leisure, or sports.

Sec. 179. "Recreational facility", for purposes of IC 34-31-11.4, means a building, location, or area primarily designed and used for purposes of recreation. The term includes:

- (1) a gymnasium;
- (2) a park;
- (3) a playground;
- (4) a swimming pool;
- (5) a fieldhouse;
- (6) a beach;
- (7) a stadium;
- (8) a golf course;
- (9) a campground;
- (10) a boat launching site;
- (11) an arboretum;
- (12) a bicycle path;
- (13) a bridle path;
- (14) a community center;



- (15) a bowling alley;
- (16) a billiard hall;
- (17) a court, field, or other area designated for sports; and
- (18) any other building, location, or area specifically set aside for recreation.

Sec. 180. "Recreational user", for purposes of IC 34-31-11.4, means an authorized user of a recreational facility who is using the facility for the recreational purpose for which it was primarily designed. However, the term does not include a person participating in or attending an intercollegiate or interscholastic event.

Sec. 181. "Representative", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-25.

Sec. 182. "Respondent", for purposes of IC 34-26-5, means the individual against whom the enforcement of a protection order is sought.

Sec. 183. "Retirement plan", for purposes of IC 34-55-10, includes:

- (1) a stock bonus, a pension, a profit sharing, an annuity, or a similar plan or arrangement, including a retirement plan for self-employed individuals or a simplified employee pension plan;
- (2) a government or church retirement plan or contract; or
- (3) an individual retirement annuity or individual retirement account;

that is intended in good faith to qualify as a retirement plan under applicable provisions of the Internal Revenue Code of 1986, as amended.

Sec. 184. "Risk", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-26.

Sec. 185. "Risk manager", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-27.

Sec. 186. "Roller skater", for purposes of IC 34-31-6, means a person, including an invitee, who wears roller skates while in a roller skating rink for the purpose of recreational or competitive roller skating, whether or not the person pays consideration for entrance to the roller skating rink.

Sec. 187. "Roller skating rink", for purposes of IC 34-31-6, means a building, facility, or other property where an area specifically designed for use by the public for recreational or competitive roller skating is present.

Sec. 188. "Security interest", for purposes of section 113 of this



chapter, means an interest in property created by a contract to secure the payment of a debt or the performance of an obligation.

Sec. 189. "Seller", for purposes of IC 34-20, means a person engaged in the business of selling or leasing a product for resale, use, or consumption.

Sec. 190. "Session of the general assembly", for purposes of IC 34-13-1-6, does not include a regular technical session.

Sec. 191. "Sheriff", for purposes of IC 34-47-4, means the sheriff of the county in which a court issues a writ of attachment under IC 34-47-4 (or IC 34-4-9 before its repeal).

Sec. 192. "Sports or leisure activity", for purposes of IC 34-30-19, means:

- (1) an athletic or sports competition, exhibition, or event; and
- (2) an activity conducted for a recreational purpose.

Sec. 193. "State":

- (1) for purposes of section 77(b) of this chapter and IC 34-13-3, means Indiana and its state agencies; and
- (2) for purposes of sections 76 and 106 of this chapter and IC 34-26-5, has the meaning set forth in IC 1-1-4-5.

Sec. 194. "State agency", for purposes of IC 34-13-3, means:

- (1) a board;
- (2) a commission;
- (3) a department;
- (4) a division;
- (5) a governmental subdivision, including a soil and water conservation district;
- (6) a bureau;
- (7) a committee;
- (8) an authority;
- (9) a military body; or
- (10) another instrumentality;

of the state. However, the term does not include a political subdivision.

Sec. 195. "Stepchild", for purposes of IC 34-30-11, includes a stepchild of any age.

Sec. 196. "Structured settlement", for purposes of IC 34-50-2, has the meaning set forth in IC 34-50-2-2.

Sec. 197. "Successor asbestos related liability", for purposes of IC 34-31-8, has the meaning set forth in IC 34-31-8-4.

Sec. 198. "Telecommunications", for purposes of IC 34-30-21, means the transmission of any document, picture, datum, sound, or other symbol by television, radio, microwave, optical, or other



1 electromagnetic signal.

2 Sec. 199. "Tort", for purposes of IC 34-18, has the meaning set
3 forth in IC 34-18-2-28.

4 Sec. 200. "Transfer", for purposes of IC 34-50-2, has the
5 meaning set forth in IC 34-50-2-3.

6 Sec. 201. "Transferee", for purposes of IC 34-50-2, has the
7 meaning set forth in IC 34-50-2-4.

8 Sec. 202. "Transferor corporation", for purposes of IC 34-31-8,
9 has the meaning set forth in IC 34-31-8-5.

10 Sec. 203. "Trespasser", for purposes of IC 34-31-11, has the
11 meaning set forth in IC 34-31-11-2.

12 Sec. 204. "Trial", for purposes of IC 34-35-5, includes the
13 impaneling of the jury, the actual trial, or other evidentiary
14 hearing where witnesses are sworn and testify, hearings on motions
15 for summary judgment, and entries of final disposition of a cause
16 of action.

17 Sec. 205. "Tribunal", for purposes of sections 76 and 170 of this
18 chapter and IC 34-26-5, means a court, an agency, or another
19 entity authorized by law to issue or modify a protection order.

20 Sec. 206. "Uninsured motorist with a previous violation", for
21 purposes of IC 34-30-29.2, has the meaning set forth in
22 IC 27-7-5.1-4.

23 Sec. 207. "Unit", for purposes of IC 34-24-1 and IC 34-24-2, has
24 the meaning specified in IC 36-1-2-23.

25 Sec. 208. "Unreasonably dangerous", for purposes of IC 34-20,
26 refers to any situation in which the use of a product exposes the
27 user or consumer to a risk of physical harm to an extent beyond
28 that contemplated by the ordinary consumer who purchases the
29 product with the ordinary knowledge about the product's
30 characteristics common to the community of consumers.

31 Sec. 209. "User", for purposes of IC 34-20, has the same
32 meaning as the term "consumer", which is set forth in section 35
33 of this chapter.

34 Sec. 210. "Vehicle", for purposes of IC 34-24-3, has the meaning
35 set forth in IC 35-31.5-2-346.

36 Sec. 211. "Victim", for purposes of IC 34-60-1, has the meaning
37 set forth in IC 34-60-1-1.

38 Sec. 212. "Victim advocate", for purposes of IC 34-60-1, has the
39 meaning set forth in IC 34-60-1-2.

40 Sec. 213. "Victim notification capabilities" means, with respect
41 to a GPS tracking device, the ability of the device to do the
42 following:



(1) Immediately notify law enforcement or other supervisory personnel if the device enters a forbidden area.

(2) Notify the victim in real time or near real time if the device enters a forbidden area.

(3) Allow a law enforcement officer or other supervisory officer to contact the offender immediately if the device enters a forbidden area.

(4) Activate an alarm to warn others of the device's presence in a forbidden area.

Sec. 214. "Victim service provider", for purposes of IC 34-60-1, has the meaning set forth in IC 34-60-1-3.

Sec. 215. "Volunteer", for purposes of IC 34-30-19, means an individual who, without compensation, engages in or provides other personal services for a sports or leisure activity such as baseball, basketball, football, soccer, hockey, volleyball, cheerleading, or other similar sports or leisure activities involving children who are less than sixteen (16) years of age.

Sec. 216. "Weekly newspaper", for purposes of IC 34-15-4, means a newspaper that publishes one (1), two (2), three (3), or four (4) issues each week.

SECTION 177. IC 34-11-2-11.5, AS ADDED BY P.L.154-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11.5. (a) As used in this chapter, "person" has the meaning set forth in ~~IC 34-6-2-103(b)~~. **IC 34-6-2.1-149(b)**.

(b) Subject to subsections (c), (d), and (e), a person may seek to recover the following in an action brought on or after the effective date of this section under IC 13-30-9-2 or IC 13-23-13-8(b) to recover costs incurred for a removal action, a remedial action, or a corrective action:

(1) The costs incurred not more than ten (10) years before the date the action is brought, even if the person or any other person also incurred costs more than ten (10) years before the date the action is brought.

(2) The costs incurred on or after the date the action is brought.

(c) Costs are eligible for recovery under subsection (b) regardless of whether any part of the costs is incurred before the effective date of this section.

(d) This section does not permit a person to revive or raise new claims in an action brought under IC 13-30-9-2 or IC 13-23-13-8(b) that was finally adjudicated or settled before the effective date of this section.

(e) Any person that brought an action under IC 13-30-9-2 or IC 13-23-13-8(b) that was not finally adjudicated or settled prior to the



effective date of this section may not amend that action, or bring a new action, under this section.

SECTION 178. IC 34-12-3.5-2, AS ADDED BY P.L.170-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. The following definitions apply throughout this chapter:

- (1) "Ammunition" has the meaning set forth in IC 35-47-1-2.5.
- (2) "Firearm" has the meaning set forth in 18 U.S.C. 921(a)(3).
- (3) "Political subdivision" has the meaning set forth in ~~IC 34-6-2-110~~; **IC 34-6-2.1-155**.
- (4) "Trade association" means a corporation, unincorporated association, federation, business league, professional organization, or business organization that meets all of the following requirements:
 - (A) The entity is not organized or operated for profit.
 - (B) No part of the net earnings of the entity inures to the benefit of a private shareholder or individual.
 - (C) The entity is an organization:
 - (i) described in 26 U.S.C. 501(c)(6); and
 - (ii) exempt from taxation under 26 U.S.C. 501(a).
 - (D) Two (2) or more members of the entity are manufacturers or dealers in firearms or ammunition.

SECTION 179. IC 34-12-5-3, AS ADDED BY P.L.166-2021, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. As used in this chapter, "arising from COVID-19" has the meaning set forth in ~~IC 34-6-2-10.4~~; **IC 34-6-2.1-14**.

SECTION 180. IC 34-12-5-5, AS ADDED BY P.L.166-2021, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. As used in this chapter, "covered entity" means:

- (1) a governmental entity (as defined by ~~IC 34-6-2-49~~; **IC 34-6-2.1-77**), including a political subdivision (as defined in ~~IC 34-6-2-110~~; **IC 34-6-2.1-155**); and
- (2) an approved postsecondary educational institution (as defined by IC 21-7-13-6).

SECTION 181. IC 34-12-5-6, AS ADDED BY P.L.166-2021, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. As used in this chapter, "COVID-19" has the meaning set forth in ~~IC 34-6-2-31.4~~; **IC 34-6-2.1-40**.

SECTION 182. IC 34-13-3-3, AS AMENDED BY P.L.135-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A governmental entity or an employee



1 acting within the scope of the employee's employment is not liable if
 2 a loss results from the following:

- 3 (1) The natural condition of unimproved property.
- 4 (2) The condition of a reservoir, dam, canal, conduit, drain, or
 5 similar structure when used by a person for a purpose that is not
 6 foreseeable.
- 7 (3) The temporary condition of a public thoroughfare or extreme
 8 sport area that results from weather.
- 9 (4) The condition of an unpaved road, trail, or footpath, the
 10 purpose of which is to provide access to a recreation or scenic
 11 area.
- 12 (5) The design, construction, control, operation, or normal
 13 condition of an extreme sport area, if all entrances to the extreme
 14 sport area are marked with:
 - 15 (A) a set of rules governing the use of the extreme sport area;
 - 16 (B) a warning concerning the hazards and dangers associated
 17 with the use of the extreme sport area; and
 - 18 (C) a statement that the extreme sport area may be used only
 19 by persons operating extreme sport equipment.
- 20 This subdivision shall not be construed to relieve a governmental
 21 entity from liability for the continuing duty to maintain extreme
 22 sports areas in a reasonably safe condition.
- 23 (6) The initiation of a judicial or an administrative proceeding.
- 24 (7) The performance of a discretionary function; however, the
 25 provision of medical or optical care as provided in ~~IC 34-6-2-38~~
 26 **IC 34-6-2.1-54** shall be considered as a ministerial act.
- 27 (8) The adoption and enforcement of or failure to adopt or
 28 enforce:
 - 29 (A) a law (including rules and regulations); or
 - 30 (B) in the case of a public school or charter school, a policy;
 31 unless the act of enforcement constitutes false arrest or false
 32 imprisonment.
- 33 (9) An act or omission performed in good faith and without
 34 malice under the apparent authority of a statute which is invalid
 35 if the employee would not have been liable had the statute been
 36 valid.
- 37 (10) The act or omission of anyone other than the governmental
 38 entity or the governmental entity's employee.
- 39 (11) The issuance, denial, suspension, or revocation of, or failure
 40 or refusal to issue, deny, suspend, or revoke any permit, license,
 41 certificate, approval, order, or similar authorization, where the
 42 authority is discretionary under the law.



(12) Failure to make an inspection, or making an inadequate or negligent inspection, of any property, other than the property of a governmental entity, to determine whether the property complied with or violates any law or contains a hazard to health or safety.

(13) Entry upon any property where the entry is expressly or impliedly authorized by law.

(14) Misrepresentation if unintentional.

(15) Theft by another person of money in the employee's official custody, unless the loss was sustained because of the employee's own negligent or wrongful act or omission.

(16) Injury to the property of a person under the jurisdiction and control of the department of correction if the person has not exhausted the administrative remedies and procedures provided by section 7 of this chapter.

(17) Injury to the person or property of a person under supervision of a governmental entity and who is:

(A) on probation;

(B) assigned to an alcohol and drug services program under IC 12-23, a minimum security release program under IC 11-10-8, a pretrial conditional release program under IC 35-33-8, or a community corrections program under IC 11-12; or

(C) subject to a court order requiring the person to be escorted by a county police officer while on or in a government building (as defined in IC 36-9-13-3) owned by a county building authority under IC 36-9-13, unless the injury is the result of an act or omission amounting to:

(i) gross negligence;

(ii) willful or wanton misconduct; or

(iii) intentional misconduct.

(18) Design of a highway (as defined in IC 9-13-2-73), toll road project (as defined in IC 8-15-2-4(4)), tollway (as defined in IC 8-15-3-7), or project (as defined in IC 8-15.7-2-14) if the claimed loss occurs at least twenty (20) years after the public highway, toll road project, tollway, or project was designed or substantially redesigned; except that this subdivision shall not be construed to relieve a responsible governmental entity from the continuing duty to provide and maintain public highways in a reasonably safe condition.

(19) Development, adoption, implementation, operation, maintenance, or use of an enhanced emergency communication



system.

(20) Injury to a student or a student's property by an employee of a school corporation if the employee is acting reasonably under a:

(A) discipline policy adopted under IC 20-33-8-12; or

(B) restraint and seclusion plan adopted under IC 20-20-40-14.

(21) An act or omission performed in good faith under the apparent authority of a court order described in IC 35-46-1-15.1 or IC 35-46-1-15.3 that is invalid, including an arrest or imprisonment related to the enforcement of the court order, if the governmental entity or employee would not have been liable had the court order been valid.

(22) An act taken to investigate or remediate hazardous substances, petroleum, or other pollutants associated with a brownfield (as defined in IC 13-11-2-19.3) unless:

(A) the loss is a result of reckless conduct; or

(B) the governmental entity was responsible for the initial placement of the hazardous substances, petroleum, or other pollutants on the brownfield.

(23) The operation of an off-road vehicle (as defined in IC 14-8-2-185) by a nongovernmental employee, or by a governmental employee not acting within the scope of the employment of the employee, on a public highway in a county road system outside the corporate limits of a city or town, unless the loss is the result of an act or omission amounting to:

(A) gross negligence;

(B) willful or wanton misconduct; or

(C) intentional misconduct.

This subdivision shall not be construed to relieve a governmental entity from liability for the continuing duty to maintain highways in a reasonably safe condition for the operation of motor vehicles licensed by the bureau of motor vehicles for operation on public highways.

(24) Any act or omission rendered in connection with a request, investigation, assessment, or opinion provided under IC 36-9-28.7.

(b) This subsection applies to a cause of action that accrues during a period of a state disaster emergency declared under IC 10-14-3-12 to respond to COVID-19, if the state of disaster emergency was declared after February 29, 2020, and before April 1, 2022. A governmental entity or an employee acting within the scope of the employee's employment is not liable for an act or omission arising from COVID-19 unless the act or omission constitutes gross negligence, willful or



wanton misconduct, or intentional misrepresentation. If a claim described in this subsection is:

(1) a claim for injury or death resulting from medical malpractice; and

(2) not barred by the immunity provided under this subsection; the claimant is required to comply with all of the provisions of IC 34-18 (medical malpractice act).

SECTION 183. IC 34-18-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) As used in this section, "employee of a governmental entity" has the meaning set forth in ~~IC 34-6-2-38~~: **IC 34-6-2.1-54**.

(b) As used in this section, "governmental entity" has the meaning set forth in ~~IC 34-6-2-49~~: **IC 34-6-2.1-77**.

(c) A claim against a governmental entity or an employee of a governmental entity based on an occurrence of malpractice is governed exclusively by this article if the governmental entity or employee is qualified under this article.

SECTION 184. IC 34-24-1-1, AS AMENDED BY P.L.185-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) The following may be seized:

(1) All vehicles (as defined by IC 35-31.5-2-346), if they are used or are intended for use by the person or persons in possession of them to transport or in any manner to facilitate the transportation of the following:

(A) A controlled substance for the purpose of committing, attempting to commit, or conspiring to commit any of the following:

(i) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(ii) Dealing in methamphetamine (IC 35-48-4-1.1).

(iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

(iv) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(v) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(vi) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(vii) Dealing in a counterfeit substance (IC 35-48-4-5).

(viii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

(ix) Possession of methamphetamine (IC 35-48-4-6.1).

(x) Dealing in paraphernalia (IC 35-48-4-8.5).



- 1 (xi) Dealing in marijuana, hash oil, hashish, or salvia (IC
2 35-48-4-10).
- 3 (xii) An offense under IC 35-48-4 involving a synthetic drug
4 (as defined in IC 35-31.5-2-321), a synthetic drug lookalike
5 substance (as defined in IC 35-31.5-2-321.5 (before its
6 repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its
7 repeal on July 1, 2019), a controlled substance analog (as
8 defined in ~~IC 35-48-1-9.3~~; **IC 35-48-1.1-8**), or a substance
9 represented to be a controlled substance (as described in
10 IC 35-48-4-4.6).
- 11 (B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or converted
12 property (IC 35-43-4-3) if the retail or repurchase value of that
13 property is one hundred dollars (\$100) or more.
- 14 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 15 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of
16 mass destruction (as defined in IC 35-31.5-2-354) used to
17 commit, used in an attempt to commit, or used in a conspiracy
18 to commit a felony terrorist offense (as defined in
19 IC 35-50-2-18) or an offense under IC 35-47 as part of or in
20 furtherance of an act of terrorism (as defined by
21 IC 35-31.5-2-329).
- 22 (2) All money, negotiable instruments, securities, weapons,
23 communications devices, or any property used to commit, used in
24 an attempt to commit, or used in a conspiracy to commit a felony
25 terrorist offense (as defined in IC 35-50-2-18) or an offense under
26 IC 35-47 as part of or in furtherance of an act of terrorism or
27 commonly used as consideration for a violation of IC 35-48-4
28 (other than items subject to forfeiture under IC 16-42-20-5 or
29 IC 16-6-8.5-5.1, before its repeal):
 - 30 (A) furnished or intended to be furnished by any person in
31 exchange for an act that is in violation of a criminal statute;
 - 32 (B) used to facilitate any violation of a criminal statute; or
 - 33 (C) traceable as proceeds of the violation of a criminal statute.
- 34 (3) Any portion of real or personal property purchased with
35 money that is traceable as a proceed of a violation of a criminal
36 statute.
- 37 (4) A vehicle that is used by a person to:
 - 38 (A) commit, attempt to commit, or conspire to commit;
 - 39 (B) facilitate the commission of; or
 - 40 (C) escape from the commission of;
- 41 murder (IC 35-42-1-1), dealing in a controlled substance resulting
42 in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal



confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense under IC 35-47 as part of or in furtherance of an act of terrorism.

(5) Real property owned by a person who uses it to commit any of the following as a Level 1, Level 2, Level 3, Level 4, or Level 5 felony:

(A) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(B) Dealing in methamphetamine (IC 35-48-4-1.1).

(C) Manufacturing methamphetamine (IC 35-48-4-1.2).

(D) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(E) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(F) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(G) Dealing in a synthetic drug (as defined in IC 35-31.5-2-321) or synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019).

(H) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(6) Equipment and recordings used by a person to commit fraud under IC 35-43-5.

(7) Recordings sold, rented, transported, or possessed by a person in violation of IC 24-4-10.

(8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as defined by IC 35-45-6-1) that is the object of a corrupt business influence violation (IC 35-45-6-2).

(9) Unlawful telecommunications devices (as defined in IC 35-45-13-6) and plans, instructions, or publications used to commit an offense under IC 35-45-13.

(10) Any equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter in violation of IC 35-42-4.

(11) Destructive devices used, possessed, transported, or sold in violation of IC 35-47.5.

(12) Tobacco products that are sold in violation of IC 24-3-5, tobacco products that a person attempts to sell in violation of IC 24-3-5, and other personal property owned and used by a



1 person to facilitate a violation of IC 24-3-5.

2 (13) Property used by a person to commit counterfeiting or
3 forgery in violation of IC 35-43-5-2.

4 (14) After December 31, 2005, if a person is convicted of an
5 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
6 following real or personal property:

7 (A) Property used or intended to be used to commit, facilitate,
8 or promote the commission of the offense.

9 (B) Property constituting, derived from, or traceable to the
10 gross proceeds that the person obtained directly or indirectly
11 as a result of the offense.

12 (15) Except as provided in subsection (e), a vehicle used by a
13 person who operates the vehicle:

14 (A) while intoxicated, in violation of IC 9-30-5-1 through
15 IC 9-30-5-5, if in the previous five (5) years the person has two
16 (2) or more prior unrelated convictions for operating a motor
17 vehicle while intoxicated in violation of IC 9-30-5-1 through
18 IC 9-30-5-5; or

19 (B) on a highway while the person's driving privileges are
20 suspended in violation of IC 9-24-19-2 through IC 9-24-19-3,
21 if in the previous five (5) years the person has two (2) or more
22 prior unrelated convictions for operating a vehicle while
23 intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.

24 If a court orders the seizure of a vehicle under this subdivision,
25 the court shall transmit an order to the bureau of motor vehicles
26 recommending that the bureau not permit a vehicle to be
27 registered in the name of the person whose vehicle was seized
28 until the person possesses a current driving license (as defined in
29 IC 9-13-2-41).

30 (16) The following real or personal property:

31 (A) Property used or intended to be used to commit, facilitate,
32 or promote the commission of an offense specified in
33 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or
34 IC 30-2-13-38(f).

35 (B) Property constituting, derived from, or traceable to the
36 gross proceeds that a person obtains directly or indirectly as a
37 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),
38 IC 30-2-10-9(b), or IC 30-2-13-38(f).

39 (17) Real or personal property, including a vehicle, that is used by
40 a person to:

41 (A) commit, attempt to commit, or conspire to commit;

42 (B) facilitate the commission of; or



- 1 (C) escape from the commission of;
- 2 a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human
- 3 trafficking) or IC 35-45-4-4 (promoting prostitution).
- 4 (b) A vehicle used by any person as a common or contract carrier in
- 5 the transaction of business as a common or contract carrier is not
- 6 subject to seizure under this section, unless it can be proven by a
- 7 preponderance of the evidence that the owner of the vehicle knowingly
- 8 permitted the vehicle to be used to engage in conduct that subjects it to
- 9 seizure under subsection (a).
- 10 (c) Equipment under subsection (a)(10) may not be seized unless it
- 11 can be proven by a preponderance of the evidence that the owner of the
- 12 equipment knowingly permitted the equipment to be used to engage in
- 13 conduct that subjects it to seizure under subsection (a)(10).
- 14 (d) Money, negotiable instruments, securities, weapons,
- 15 communications devices, or any property commonly used as
- 16 consideration for a violation of IC 35-48-4 found near or on a person
- 17 who is committing, attempting to commit, or conspiring to commit any
- 18 of the following offenses shall be admitted into evidence in an action
- 19 under this chapter as prima facie evidence that the money, negotiable
- 20 instrument, security, or other thing of value is property that has been
- 21 used or was to have been used to facilitate the violation of a criminal
- 22 statute or is the proceeds of the violation of a criminal statute:
- 23 (1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in
- 24 death).
- 25 (2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
- 26 narcotic drug).
- 27 (3) IC 35-48-4-1.1 (dealing in methamphetamine).
- 28 (4) IC 35-48-4-1.2 (manufacturing methamphetamine).
- 29 (5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
- 30 substance).
- 31 (6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
- 32 (7) IC 35-48-4-4 (dealing in a schedule V controlled substance)
- 33 as a Level 4 felony.
- 34 (8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
- 35 Level 3, Level 4, or Level 5 felony.
- 36 (9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level
- 37 3, Level 4, or Level 5 felony.
- 38 (10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or
- 39 salvia) as a Level 5 felony.
- 40 (11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing
- 41 in a synthetic drug or synthetic drug lookalike substance) as a
- 42 Level 5 felony or Level 6 felony (or as a Class C felony or Class



D felony under IC 35-48-4-10 before its amendment in 2013).

(e) A vehicle operated by a person who is not:

(1) an owner of the vehicle; or

(2) the spouse of the person who owns the vehicle;

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

SECTION 185. IC 34-28-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. A minor who has been partially emancipated under this chapter (or IC 34-4-44.2 before its repeal) may not avoid a contract, a liability release, or an indemnity agreement referred to in a court order issued under this chapter (or IC 34-4-44.2 before its repeal) by alleging that the minor was under a legal disability by reason of the minor's age. No parent of a minor who has been partially emancipated under this chapter (or IC 34-4-44.2 before its repeal) may seek to have a contract, a liability release, or an indemnity agreement signed by the partially emancipated minor as allowed under this chapter set aside by reason of the minor's age at the time the minor entered into the contract, regardless of whether the parent participates in the partial emancipation proceeding or fits the definition of a parent under ~~IC 34-6-2-93~~. **IC 34-6-2.1-139.**

SECTION 186. IC 34-28-7-3, AS ADDED BY P.L.90-2010, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) An individual who believes that the individual has been harmed by a violation of section 2 of this chapter may bring a civil action against the person who is alleged to have violated section 2 of this chapter, other than a person set forth in ~~IC 34-6-2-103(j)(2)~~. **IC 34-6-2.1-149(j)(2).**

(b) If a person is found by a court, in an action brought under subsection (a), to have violated section 2 of this chapter, the court may do the following:

(1) Award:

(A) actual damages; and

(B) court costs and attorney's fees;

to the prevailing individual.

(2) Enjoin further violations of this chapter.

SECTION 187. IC 34-30-5-0.2, AS ADDED BY P.L.220-2011, SECTION 564, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 0.2. The amendments made to IC 34-4-12.5-1 and IC 34-4-13.5-2 (before their repeal, now codified at section 1 of this chapter and at IC 34-6-2 (**before its repeal and**



1 **relocation to IC 34-6-2.1))** by P.L.144-1991 apply only to a gift of a
 2 food item made after June 30, 1991.

3 SECTION 188. IC 34-30-15-8, AS AMENDED BY P.L.79-2016,
 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2025]: Sec. 8. (a) Communications to, the records of, and
 6 determinations of a peer review committee may only be disclosed to:

7 (1) the peer review committee of:

8 (A) a hospital;

9 (B) a nonprofit health care organization (described in
 10 ~~IC 34-6-2-117(23))~~; **IC 34-6-2.1-165(23))**;

11 (C) a preferred provider organization (including a preferred
 12 provider arrangement or reimbursement agreement under
 13 IC 27-8-11);

14 (D) a health maintenance organization (as defined in
 15 IC 27-13-1-19) or a limited service health maintenance
 16 organization (as defined in IC 27-13-34-4);

17 (E) a provider organization (as defined in IC 16-18-2-296) that
 18 is not owned by a hospital that includes the provider
 19 organization's provision of services as part of the hospital's
 20 peer review committee review;

21 (F) another health facility; or

22 (G) a medical school located in Indiana of which the
 23 professional health care provider who is the subject of the peer
 24 review is a faculty member;

25 (2) the disciplinary authority of the professional organization of
 26 which the professional health care provider under question is a
 27 member; or

28 (3) the appropriate state board of registration and licensure that
 29 the committee considers necessary for recommended disciplinary
 30 action;

31 and shall otherwise be kept confidential for use only within the scope
 32 of the committee's work, unless the professional health care provider
 33 has filed a prior written waiver of confidentiality with the peer review
 34 committee.

35 (b) However, if a conflict exists between this section and
 36 IC 27-13-31, the provisions of IC 27-13-31 control.

37 SECTION 189. IC 34-30-15-15 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. There is no liability
 39 on the part of, and no action of any nature shall arise against, the
 40 personnel of a peer review committee for any act, statement made in
 41 the confines of the committee, or proceeding of the committee made in
 42 good faith in regard to evaluation of patient care as that term is defined



1 and limited in ~~IC 34-6-2-44~~. **IC 34-6-2.1-60.**

2 SECTION 190. IC 34-30-15-17 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. The personnel of a
4 peer review committee shall be immune from any civil action arising
5 from any determination made in good faith in regard to evaluation of
6 patient care as that term is defined and limited in ~~IC 34-6-2-44~~.
7 **IC 34-6-2.1-60.**

8 SECTION 191. IC 34-30-15-18 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. No restraining
10 order or injunction shall be issued against a peer review committee or
11 any of the personnel thereof to interfere with the proper functions of the
12 committee acting in good faith in regard to evaluation of patient care
13 as that term is defined and limited in ~~IC 34-6-2-44~~. **IC 34-6-2.1-60.**

14 SECTION 192. IC 34-43-1-5 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. When a:

16 (1) subpoena coupled with a request under Rule 34 of the Indiana
17 Rules of Trial Procedure;

18 (2) subpoena coupled with a patient's written authorization under
19 ~~IC 34-6-2-15(2)~~ **IC 34-6-2.1-20(2)** (or IC 34-3-15.5-4 before its
20 repeal); or

21 (3) court order;

22 requiring the production of a hospital medical record is served upon
23 any hospital employee, the hospital employee with custody of the
24 original hospital medical record may elect, instead of personally
25 appearing and producing the original hospital medical record, to
26 furnish the requesting party or the party's attorney with a photostatic
27 copy of the hospital medical record, certified in accordance with
28 section 7 of this chapter.

29 SECTION 193. IC 34-51-4-4 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. This chapter does not
31 impose liability for prejudgment interest on the state or any political
32 subdivision (as those terms are defined in ~~IC 34-6-2-140~~
33 **IC 34-6-2.1-193** and ~~IC 34-6-2-110~~). **IC 34-6-2.1-155).**

34 SECTION 194. IC 34-55-6-5, AS AMENDED BY P.L.94-2014,
35 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2025]: Sec. 5. (a) The auctioneer's fee shall be a reasonable
37 amount stated in the court's order.

38 (b) This subsection does not apply to a partition action. If the sale
39 by use of an auctioneer has not been agreed to by the creditors in the
40 proceedings and the sale price is less than the sale price described in
41 ~~IC 34-6-2-35~~, **IC 34-6-2.1-51**, the auctioneer is entitled only to the
42 auctioneer's advertising expenses plus one hundred dollars (\$100).



(c) The amount due the auctioneer for the auctioneer's expenses and fee, if any, shall be paid as a cost of the sale from the sale proceeds before the payment of any other payment from the sale proceeds.

SECTION 195. IC 35-31.5-2-4, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. "Administer", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-3~~. **IC 35-48-1.1-3.**

SECTION 196. IC 35-31.5-2-12, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) Except as provided in subsection (b), "agent" means an operator, a manager, an adult employee, or a security agent employed by a store.

(b) "Agent", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-5~~. **IC 35-48-1.1-4.**

SECTION 197. IC 35-31.5-2-44.8, AS ADDED BY P.L.13-2013, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 44.8. "Cocaine", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-7~~. **IC 35-48-1.1-6.**

SECTION 198. IC 35-31.5-2-64, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 64. "Controlled substance", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-9~~. **IC 35-48-1.1-7.**

SECTION 199. IC 35-31.5-2-65, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 65. "Controlled substance analog", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-9.3~~. **IC 35-48-1.1-8.**

SECTION 200. IC 35-31.5-2-68, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 68. "Counterfeit substance", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-10~~. **IC 35-48-1.1-9.**

SECTION 201. IC 35-31.5-2-89, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 89. "Delivery", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-11~~. **IC 35-48-1.1-10.**

SECTION 202. IC 35-31.5-2-96, AS AMENDED BY P.L.51-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 96. "Dispense", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-12~~. **IC 35-48-1.1-11.**

SECTION 203. IC 35-31.5-2-97, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 97. "Dispenser", for purposes of IC 35-48, has the



1 meaning set forth in ~~IC 35-48-1-13~~. **IC 35-48-1.1-12.**

2 SECTION 204. IC 35-31.5-2-100, AS AMENDED BY P.L.49-2020,
3 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2025]: Sec. 100. (a) "Distribute", for purposes of
5 IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8.

6 (b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set
7 forth in IC 35-46-1-10(f).

8 (c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning
9 set forth in IC 35-46-1-10.2(g).

10 (d) "Distribute", for purposes of IC 35-47.5, has the meaning set
11 forth in IC 35-47.5-2-6.

12 (e) "Distribute", for purposes of IC 35-48, has the meaning set forth
13 in ~~IC 35-48-1-14~~. **IC 35-48-1.1-13.**

14 (f) "Distribute", for purposes of IC 35-49, has the meaning set forth
15 in IC 35-49-1-2.

16 SECTION 205. IC 35-31.5-2-101, AS ADDED BY P.L.114-2012,
17 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2025]: Sec. 101. "Distributor", for purposes of IC 35-48, has
19 the meaning set forth in ~~IC 35-48-1-15~~. **IC 35-48-1.1-14.**

20 SECTION 206. IC 35-31.5-2-104, AS AMENDED BY
21 P.L.158-2013, SECTION 367, IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 104. "Drug", for
23 purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16~~.
24 **IC 35-48-1.1-15.**

25 SECTION 207. IC 35-31.5-2-117.5, AS ADDED BY P.L.158-2013,
26 SECTION 369, IS AMENDED TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2025]: Sec. 117.5. "Enhancing circumstance",
28 for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.5~~.
29 **IC 35-48-1.1-18.**

30 SECTION 208. IC 35-31.5-2-127.5, AS ADDED BY P.L.182-2019,
31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2025]: Sec. 127.5. "Facility", for purposes of ~~IC 35-48-1-16.5~~;
33 **IC 35-48-1.1-18**, has the meaning set forth in ~~IC 35-48-1-16.5~~.
34 **IC 35-48-1.1-18.**

35 SECTION 209. IC 35-31.5-2-130.5, AS ADDED BY P.L.119-2019,
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2025]: Sec. 130.5. "Fentanyl related substance", for purposes
38 of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.6~~.
39 **IC 35-48-1.1-20.**

40 SECTION 210. IC 35-31.5-2-130.6, AS ADDED BY P.L.48-2023,
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2025]: Sec. 130.6. "Fentanyl containing substance", for



purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.7.~~
IC 35-48-1.1-19.

SECTION 211. IC 35-31.5-2-150, AS AMENDED BY P.L.266-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 150. (a) "Harassment", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-2.

(b) "Harassment", for purposes of IC 35-42-4-4, IC 35-46-1-15.1, and IC 35-49-3-4, has the meaning set forth in ~~IC 34-6-2-51.5.~~
IC 34-6-2.1-80.

SECTION 212. IC 35-31.5-2-150.5, AS ADDED BY P.L.153-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 150.5. "Hashish", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.8.~~ **IC 35-48-1.1-21.**

SECTION 213. IC 35-31.5-2-150.6, AS ADDED BY P.L.153-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 150.6. "Hash oil", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.9.~~ **IC 35-48-1.1-22.**

SECTION 214. IC 35-31.5-2-165, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 165. "Immediate precursor", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-17.~~ **IC 35-48-1.1-25.**

SECTION 215. IC 35-31.5-2-171.5, AS ADDED BY P.L.61-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 171.5. "Isomer", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-17.4.~~ **IC 35-48-1.1-26.**

SECTION 216. IC 35-31.5-2-189.9, AS ADDED BY P.L.153-2018, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 189.9. "Low THC hemp extract", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-17.5.~~
IC 35-48-1.1-27.

SECTION 217. IC 35-31.5-2-192, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 192. "Manufacture", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-18.~~ **IC 35-48-1.1-28.**

SECTION 218. IC 35-31.5-2-195, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 195. "Marijuana", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-19.~~ **IC 35-48-1.1-29.**

SECTION 219. IC 35-31.5-2-209, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 209. "Narcotic drug", for purposes of IC 35-48,



has the meaning set forth in ~~IC 35-48-1-20~~. **IC 35-48-1.1-30.**

SECTION 220. IC 35-31.5-2-220, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 220. "Opiate", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-21~~. **IC 35-48-1.1-31.**

SECTION 221. IC 35-31.5-2-221, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 221. "Opium poppy", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-22~~. **IC 35-48-1.1-32.**

SECTION 222. IC 35-31.5-2-239, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 239. "Poppy straw", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-23~~. **IC 35-48-1.1-33.**

SECTION 223. IC 35-31.5-2-242, AS AMENDED BY P.L.51-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 242. "Practitioner", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-24~~. **IC 35-48-1.1-34.**

SECTION 224. IC 35-31.5-2-244, AS AMENDED BY P.L.168-2014, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 244. "Prescription drug", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-25~~. **IC 35-48-1.1-35.**

SECTION 225. IC 35-31.5-2-248.2, AS ADDED BY P.L.13-2013, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 248.2. "Production", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-26~~. **IC 35-48-1.1-36.**

SECTION 226. IC 35-31.5-2-321, AS AMENDED BY P.L.48-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 321. "Synthetic drug" means **the following**:

(1) A substance containing one (1) or more of the following chemical compounds, including an analog of the compound:

- (A) JWH-015 ((2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).
- (B) JWH-018 (1-pentyl-3-(1-naphthoyl)indole).
- (C) JWH-019 (1-hexyl-3-(naphthalen-1-oyl)indole).
- (D) JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone).
- (E) JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).
- (F) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- (G) JWH-200 ((1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-yl-methanone).



- 1 ~~(H)~~ JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole).
- 2 ~~(H)~~ JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole).
- 3 ~~(H)~~ JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
- 4 ~~(K)~~ HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-
- 5 3-(2-methyloctan-2-yl)-
- 6 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol).
- 7 ~~(L)~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-
- 8 3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo
- 9 [c]chromen-1-ol).
- 10 ~~(M)~~ HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-
- 11 (2-methyloctan-2-yl)phenyl]-
- 12 7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol).
- 13 ~~(N)~~ HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6-
- 14 (1-methylethenyl)-2-cyclohexen-1-yl]-5
- 15 -pentyl-2,5-cyclohexadiene-1,4-dione).
- 16 ~~(O)~~ CP 55,940
- 17 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-
- 18 5-(2-methyloctan-2-yl)phenol).
- 19 ~~(P)~~ CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]-5-
- 20 (2-methyloctan-2-yl)phenol) and its homologues, or
- 21 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)
- 22 phenol), where side chain n=5, and homologues where side
- 23 chain n=4, 6, or 7.
- 24 ~~(Q)~~ WIN 55212-2
- 25 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)
- 26 pyrrolo [1,2,3-de)-1,4-benzoxazin-
- 27 6-yl]-1-naphthalenylmethanone).
- 28 ~~(R)~~ RCS-4 ((4-methoxyphenyl)
- 29 (1-pentyl-1H-indol-3-yl)methanone).
- 30 ~~(S)~~ RCS-8 (1-(1-(2-cyclohexylethyl)-1H-
- 31 indol-3-yl)-2-(2-methoxyphenyl)ethanone).
- 32 ~~(T)~~ 4-Methylmethcathinone. Other name: mephedrone.
- 33 ~~(U)~~ 3,4-Methylenedioxymethcathinone. Other name:
- 34 methylone.
- 35 ~~(V)~~ Fluoromethcathinone.
- 36 ~~(W)~~ 4-Methoxymethcathinone. Other name: methedrone.
- 37 ~~(X)~~ 4-Ethylmethcathinone (4-EMC).
- 38 ~~(Y)~~ Methylenedioxypyrovalerone. Other name: MDPV.
- 39 ~~(Z)~~ JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole.
- 40 ~~(AA)~~ JWH-098, or
- 41 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole.
- 42 ~~(BB)~~ JWH-164, or



1 1-pentyl-3-(7-methoxy-1-naphthoyl)indole.
 2 ~~(CC)~~ JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole.
 3 ~~(DD)~~ JWH-201, or
 4 1-pentyl-3-(4-methoxyphenylacetyl)indole.
 5 ~~(EE)~~ JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole.
 6 ~~(FF)~~ AM-694, or
 7 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
 8 ~~(GG)~~ CP 50,556-1, or
 9 [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe
 10 ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1
 11 -yl] acetate.
 12 ~~(HH)~~ Dimethylheptylpyran, or DMHP.
 13 ~~(H)~~ 4-Methyl- α -pyrrolidinobutiophenone, or MPBP.
 14 ~~(J)~~ 6-APB [6-(2-aminopropyl)benzofuran].
 15 ~~(L)~~ 7-hydroxymitragynine.
 16 ~~(MM)~~ α -PPP [α -pyrrolidinopropiophenone].
 17 ~~(NN)~~ α -PVP (desmethylpyrovalerone).
 18 ~~(OO)~~ AM-251.
 19 ~~(PP)~~ AM-1241.
 20 ~~(QQ)~~ AM-2201.
 21 ~~(RR)~~ AM-2233.
 22 ~~(SS)~~ Buphedrone (α -methylamino-butyrophenone (MABP)).
 23 ~~(TT)~~ Butylone.
 24 ~~(UU)~~ CP-47,497-C7.
 25 ~~(VV)~~ CP-47,497-C8.
 26 ~~(WW)~~ Desoxypipradol.
 27 ~~(XX)~~ Ethylone.
 28 ~~(YY)~~ Eutylone.
 29 ~~(ZZ)~~ Flephedrone.
 30 ~~(AAA)~~ JWH-011.
 31 ~~(BBB)~~ JWH-020.
 32 ~~(CCC)~~ JWH-022.
 33 ~~(DDD)~~ JWH-030.
 34 ~~(EEE)~~ JWH-182.
 35 ~~(FFF)~~ JWH-302.
 36 ~~(GGG)~~ MDAI [5,6-methylenedioxy-2-aminoindane].
 37 ~~(HHH)~~ Mitragynine.
 38 ~~(HH)~~ Naphyrone.
 39 ~~(JJ)~~ Pentedrone.
 40 ~~(LLL)~~ Pentylone.
 41 ~~(MMM)~~ A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-
 42 (2,2,3,3-tetramethylcyclopropyl)methanone].



- 1 ~~(NNN)~~ AB-001[(1s,3s)-admantan-1-yl]
- 2 (1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3-
- 3 (1-adamantoyl)indole].
- 4 ~~(OOO)~~ AM-356 [Methanandamide].
- 5 ~~(PPP)~~ AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-
- 6 1H-indol-3-yl] tricyclo[3.3.1.1^{3,7}] dec-1-yl-methanone]or
- 7 [(1-[(N-methylpiperindin-2-yl)
- 8 Methyl]-3-(Adamant-1-oyl)indole].
- 9 ~~(QQQ)~~ AM 2233 Azepane isomer [(2-iodophenyl)
- 10 (1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone].
- 11 ~~(RRR)~~ CB-13 [1-Naphthalenyl
- 12 [4-(pentyoxy)- 1-naphthalenyl]methanone].
- 13 ~~(SSS)~~ UR-144 [(1-pentyl-1H-indol-3-yl)
- 14 (2,2,3,3-tetramethylcyclopropyl)-methanone].
- 15 ~~(TTT)~~ URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-
- 16 cyclohexylcarbamate].
- 17 ~~(UUU)~~ URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid,
- 18 cyclohexyl ester].
- 19 ~~(VVV)~~ URB 754 [6-methyl-2-[(4-methylphenyl)
- 20 amino]-1-benzoxazin-4-one].
- 21 ~~(WWW)~~ XLR-11 or 5-fluoro UR-144
- 22 (1-(5-fluoropentyl)-1H-indol-3-yl)
- 23 (2,2,3,3-tetramethylcyclopropyl)methanone].
- 24 ~~(XXX)~~ AKB48 (Other names include:
- 25 N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide;
- 26 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-
- 27 carboxamide).
- 28 ~~(YYY)~~ 25I-NBOMe (Other names include:
- 29 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-
- 30 benzeneethanamine);
- 31 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
- 32 methyl]ethanamine).
- 33 ~~(ZZZ)~~ 2C-C-NBOMe (Other names include: 25C-NBOMe;
- 34 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)
- 35 methyl]ethanamine;
- 36 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)
- 37 phenethylamine).
- 38 ~~(AAAA)~~ 2NE-1 (Other names include: 1-Pentyl-3-
- 39 (1-adamantylamido)indole).
- 40 ~~(BBBB)~~ STS-135 (Other names include:
- 41 N-Adamantyl-1-fluoropentylindole-3- carboxamide
- 42 (1-5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-



1 indole-3-carboxamide).
 2 (~~CCCC~~) PB-22 (Other names include: 1-Pentyl-8-quinolinyl
 3 ester-1H-indole-2-carboxylic acid).
 4 (~~DDDD~~) 5-Fluoro-PB-22 (Other names include:
 5 1-(5-Fluoropentyl)-8-quinolinyl ester 1H-indole-3-carboxylic
 6 acid).
 7 (~~EEEE~~) Benocyclidine (Other names include: BCP, BTCP,
 8 and Benzothiophenylcyclohexylpiperidine).
 9 (~~FFFF~~) 25B-NBOMe (Other names include: 2C-B-NBOMe
 10 and 4-Bromo-2,
 11 5-dimethoxy-N-[(2-Methoxyphenyl)methyl]
 12 benzeneethanamine).
 13 (~~GGGG~~) APB (Other names include: (2-Aminopropyl)
 14 Benzofuran).
 15 (~~HHHH~~) AB-PINACA
 16 (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-
 17 indazole-3-carboxamide).
 18 (~~HHH~~) AB-FUBINACA
 19 (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-
 20 1H-indazole-3-carboxamide).
 21 (~~JJJJ~~) ADB-PINACA
 22 (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-
 23 indazole-3-carboxamide).
 24 (~~KKKK~~) Fluoro ADBICA (N-(1-Amino-3,3-
 25 dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3-
 26 carboxamide).
 27 (~~LLLL~~) APDB (Other names include: -EMA, -Desoxy-MDA,
 28 and (2-Aminopropyl)-2,3-
 29 dihydrobenzofuran).
 30 (~~MMMM~~) THJ-2201 (Other names include: AM2201 indazole
 31 analog, Fluoropentyl-JWH-018 indazole, and
 32 5-Fluoro-THJ-018).
 33 (~~NNNN~~) AM 2201 benzimidazole analog (Other names
 34 include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H-
 35 benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone).
 36 (~~OOOO~~) MN-25 (Other names include: 7-methoxy-1-
 37 [2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-
 38 trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide
 39 and UR-12).
 40 (~~PPPP~~) FUB-PB-22 (Other names include:
 41 Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).
 42 (~~QQQQ~~) FUD-PB-22 (Other names include:



- 1 Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).
- 2 (~~RRRR~~) 5-Fluoro-AB-PINACA (Other names include:
- 3 AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl-
- 4 oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-
- 5 carboxamide).
- 6 (~~SSSS~~) 4-MePPP (Other names include:
- 7 4-methyl-alpha-pyrrolidinopropiophenone).
- 8 (~~TTTT~~) alpha-PBP (Other names include:
- 9 Alpha-pyrrolidinobutiophenone).
- 10 (~~UUUU~~) AB-CHMINACA (Other names include:
- 11 (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethy
- 12 l)-1H-indazole-3-carboxamide).
- 13 (~~VVVV~~) Mexedrone
- 14 (3-methoxy-2-(methylamino)-1-(p-tolyl)propan-1-one).
- 15 (~~WWWW~~) MT-45,
- 16 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine).
- 17 (~~XXXX~~) methyl 2-(1-(5-fluoropentyl)- 1H-indazole-3-
- 18 carboxamido) -3,3-dimethylbutanoate [5F-ADB;
- 19 5F-MDMB-PINACA].
- 20 (~~YYYY~~) methyl 2-(1-(5-fluoropentyl)-1H- indazole-3-
- 21 carboxamido)-3-methylbutanoate [5F-AMB].
- 22 (~~ZZZZ~~) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)
- 23 -1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide
- 24 [ADB-FUBINACA].
- 25 (~~AAAAA~~) N-(adamantan-1-yl)-1-(5-fluoropentyl)-
- 26 1H-indazole-3- carboxamide [5F-APINACA, 5F-AKB48].
- 27 (~~BBBBB~~) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-
- 28 carboxamido)-3,3-dimethylbutanoate [MDMB-CHMICA,
- 29 MMB-CHMINACA].
- 30 (~~CCCCC~~) methyl 2-(1-(4-fluorobenzyl)-
- 31 1H-indazole-3-carboxamido)- 3,3-dimethylbutanoate
- 32 [MDMB-FUBINACA].
- 33 (~~DDDDD~~) N-(1-amino-3,3-dimethyl-1 -oxobutan-2-yl)-1-
- 34 (cyclohexylmethyl)- 1H-indazole-3-carboxamide
- 35 [MAB-CHMINACA and ADB-CHMINACA].
- 36 (~~EEEE~~) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-
- 37 3-carboxamido)- 3-methylbutanoate [FUB-AMB,
- 38 MMB-FUBINACA, AMB-FUBINACA].
- 39 (~~FFFF~~) 3,4-dichloro-N-[(1dimethylamino)cyclohexylme
- 40 thyl]benzamide) [AH7921].
- 41 (~~GGGGG~~) Naphthalen-1-yl 1-(5-fluoropentyl)-1
- 42 H-indole-3-carboxylate (trivial name: NM2201; CBL2201)



- 1 ~~(HHHHH)~~ 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1
2 H-indazole-3-carboxamide (trivial name:
3 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA;
4 4-CN-CUMYL BINACA; CUMYL-4CN-BINACA; SGT-78).
5 ~~(HHH)~~ methyl 2-(1-(cyclohexylmethyl)-1
6 H-indole-3-carboxamido)-3-methylbutanoate (trivial names:
7 MMB-CHMICA, AMB-CHMICA).
8 ~~(JJJJ)~~ 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1
9 H-pyrrolo[2,3-b]pyridine-3-carboxamide (trivial name:
10 5F-CUMYL-P7AICA).
11 ~~(KKKKK)~~ N-1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-p
12 entanone (N-ethylpentylone, ephylone).
13 ~~(LLLL)~~ Synthetic cathinone, 1-(1,3-benzodioxol-5-yl)-2-
14 (ethylamino)-pentan-1-one (N-ethylpentylone, ephylone) and
15 its optical, positional, and geometric isomers, salts, and salts
16 of isomers.
17 ~~(MMMMM)~~ ethyl
18 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-
19 dimethylbutanoate (trivial name: 5F-EDMB-PINACA).
20 ~~(NNNNN)~~ methyl 2-(1-(5- fluoropentyl)-1H-indole-3-
21 carboxamido)-3,3-dimethylbutanoate (trivial name:
22 5F-MDMB-PICA).
23 ~~(OOOOO)~~ N- (adamantan- 1-yl)- 1-(4-fluorobenzyl)-
24 1H-indazole-3-carboxamide (trivial names: FUB-AKB48;
25 FUB-APINACA; AKB48 N- (4-FLUOROBENZYL)).
26 ~~(PPPPP)~~ 1-(5- fluoropentyl)-N-(2-phenylpropan-2-yl)-
27 1H-indazole-3-carboxamide (trivial names:
28 5F-CUMYL-PINACA; SGT-25).
29 ~~(QQQQQ)~~ (1-(4-fluorobenzyl)-1H-indol-3-
30 yl)(2,2,3,3-tetramethylcyclopropyl) methanone (trivial name:
31 FUB-144).
32 ~~(RRRRR)~~ 4F-MDMB-BINACA.
33 ~~(-S-S-S-S-S-)~~ N - e t h y l h e x e d r o n e
34 (2-(ethylamino)-1-phenylhexan-1-one).
35 ~~(TTTTT)~~ alpha-pyrrolidinohexanophenone
36 (1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one.
37 ~~(UUUUU)~~ alpha-pyrrolidinohexiophenone; trivial name:
38 a-PHP.
39 ~~(VVVVV)~~ 4'-methyl-alpha-pyrrolidinohexiophenone
40 (1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one.
41 ~~(WWWWW)~~ 4-methyl-alphaethylaminopentiophenone
42 (2-(ethylamino)-1-(4-methylphenyl)pentan-1-one; trivial



- 1 name: 4-MEAP.
 2 (~~XXXXXX~~) 4'-methyl-alpha-pyrrolidino-hexanophenone; trivial
 3 name: MPHP.
 4 (~~YYYYYY~~) alpha-pyrrolidinoheptaphenone
 5 (1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one; trivial name: PV8.
 6 (~~ZZZZZZ~~) 4'-chloro-alpha-pyrrolidinovalerophenone (1-(4-
 7 chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one.
 8 (~~AAAAAA~~) 4'-chloro-alpha-pyrrolidinopentiophenone; trivial
 9 name: 4-chloro-a-PVP.
 10 (~~BBBBBB~~) MDMB-4en-PINACA; Methyl
 11 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1H[1]indazole-3-carboxa
 12 mido)butanoate.
 13 (~~EEEEEE~~) 4F-MDMB-BICA; 4-fluoro MDMB-BICA;
 14 4 F - M D M B - B U T I C A ; M e t h y l
 15 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3,
 16 3-dimethyl-butanoate. Other name: 4-fluoro MDMB-BICA.
 17 (2) Any compound structurally derived from
 18 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by
 19 substitution at the nitrogen atom of the indole ring by alkyl,
 20 haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
 21 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or
 22 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
 23 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether
 24 or not further substituted in the indole ring to any extent and
 25 whether or not substituted in the naphthyl ring to any extent.
 26 (3) Any compound structurally derived from 3-(1-naphthoyl)
 27 pyrrole by substitution at the nitrogen atom of the pyrrole ring by
 28 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl,
 29 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
 30 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,
 31 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl
 32 group, whether or not further substituted in the pyrrole ring to any
 33 extent and whether or not substituted in the naphthyl ring to any
 34 extent.
 35 (4) Any compound structurally derived from
 36 1-(1-naphthylmethyl)indene by substitution at the 3-position of
 37 the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl,
 38 cycloalkylmethyl, cycloalkylethyl,
 39 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or
 40 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-
 41 morpholinyl)methyl, or tetrahydropyranylmethyl group, whether
 42 or not further substituted in the indene ring to any extent and



whether or not substituted in the naphthyl ring to any extent.

(5) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(6) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not substituted in the cyclohexyl ring to any extent.

(7) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent.

(8) Any compound, except bupropion or a compound listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified:

(A) by substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;

(B) by substitution at the 3-position with an acyclic alkyl substituent;

(C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or

(D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

(9) Any compound structurally derived from 3-tetramethyl cyclopropanoylindole with substitution at the nitrogen atom of the



indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl) ethyl, 1-(N-methyl-2-pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent.

(10) Any compound containing a N-(1-adamantyl)-1H-indazole-3-carboxamide structure with substitution at the nitrogen atom of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indazole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AKB48.

(11) Any compound containing a N-(1-adamantyl)-1H-indole-3-carboxamide structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl) methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted at the nitrogen atom of the carboxamide to any extent, whether or not further substituted in the indole ring to any extent, and whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes STS-135.

(12) Any compound containing a 3-(1-adamantoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2- piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2- pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the adamantyl ring system to any extent. An example of this structural class includes AM-1248.

(13) Any compound determined to be a synthetic drug by rule



adopted under IC 25-26-13-4.1.

SECTION 227. IC 35-31.5-2-339, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 339. "Ultimate user", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-27~~; **IC 35-48-1.1-39**.

SECTION 228. IC 35-33-1-1, AS AMENDED BY P.L.112-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) A law enforcement officer may arrest a person when the officer has:

- (1) a warrant commanding that the person be arrested;
- (2) probable cause to believe the person has committed or attempted to commit, or is committing or attempting to commit, a felony;
- (3) probable cause to believe the person has violated the provisions of IC 9-26-1-1.1 or IC 9-30-5;
- (4) probable cause to believe the person is committing or attempting to commit a misdemeanor in the officer's presence;
- (5) probable cause to believe the person has committed a:
 - (A) battery resulting in bodily injury under IC 35-42-2-1; or
 - (B) domestic battery under IC 35-42-2-1.3.
- The officer may use an affidavit executed by an individual alleged to have direct knowledge of the incident alleging the elements of the offense of battery to establish probable cause;
- (6) probable cause to believe that the person violated IC 35-46-1-15.1 (invasion of privacy) or IC 35-46-1-15.3;
- (7) probable cause to believe that the person violated IC 35-47-2-1.5 (unlawful carrying of a handgun) or IC 35-47-2-22 (counterfeit handgun license);
- (8) probable cause to believe that the person is violating or has violated an order issued under IC 35-50-7;
- (9) probable cause to believe that the person is violating or has violated IC 35-47-6-1.1 (undisclosed transport of a dangerous device);
- (10) probable cause to believe that the person is:
 - (A) violating or has violated IC 35-45-2-5 (interference with the reporting of a crime); and
 - (B) interfering with or preventing the reporting of a crime involving domestic or family violence (as defined in ~~IC 34-6-2-34.5~~; **IC 34-6-2.1-50**);
- (11) probable cause to believe that the person has committed theft (IC 35-43-4-2);
- (12) a removal order issued for the person by an immigration



1 court;

2 (13) a detainer or notice of action for the person issued by the
3 United States Department of Homeland Security; or

4 (14) probable cause to believe that the person has been indicted
5 for or convicted of one (1) or more aggravated felonies (as
6 defined in 8 U.S.C. 1101(a)(43)).

7 (b) A person who:

8 (1) is employed full time as a federal enforcement officer;

9 (2) is empowered to effect an arrest with or without warrant for a
10 violation of the United States Code; and

11 (3) is authorized to carry firearms in the performance of the
12 person's duties;

13 may act as an officer for the arrest of offenders against the laws of this
14 state where the person reasonably believes that a felony has been or is
15 about to be committed or attempted in the person's presence.

16 (c) A law enforcement officer who arrests a child or takes a child
17 into custody as described in IC 31-37-4-3.5 shall make a reasonable
18 attempt to notify:

19 (1) the child's parent, guardian, or custodian; or

20 (2) the emergency contact listed on the child's school record;

21 that the child has been arrested or taken into custody.

22 SECTION 229. IC 35-38-1-7.5, AS AMENDED BY P.L.142-2020,
23 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2025]: Sec. 7.5. (a) As used in this section, "sexually violent
25 predator" means a person who suffers from a mental abnormality or
26 personality disorder that makes the individual likely to repeatedly
27 commit a sex offense (as defined in IC 11-8-8-5.2). The term includes
28 a person convicted in another jurisdiction who is identified as a
29 sexually violent predator under IC 11-8-8-20. The term does not
30 include a person no longer considered a sexually violent predator under
31 subsection (g).

32 (b) A person who:

33 (1) being at least eighteen (18) years of age, commits an offense
34 described in:

35 (A) IC 35-42-4-1;

36 (B) IC 35-42-4-2 (before its repeal);

37 (C) IC 35-42-4-3 as a Class A or Class B felony (for a crime
38 committed before July 1, 2014) or a Level 1, Level 2, Level 3,
39 or Level 4 felony (for a crime committed after June 30, 2014);

40 (D) IC 35-42-4-5(a)(1);

41 (E) IC 35-42-4-5(a)(2);

42 (F) IC 35-42-4-5(a)(3) (before that provision was redesignated



1 by P.L.158-2013, SECTION 441);
 2 (G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a
 3 crime committed before July 1, 2014) or Level 2, Level 3, or
 4 Level 4 felony (for a crime committed after June 30, 2014);
 5 (H) IC 35-42-4-5(b)(2); or
 6 (I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a
 7 crime committed before July 1, 2014) or a Level 2, Level 3, or
 8 Level 4 felony (for a crime committed after June 30, 2014);
 9 (2) commits a sex offense (as defined in IC 11-8-8-5.2) while
 10 having a previous unrelated conviction for a sex offense for which
 11 the person is required to register as a sex or violent offender under
 12 IC 11-8-8;
 13 (3) commits a sex offense (as defined in IC 11-8-8-5.2) while
 14 having had a previous unrelated adjudication as a delinquent child
 15 for an act that would be a sex offense if committed by an adult, if,
 16 after considering expert testimony, a court finds by clear and
 17 convincing evidence that the person is likely to commit an
 18 additional sex offense; or
 19 (4) commits a sex offense (as defined in IC 11-8-8-5.2) while
 20 having had a previous unrelated adjudication as a delinquent child
 21 for an act that would be a sex offense if committed by an adult, if
 22 the person was required to register as a sex or violent offender
 23 under IC 11-8-8-5(b)(2);
 24 is a sexually violent predator. Except as provided in subsection (g) or
 25 (h), a person is a sexually violent predator by operation of law if an
 26 offense committed by the person satisfies the conditions set forth in
 27 subdivision (1) or (2) and the person was released from incarceration,
 28 secure detention, probation, or parole for the offense after June 30,
 29 1994.
 30 (c) This section applies whenever a court sentences a person or a
 31 juvenile court issues a dispositional decree for a sex offense (as defined
 32 in IC 11-8-8-5.2) for which the person is required to register with the
 33 local law enforcement authority under IC 11-8-8.
 34 (d) At the sentencing hearing, the court shall indicate on the record
 35 whether the person has been convicted of an offense that makes the
 36 person a sexually violent predator under subsection (b).
 37 (e) If a person is not a sexually violent predator under subsection
 38 (b), the prosecuting attorney may request the court to conduct a hearing
 39 to determine whether the person (including a child adjudicated to be a
 40 delinquent child) is a sexually violent predator under subsection (a). If
 41 the court grants the motion, the court shall appoint two (2)
 42 psychologists or psychiatrists who have expertise in criminal



1 behavioral disorders to evaluate the person and testify at the hearing.
 2 After conducting the hearing and considering the testimony of the two
 3 (2) psychologists or psychiatrists, the court shall determine whether the
 4 person is a sexually violent predator under subsection (a). A hearing
 5 conducted under this subsection may be combined with the person's
 6 sentencing hearing.

7 (f) If a person is a sexually violent predator:

8 (1) the person is required to register with the local law
 9 enforcement authority as provided in IC 11-8-8; and

10 (2) the court shall send notice to the department of correction.

11 (g) This subsection does not apply to a person who has two (2) or
 12 more unrelated convictions for an offense described in IC 11-8-8-4.5
 13 for which the person is required to register under IC 11-8-8. A person
 14 who is a sexually violent predator may petition the court to consider
 15 whether the person should no longer be considered a sexually violent
 16 predator. The person may file a petition under this subsection not
 17 earlier than ten (10) years after:

18 (1) the sentencing court or juvenile court makes its determination
 19 under subsection (e); or

20 (2) the person is released from incarceration or secure detention.

21 A person may file a petition under this subsection not more than one
 22 (1) time per year. A court may dismiss a petition filed under this
 23 subsection or conduct a hearing to determine if the person should no
 24 longer be considered a sexually violent predator. If the court conducts
 25 a hearing, the court shall appoint two (2) psychologists or psychiatrists
 26 who have expertise in criminal behavioral disorders to evaluate the
 27 person and testify at the hearing. After conducting the hearing and
 28 considering the testimony of the two (2) psychologists or psychiatrists,
 29 the court shall determine whether the person should no longer be
 30 considered a sexually violent predator under subsection (a). If a court
 31 finds that the person should no longer be considered a sexually violent
 32 predator, the court shall send notice to the department of correction that
 33 the person is no longer considered a sexually violent predator or an
 34 offender against children. Notwithstanding any other law, a condition
 35 imposed on a person due to the person's status as a sexually violent
 36 predator, including lifetime parole or GPS monitoring, does not apply
 37 to a person no longer considered a sexually violent predator.

38 (h) A person is not a sexually violent predator by operation of law
 39 under subsection (b)(1) if all of the following conditions are met:

40 (1) The victim was not less than twelve (12) years of age at the
 41 time the offense was committed.

42 (2) The person is not more than four (4) years older than the



1 victim.

2 (3) The relationship between the person and the victim was a
3 dating relationship or an ongoing personal relationship. The term
4 "ongoing personal relationship" does not include a family
5 relationship.

6 (4) The offense committed by the person was not any of the
7 following:

8 (A) Rape (IC 35-42-4-1).

9 (B) Criminal deviate conduct (IC 35-42-4-2) (before its
10 repeal).

11 (C) An offense committed by using or threatening the use of
12 deadly force or while armed with a deadly weapon.

13 (D) An offense that results in serious bodily injury.

14 (E) An offense that is facilitated by furnishing the victim,
15 without the victim's knowledge, with a drug (as defined in
16 IC 16-42-19-2(1)) or a controlled substance (as defined in
17 ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was
18 furnished with the drug or controlled substance without the
19 victim's knowledge.

20 (5) The person has not committed another sex offense (as defined
21 in IC 11-8-8-5.2) (including a delinquent act that would be a sex
22 offense if committed by an adult) against any other person.

23 (6) The person did not have a position of authority or substantial
24 influence over the victim.

25 (7) The court finds that the person should not be considered a
26 sexually violent predator.

27 SECTION 230. IC 35-38-1-10.5, AS AMENDED BY P.L.56-2023,
28 SECTION 319, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2025]: Sec. 10.5. (a) The court:

30 (1) shall order that a person undergo a screening test for the
31 human immunodeficiency virus (HIV) if the person is:

32 (A) convicted of an offense relating to a criminal sexual act
33 and the offense created an epidemiologically demonstrated
34 risk of transmission of the human immunodeficiency virus
35 (HIV); or

36 (B) convicted of an offense relating to controlled substances
37 and the offense involved:

38 (i) the delivery by any person to another person; or

39 (ii) the use by any person on another person;

40 of a contaminated sharp (as defined in IC 16-41-16-2) or other
41 paraphernalia that creates an epidemiologically demonstrated
42 risk of transmission of HIV by involving percutaneous contact;



1 and

2 (2) may order that a person undergo a screening test for a serious
3 disease (as defined in IC 16-41-8-5) in accordance with
4 IC 16-41-8-5.

5 (b) If the screening test required by this section indicates the
6 presence of antibodies to HIV, the court shall order the person to
7 undergo a confirmatory test.

8 (c) If the confirmatory test confirms the presence of the HIV
9 antibodies, the court shall report the results to the Indiana department
10 of health and require a probation officer to conduct a presentence
11 investigation to:

12 (1) obtain the medical record of the convicted person from the
13 Indiana department of health under IC 16-41-8-1(b)(3); and

14 (2) determine whether the convicted person had received risk
15 counseling that included information on the behavior that
16 facilitates the transmission of HIV.

17 (d) A person who, in good faith:

18 (1) makes a report required to be made under this section; or

19 (2) testifies in a judicial proceeding on matters arising from the
20 report;

21 is immune from both civil and criminal liability due to the offering of
22 that report or testimony.

23 (e) The privileged communication between a husband and wife or
24 between a health care provider and the health care provider's patient is
25 not a ground for excluding information required under this section.

26 (f) A mental health service provider (as defined in ~~IC 34-6-2-80~~)
27 **IC 34-6-2.1-123**) who discloses information that must be disclosed to
28 comply with this section is immune from civil and criminal liability
29 under Indiana statutes that protect patient privacy and confidentiality.

30 SECTION 231. IC 35-38-2-2.3, AS AMENDED BY P.L.56-2023,
31 SECTION 321, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2025]: Sec. 2.3. (a) As a condition of probation,
33 the court may require a person to do a combination of the following:

34 (1) Work faithfully at suitable employment or faithfully pursue a
35 course of study or career and technical education that will equip
36 the person for suitable employment.

37 (2) Undergo available medical or psychiatric treatment and
38 remain in a specified institution if required for that purpose.

39 (3) Attend or reside in a facility established for the instruction,
40 recreation, or residence of persons on probation.

41 (4) Participate in a treatment program, educational class, or
42 rehabilitative service provided by a probation department or by



- 1 referral to an agency.
- 2 (5) Support the person's dependents and meet other family
- 3 responsibilities.
- 4 (6) Make restitution or reparation to the victim of the crime for
- 5 damage or injury that was sustained by the victim. When
- 6 restitution or reparation is a condition of probation, the court shall
- 7 fix the amount, which may not exceed an amount the person can
- 8 or will be able to pay, and shall fix the manner of performance.
- 9 (7) Execute a repayment agreement with the appropriate
- 10 governmental entity to repay the full amount of public relief or
- 11 assistance wrongfully received, and make repayments according
- 12 to a repayment schedule set out in the agreement.
- 13 (8) Pay a fine authorized by IC 35-50.
- 14 (9) Refrain from possessing a firearm or other deadly weapon
- 15 unless granted written permission by the court or the person's
- 16 probation officer.
- 17 (10) Report to a probation officer at reasonable times as directed
- 18 by the court or the probation officer.
- 19 (11) Permit the person's probation officer to visit the person at
- 20 reasonable times at the person's home or elsewhere.
- 21 (12) Remain within the jurisdiction of the court, unless granted
- 22 permission to leave by the court or by the person's probation
- 23 officer.
- 24 (13) Answer all reasonable inquiries by the court or the person's
- 25 probation officer and promptly notify the court or probation
- 26 officer of any change in address or employment.
- 27 (14) Perform uncompensated work that benefits the community.
- 28 (15) Satisfy other conditions reasonably related to the person's
- 29 rehabilitation.
- 30 (16) Undergo home detention under IC 35-38-2.5.
- 31 (17) Undergo a laboratory test or series of tests approved by the
- 32 Indiana department of health to detect and confirm the presence
- 33 of the human immunodeficiency virus (HIV) antigen or antibodies
- 34 to the human immunodeficiency virus (HIV), if:
- 35 (A) the person had been convicted of an offense relating to a
- 36 criminal sexual act and the offense created an
- 37 epidemiologically demonstrated risk of transmission of the
- 38 human immunodeficiency virus (HIV); or
- 39 (B) the person had been convicted of an offense relating to a
- 40 controlled substance and the offense involved:
- 41 (i) the delivery by any person to another person; or
- 42 (ii) the use by any person on another person;



of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact.

(18) Refrain from any direct or indirect contact with an individual and, if convicted of an offense under IC 35-46-3, any animal belonging to the individual.

(19) Execute a repayment agreement with the appropriate governmental entity or with a person for reasonable costs incurred because of the taking, detention, or return of a missing child (as defined in IC 10-13-5-4).

(20) Periodically undergo a laboratory chemical test (as defined in IC 9-13-2-22) or series of chemical tests as specified by the court to detect and confirm the presence of a controlled substance (as defined in ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**). The person on probation is responsible for any charges resulting from a test and shall have the results of any test under this subdivision reported to the person's probation officer by the laboratory.

(21) If the person was confined in a penal facility, execute a reimbursement plan as directed by the court and make repayments under the plan to the authority that operates the penal facility for all or part of the costs of the person's confinement in the penal facility. The court shall fix an amount that:

(A) may not exceed an amount the person can or will be able to pay;

(B) does not harm the person's ability to reasonably be self supporting or to reasonably support any dependent of the person; and

(C) takes into consideration and gives priority to any other restitution, reparation, repayment, or fine the person is required to pay under this section.

(22) Refrain from owning, harboring, or training an animal.

(23) Participate in a reentry court program.

(24) Receive:

(A) addiction counseling;

(B) mental health counseling;

(C) inpatient detoxification; and

(D) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(b) When a person is placed on probation, the person shall be given a written statement specifying:

(1) the conditions of probation; and



(2) that if the person violates a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following:

(A) One (1) year after the termination of probation.

(B) Forty-five (45) days after the state receives notice of the violation.

(c) As a condition of probation, the court may require that the person serve a term of imprisonment in an appropriate facility at the time or intervals (consecutive or intermittent) within the period of probation the court determines.

(d) Intermittent service may be required only for a term of not more than sixty (60) days and must be served in the county or local penal facility. The intermittent term is computed on the basis of the actual days spent in confinement and shall be completed within one (1) year. A person does not earn good time credit while serving an intermittent term of imprisonment under this subsection. When the court orders intermittent service, the court shall state:

(1) the term of imprisonment;

(2) the days or parts of days during which a person is to be confined; and

(3) the conditions.

(e) Supervision of a person may be transferred from the court that placed the person on probation to a court of another jurisdiction, with the concurrence of both courts. Retransfers of supervision may occur in the same manner. This subsection does not apply to transfers made under IC 11-13-4 or IC 11-13-5.

(f) When a court imposes a condition of probation described in subsection (a)(18):

(1) the clerk of the court shall comply with IC 5-2-9; and

(2) the prosecuting attorney shall file a confidential form prescribed or approved by the office of judicial administration with the clerk.

(g) As a condition of probation, a court shall require a person:

(1) who is described in IC 10-13-6-10(a);

(2) who has not previously provided a DNA sample in accordance with IC 10-13-6; and

(3) whose sentence does not involve a commitment to the department of correction;

to provide a DNA sample as a condition of probation.

(h) If a court imposes a condition of probation described in subsection (a)(4), the person on probation is responsible for any costs resulting from the participation in a program, class, or service. Any



costs collected for services provided by the probation department shall be deposited in the county or local supplemental adult services fund.

SECTION 232. IC 35-42-1-1.5, AS AMENDED BY P.L.80-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) A person who knowingly or intentionally manufactures or delivers a controlled substance or controlled substance analog, in violation of:

- (1) IC 35-48-4-1 (dealing in cocaine or a narcotic drug);
- (2) IC 35-48-4-1.1 (dealing in methamphetamine);
- (3) IC 35-48-4-1.2 (manufacturing methamphetamine); or
- (4) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance);

that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 1 felony.

(b) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-3, that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 2 felony.

(c) A person who knowingly or intentionally manufactures or delivers a controlled substance, in violation of IC 35-48-4-4, an offense under IC 35-48-4 involving a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6), that, when the controlled substance is used, injected, inhaled, absorbed, or ingested, results in the death of a human being who used the controlled substance, commits dealing in a controlled substance resulting in death, a Level 3 felony.

(d) It is not a defense to an offense described in this section that the human being died:

- (1) after voluntarily using, injecting, inhaling, absorbing, or ingesting a controlled substance or controlled substance analog; or
- (2) as a result of using the controlled substance or controlled substance analog in combination with alcohol or another controlled substance or with any other compound, mixture,



diluent, or substance.

SECTION 233. IC 35-42-3.5-1.2, AS ADDED BY P.L.144-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.2. (a) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than eighteen (18) years of age with the intent of causing the child to engage in:

(1) prostitution or juvenile prostitution; or

(2) a performance or incident that includes sexual conduct in violation of IC 35-42-4-4(b) or IC 35-42-4-4(c) (child exploitation);

commits promotion of child sexual trafficking, a Level 3 felony.

(b) It is not a defense to a prosecution under this section that the:

(1) child consented to engage in prostitution or juvenile prostitution or to participate in sexual conduct; or

(2) intended victim of the offense is a law enforcement officer.

(c) A person who knowingly or intentionally recruits, entices, harbors, or transports a child less than sixteen (16) years of age with the intent of inducing or causing the child to participate in sexual conduct commits promotion of sexual trafficking of a younger child, a Level 3 felony. It is a defense to a prosecution under this subsection if:

(1) the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person is less than eighteen (18) years of age; or

(2) all the following apply:

(A) The person is not more than four (4) years older than the victim.

(B) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

(C) The crime:

(i) was not committed by a person who is at least twenty-one (21) years of age;

(ii) was not committed by using or threatening the use of deadly force;

(iii) was not committed while armed with a deadly weapon;

(iv) did not result in serious bodily injury;

(v) was not facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without



the victim's knowledge; and

(vi) was not committed by a person having a position of authority or substantial influence over the victim.

(D) The person has not committed another sex offense (as defined in IC 11-8-8-5.2), including a delinquent act that would be a sex offense if committed by an adult, against any other person.

(E) The person is not promoting prostitution (as defined in IC 35-45-4-4) with respect to the victim even though the person has not been charged with or convicted of the offense.

SECTION 234. IC 35-42-4-1, AS AMENDED BY P.L.105-2022, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when:

(1) the other person is compelled by force or imminent threat of force;

(2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring;

(3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given; or

(4) the person disregarded the other person's attempts to physically, verbally, or by other visible conduct refuse the person's acts;

commits rape, a Level 3 felony.

(b) An offense described in subsection (a) is a Level 1 felony if:

(1) it is committed by using or threatening the use of deadly force;

(2) it is committed while armed with a deadly weapon;

(3) it results in serious bodily injury to a person other than a defendant; or

(4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(c) In addition to any other penalty imposed for a violation of this section, the court shall order the person to pay restitution under IC 35-50-5-3 for expenses related to pregnancy and childbirth if the



pregnancy is a result of the offense.

SECTION 235. IC 35-42-4-3, AS AMENDED BY P.L.78-2022, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A person who, with a child under fourteen (14) years of age, knowingly or intentionally performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) commits child molesting, a Level 3 felony. However, the offense is a Level 1 felony if:

- (1) it is committed by a person at least twenty-one (21) years of age;
- (2) it is committed by using or threatening the use of deadly force or while armed with a deadly weapon;
- (3) it results in serious bodily injury;
- (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; or
- (5) it results in the transmission of a serious sexually transmitted disease and the person knew that the person was infected with the disease.

(b) A person who, with a child under fourteen (14) years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits child molesting, a Level 4 felony. However, the offense is a Level 2 felony if:

- (1) it is committed by using or threatening the use of deadly force;
- (2) it is committed while armed with a deadly weapon; or
- (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(c) A person may be convicted of attempted child molesting of an individual at least fourteen (14) years of age if the person believed the individual to be a child under fourteen (14) years of age at the time the person attempted to commit the offense.

(d) It is a defense to a prosecution under this section that the accused person reasonably believed that the child was sixteen (16) years of age or older at the time of the conduct, unless:



- (1) the offense is committed by using or threatening the use of deadly force or while armed with a deadly weapon;
- (2) the offense results in serious bodily injury; or
- (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(e) In addition to any other penalty imposed for a violation of this section, the court shall order the person to pay restitution under IC 35-50-5-3 for expenses related to pregnancy and childbirth if the pregnancy is a result of the offense.

SECTION 236. IC 35-42-4-5, AS AMENDED BY P.L.158-2013, SECTION 441, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) A person eighteen (18) years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of sixteen (16) to touch or fondle himself or herself or another child under the age of sixteen (16) with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a Level 5 felony. However, the offense is:

(1) a Level 4 felony if a child involved in the offense is under the age of fourteen (14); and

(2) a Level 3 felony if:

(A) the offense is committed by using or threatening the use of deadly force or while armed with a deadly weapon;

(B) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; or

(C) the commission of the offense results in serious bodily injury.

(b) A person eighteen (18) years of age or older who knowingly or intentionally directs, aids, induces, or causes a child under the age of sixteen (16) to:

(1) engage in sexual intercourse with another child under sixteen (16) years of age;

(2) engage in sexual conduct with an animal other than a human being; or



(3) engage in other sexual conduct (as defined in IC 35-31.5-2-221.5) with another person; with intent to arouse or satisfy the sexual desires of a child or the older person commits vicarious sexual gratification, a Level 4 felony. However, the offense is a Level 3 felony if any child involved in the offense is less than fourteen (14) years of age, and the offense is a Level 2 felony if the offense is committed by using or threatening the use of deadly force, if the offense is committed while armed with a deadly weapon, if the offense results in serious bodily injury, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(c) A person eighteen (18) years of age or older who knowingly or intentionally:

(1) engages in sexual intercourse;

(2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5); or

(3) touches or fondles the person's own body;

in the presence of a child less than fourteen (14) years of age with the intent to arouse or satisfy the sexual desires of the child or the older person commits performing sexual conduct in the presence of a minor, a Level 6 felony.

SECTION 237. IC 35-42-4-8, AS AMENDED BY P.L.158-2013, SECTION 444, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A person who, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person:

(1) touches another person when that person is:

(A) compelled to submit to the touching by force or the imminent threat of force; or

(B) so mentally disabled or deficient that consent to the touching cannot be given; or

(2) touches another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring;

commits sexual battery, a Level 6 felony.

(b) An offense described in subsection (a) is a Level 4 felony if:

(1) it is committed by using or threatening the use of deadly force;

(2) it is committed while armed with a deadly weapon; or



(3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

SECTION 238. IC 35-42-4-9, AS AMENDED BY P.L.40-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) A person at least eighteen (18) years of age who knowingly or intentionally performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with a child less than sixteen (16) years of age, commits sexual misconduct with a minor, a Level 5 felony. However, the offense is:

(1) a Level 4 felony if it is committed by a person at least twenty-one (21) years of age; and

(2) a Level 1 felony if it is committed by using or threatening the use of deadly force, if it is committed while armed with a deadly weapon, if it results in serious bodily injury, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(b) A person at least eighteen (18) years of age who knowingly or intentionally performs or submits to any fondling or touching with a child less than sixteen (16) years of age with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits sexual misconduct with a minor, a Level 6 felony. However, the offense is:

(1) a Level 5 felony if it is committed by a person at least twenty-one (21) years of age; and

(2) a Level 2 felony if it is committed by using or threatening the use of deadly force, while armed with a deadly weapon, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~) **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(c) It is a defense that the accused person reasonably believed that the child was at least sixteen (16) years of age at the time of the conduct. However, this subsection does not apply to an offense



described in subsection (a)(2) or (b)(2).

(d) It is a defense that the child is or has ever been married. However, this subsection does not apply to an offense described in subsection (a)(2) or (b)(2).

(e) It is a defense to a prosecution under this section if all the following apply:

(1) The person is not more than four (4) years older than the victim.

(2) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

(3) The crime:

(A) was not committed by a person who is at least twenty-one (21) years of age;

(B) was not committed by using or threatening the use of deadly force;

(C) was not committed while armed with a deadly weapon;

(D) did not result in serious bodily injury;

(E) was not facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in ~~IC 35-48-1-9~~ **IC 35-48-1.1-7**) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; and

(F) was not committed by a person having a position of authority or substantial influence over the victim.

(4) The person has not committed another sex offense (as defined in IC 11-8-8-5.2) (including a delinquent act that would be a sex offense if committed by an adult) against any other person.

(5) The person is not promoting prostitution (as defined in IC 35-45-4-4) with respect to the victim even though the person has not been charged with or convicted of the offense.

SECTION 239. IC 35-43-2-2, AS AMENDED BY P.L.171-2024, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) As used in this section, "authorized person" means a person authorized by an agricultural operation or a scientific research facility to act on behalf of the agricultural operation or the scientific research facility.

(b) A person who:

(1) not having a contractual interest in the property, knowingly or intentionally enters the real property of another person after



1 having been denied entry by the other person or that person's
2 agent;

3 (2) not having a contractual interest in the property, knowingly or
4 intentionally refuses to leave the real property of another person
5 after having been asked to leave by the other person or that
6 person's agent;

7 (3) accompanies another person in a vehicle, with knowledge that
8 the other person knowingly or intentionally is exerting
9 unauthorized control over the vehicle;

10 (4) knowingly or intentionally interferes with the possession or
11 use of the property of another person without the person's consent;

12 (5) not having a contractual interest in the property, knowingly or
13 intentionally enters the:

14 (A) property of an agricultural operation that is used for the
15 production, processing, propagation, packaging, cultivation,
16 harvesting, care, management, or storage of an animal, plant,
17 or other agricultural product, including any pasturage or land
18 used for timber management, without the consent of the owner
19 of the agricultural operation or an authorized person; or

20 (B) dwelling of another person without the person's consent;

21 (6) knowingly or intentionally:

22 (A) travels by train without lawful authority or the railroad
23 carrier's consent; and

24 (B) rides on the outside of a train or inside a passenger car,
25 locomotive, or freight car, including a boxcar, flatbed, or
26 container without lawful authority or the railroad carrier's
27 consent;

28 (7) not having a contractual interest in the property, knowingly or
29 intentionally enters or refuses to leave the property of another
30 person after having been prohibited from entering or asked to
31 leave the property by a law enforcement officer when the property
32 is:

33 (A) vacant real property (as defined in IC 36-7-36-5) or a
34 vacant structure (as defined in IC 36-7-36-6); or

35 (B) designated by a municipality or county enforcement
36 authority to be:

37 (i) abandoned property or an abandoned structure (as
38 defined in IC 36-7-36-1); or

39 (ii) an unsafe building or an unsafe premises (as described
40 in IC 36-7-9);

41 (8) not having a contractual interest in the property, knowingly or
42 intentionally enters the real property of an agricultural operation



(as defined in IC 32-30-6-1) without the permission of the owner of the agricultural operation or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to:

(A) the owner of or a person having a contractual interest in the agricultural operation;

(B) the operator of the agricultural operation; or

(C) a person having personal property located on the property of the agricultural operation;

(9) not having a contractual interest in the property, knowingly or intentionally enters the real property of a scientific research facility (as defined in IC 35-31.5-2-287) without the permission of, or with permission which was fraudulently obtained from, the owner of the scientific research facility or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to:

(A) the owner of or a person having a contractual interest in the scientific research facility;

(B) the operator of the scientific research facility; or

(C) a person having personal property located on the property of the scientific research facility;

(10) knowingly or intentionally enters the property of another person after being denied entry by a court order that has been issued to the person or issued to the general public by conspicuous posting on or around the premises in areas where a person can observe the order when the property has been designated by a municipality or county enforcement authority to be:

(A) a vacant property;

(B) an abandoned property;

(C) an abandoned structure (as defined in IC 36-7-36-1); or

(D) an unsafe building or an unsafe premises (as described in IC 36-7-9);

(11) knowingly or intentionally enters or refuses to leave the polls (as defined in ~~IC 3-5-2-39~~ **IC 3-5-2.1-80**) or chute (as defined in ~~IC 3-5-2-10~~ **IC 3-5-2.1-21**) after having been prohibited from entering or asked to leave the polls or chute by a precinct election officer (as defined in ~~IC 3-5-2-40.1~~ **IC 3-5-2.1-82**) or a law enforcement officer acting on behalf of a precinct election officer; or

(12) knowingly or intentionally:

(A) without permission or prior authorization, enters an area



- 1 of property that is locked; or
- 2 (B) refuses to leave an area of a property that is otherwise not
- 3 accessible to the public, after being asked to leave the area of
- 4 a property by a law enforcement officer or an employee or
- 5 agent of the owner or operator of the property;
- 6 commits criminal trespass, a Class A misdemeanor. However, the
- 7 offense is a Level 6 felony if it is committed on a scientific research
- 8 facility, on a facility belonging to a public utility (as defined in
- 9 IC 32-24-1-5.9(a)), on school property, or on a school bus or the person
- 10 has a prior unrelated conviction for an offense under this section
- 11 concerning the same property. The offense is a Level 6 felony, for
- 12 purposes of subdivision (8), if the property damage is more than seven
- 13 hundred fifty dollars (\$750) and less than fifty thousand dollars
- 14 (\$50,000). The offense is a Level 5 felony, for purposes of subdivisions
- 15 (8) and (9), if the property damage is at least fifty thousand dollars
- 16 (\$50,000).
- 17 (c) A person has been denied entry under subsection (b)(1) when the
- 18 person has been denied entry by means of:
- 19 (1) personal communication, oral or written;
- 20 (2) posting or exhibiting a notice at the main entrance in a manner
- 21 that is either prescribed by law or likely to come to the attention
- 22 of the public;
- 23 (3) a hearing authority or court order under IC 32-30-6,
- 24 IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36; or
- 25 (4) posting the property by placing identifying purple marks on
- 26 trees or posts around the area where entry is denied.
- 27 (d) For the purposes of subsection (c)(4):
- 28 (1) each purple mark must be readily visible to any person
- 29 approaching the property and must be placed:
- 30 (A) on a tree:
- 31 (i) as a vertical line of at least eight (8) inches in length and
- 32 with the bottom of the mark at least three (3) feet and not
- 33 more than five (5) feet from the ground; and
- 34 (ii) not more than one hundred (100) feet from the nearest
- 35 other marked tree; or
- 36 (B) on a post:
- 37 (i) with the mark covering at least the top two (2) inches of
- 38 the post, and with the bottom of the mark at least three (3)
- 39 feet and not more than five (5) feet six (6) inches from the
- 40 ground; and
- 41 (ii) not more than thirty-six (36) feet from the nearest other
- 42 marked post; and



(2) before a purple mark that would be visible from both sides of a fence shared by different property owners or lessees may be applied, all of the owners or lessees of the properties must agree to post the properties with purple marks under subsection (c)(4).

(e) A law enforcement officer may not deny entry to property or ask a person to leave a property under subsection (b)(7) unless there is reasonable suspicion that criminal activity has occurred or is occurring.

(f) A person described in subsection (b)(7) or (b)(10) violates subsection (b)(7) or (b)(10), as applicable, unless the person has the written permission of the owner, the owner's agent, an enforcement authority, or a court to come onto the property for purposes of performing maintenance, repair, or demolition.

(g) A person described in subsection (b)(10) violates subsection (b)(10) unless the court that issued the order denying the person entry grants permission for the person to come onto the property.

(h) Subsections (b), (c), and (g) do not apply to the following:

(1) A passenger on a train.

(2) An employee of a railroad carrier while engaged in the performance of official duties.

(3) A law enforcement officer, firefighter, or emergency response personnel while engaged in the performance of official duties.

(4) A person going on railroad property in an emergency to rescue a person or animal from harm's way or to remove an object that the person reasonably believes poses an imminent threat to life or limb.

(5) A person on the station grounds or in the depot of a railroad carrier:

(A) as a passenger; or

(B) for the purpose of transacting lawful business.

(6) A:

(A) person; or

(B) person's:

(i) family member;

(ii) invitee;

(iii) employee;

(iv) agent; or

(v) independent contractor;

going on a railroad's right-of-way for the purpose of crossing at a private crossing site approved by the railroad carrier to obtain access to land that the person owns, leases, or operates.

(7) A person having written permission from the railroad carrier to go on specified railroad property.



(8) A representative of the Indiana department of transportation while engaged in the performance of official duties.

(9) A representative of the federal Railroad Administration while engaged in the performance of official duties.

(10) A representative of the National Transportation Safety Board while engaged in the performance of official duties.

SECTION 240. IC 35-45-6-1, AS AMENDED BY P.L.185-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Documentary material" means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form.

(c) "Enterprise" means:

(1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or

(2) a union, an association, or a group, whether a legal entity or merely associated in fact.

(d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity.

(e) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following:

(1) A provision of IC 23-19, or of a rule or order issued under IC 23-19.

(2) A violation of IC 35-45-9.

(3) A violation of IC 35-47.

(4) A violation of IC 35-49-3.

(5) Murder (IC 35-42-1-1).

(6) Battery as a Class C felony before July 1, 2014, or a Level 5 felony after June 30, 2014 (IC 35-42-2-1).

(7) Kidnapping (IC 35-42-3-2).

(8) Human and sexual trafficking crimes (IC 35-42-3.5).

(9) Child exploitation (IC 35-42-4-4).

(10) Robbery (IC 35-42-5-1).



- 1 (11) Carjacking (IC 35-42-5-2) (before its repeal).
- 2 (12) Arson (IC 35-43-1-1).
- 3 (13) Burglary (IC 35-43-2-1).
- 4 (14) Theft (IC 35-43-4-2).
- 5 (15) Receiving stolen property (IC 35-43-4-2) (before its
- 6 amendment on July 1, 2018).
- 7 (16) Forgery (IC 35-43-5-2).
- 8 (17) An offense under IC 35-43-5.
- 9 (18) Bribery (IC 35-44.1-1-2).
- 10 (19) Official misconduct (IC 35-44.1-1-1).
- 11 (20) Conflict of interest (IC 35-44.1-1-4).
- 12 (21) Perjury (IC 35-44.1-2-1).
- 13 (22) Obstruction of justice (IC 35-44.1-2-2).
- 14 (23) Intimidation (IC 35-45-2-1).
- 15 (24) Promoting prostitution (IC 35-45-4-4).
- 16 (25) Professional gambling (IC 35-45-5-3).
- 17 (26) Maintaining a professional gambling site (IC
- 18 35-45-5-3.5(b)).
- 19 (27) Promoting professional gambling (IC 35-45-5-4).
- 20 (28) Dealing in or manufacturing cocaine or a narcotic drug (IC
- 21 35-48-4-1).
- 22 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
- 23 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 24 (31) Dealing in a schedule I, II, or III controlled substance (IC
- 25 35-48-4-2).
- 26 (32) Dealing in a schedule IV controlled substance (IC
- 27 35-48-4-3).
- 28 (33) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- 29 (34) Dealing in marijuana, hash oil, hashish, or salvia (IC
- 30 35-48-4-10).
- 31 (35) Money laundering (IC 35-45-15-5).
- 32 (36) A violation of IC 35-47.5-5.
- 33 (37) A violation of any of the following:
- 34 (A) IC 23-14-48-9.
- 35 (B) IC 30-2-9-7(b).
- 36 (C) IC 30-2-10-9(b).
- 37 (D) IC 30-2-13-38(f).
- 38 (38) Practice of law by a person who is not an attorney (IC
- 39 33-43-2-1).
- 40 (39) An offense listed in IC 35-48-4 involving the manufacture or
- 41 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 42 synthetic drug lookalike substance (as defined in



1 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
 2 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
 3 substance analog (as defined in ~~IC 35-48-1-9.3~~), **IC 35-48-1.1-8**,
 4 or a substance represented to be a controlled substance (as
 5 described in IC 35-48-4-4.6).

6 (40) Dealing in a controlled substance resulting in death (IC
 7 35-42-1-1.5).

8 (41) Organized retail theft (IC 35-43-4-2.2).

9 SECTION 241. IC 35-45-21-5, AS ADDED BY P.L.158-2013,
 10 SECTION 547, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The following definitions
 12 apply throughout this section:

13 (1) "Health care provider" refers to a health care provider (as
 14 defined in IC 16-18-2-163(a), IC 16-18-2-163(b), or
 15 IC 16-18-2-163(c)) or a qualified medication aide as described in
 16 IC 16-28-1-11.

17 (2) "Licensed health professional" has the meaning set forth in
 18 IC 25-23-1-27.1.

19 (3) "Practitioner" has the meaning set forth in IC 16-42-19-5.
 20 However, the term does not include a veterinarian.

21 (4) "Prescription drug" has the meaning set forth in
 22 ~~IC 35-48-1-25~~. **IC 35-48-1.1-35**.

23 (b) A person who knowingly or intentionally physically interrupts,
 24 obstructs, or alters the delivery or administration of a prescription drug:

25 (1) prescribed or ordered by a practitioner for a person who is a
 26 patient of the practitioner; and

27 (2) without the prescription or order of a practitioner;

28 commits interference with medical services, a Class A misdemeanor,
 29 except as provided in subsection (c).

30 (c) An offense described in subsection (b) is:

31 (1) a Level 6 felony if the offense results in bodily injury;

32 (2) a Level 5 felony if it is committed by a person who is a
 33 licensed health care provider or licensed health professional;

34 (3) a Level 4 felony if it results in serious bodily injury to the
 35 patient; and

36 (4) a Level 2 felony if it results in the death of the patient.

37 (d) A person is justified in engaging in conduct otherwise prohibited
 38 under this section if the conduct is performed by:

39 (1) a health care provider or licensed health professional who acts
 40 in good faith within the scope of the person's practice or
 41 employment; or

42 (2) a person who is rendering emergency care at the scene of an



1 emergency or accident in a good faith attempt to avoid or
 2 minimize serious bodily injury to the patient.

3 SECTION 242. IC 35-46-1-8, AS AMENDED BY P.L.252-2017,
 4 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2025]: Sec. 8. (a) A person at least eighteen (18) years of age
 6 who knowingly or intentionally encourages, aids, induces, or causes a
 7 child to commit an act of delinquency (as defined by IC 31-37-1 or
 8 IC 31-37-2) commits contributing to delinquency, a Class A
 9 misdemeanor, except as provided in subsections (b) through (e).

10 (b) If the delinquent act described in subsection (a) would be a
 11 felony if committed by an adult, the offense described in subsection (a)
 12 is a felony of the same level as the delinquent act would be if
 13 committed by an adult.

14 (c) The offense described in subsection (a) is a Level 5 felony if:

15 (1) the person committing the offense is at least twenty-one (21)
 16 years of age and knowingly or intentionally furnishes:

17 (A) an alcoholic beverage to a child in violation of
 18 IC 7.1-5-7-8 when the person committing the offense knew or
 19 reasonably should have known that the person furnished the
 20 alcoholic beverage was a child; or

21 (B) a controlled substance (as defined in ~~IC 35-48-1-9~~)
 22 **IC 35-48-1.1-7**) or a drug (as defined in IC 9-13-2-49.1) in
 23 violation of Indiana law; and

24 (2) the consumption, ingestion, or use of the alcoholic beverage,
 25 controlled substance, or drug is the proximate cause of the death
 26 of any person.

27 (d) Except as provided in subsection (c), the offense described in
 28 subsection (a) is a Level 6 felony if:

29 (1) the person committing the offense is at least twenty-one (21)
 30 years of age;

31 (2) the child who commits the delinquent act is less than sixteen
 32 (16) years of age; and

33 (3) the act would be a misdemeanor if committed by an adult.

34 (e) If the person who commits the offense described in subsection
 35 (a) is at least twenty-one (21) years of age, and the child who commits
 36 the delinquent act is less than sixteen (16) years of age, the offense is:

37 (1) a Level 5 felony if the delinquent act would be a Level 6
 38 felony if committed by an adult;

39 (2) a Level 4 felony if the delinquent act would be a Level 5
 40 felony if committed by an adult;

41 (3) a Level 3 felony if the delinquent act would be a Level 4
 42 felony if committed by an adult;



(4) a Level 2 felony if the delinquent act would be a Level 3 felony if committed by an adult;

(5) a Level 1 felony if the delinquent act would be a Level 1 or 2 felony if committed by an adult; or

(6) punishable under IC 35-50-2-3(a) (penalty for murder) if the delinquent act would be murder if committed by an adult.

SECTION 243. IC 35-46-1-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. A law enforcement officer shall enforce a foreign protection order (as defined in ~~IC 34-6-2-48.5~~) **IC 34-6-2.1-76**) in conformity with the procedures in IC 34-26-5-17.

SECTION 244. IC 35-46-9-6, AS AMENDED BY P.L.184-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) Except as provided in subsections (b) and (c), a person who operates a motorboat while:

(1) having an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

(2) having a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body; or

(3) intoxicated;

commits a Class C misdemeanor.

(b) The offense is a Level 6 felony if:

(1) the person has a previous conviction under:

(A) IC 14-1-5 (repealed);

(B) IC 14-15-8-8 (repealed); or

(C) this chapter; or

(2) the offense results in serious bodily injury to another person.

(c) The offense is a Level 5 felony if the offense results in the death or catastrophic injury of another person.

(d) It is a defense to a prosecution under subsection (a)(2) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in ~~IC 35-48-1-24~~) **IC 35-48-1.1-34**) who acted in the course of the practitioner's professional practice.

SECTION 245. IC 35-47-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. "Drug abuser" means an individual who has had two (2) or more violations of IC 35-48-1 **(before its repeal), IC 35-48-1.1**, IC 35-48-2, IC 35-48-3, or IC 35-48-4, any one (1) of which resulted in conviction by a court or



1 treatment in a drug abuse facility within five (5) years prior to the date
2 of application.

3 SECTION 246. IC 35-47-11.1-1, AS ADDED BY P.L.152-2011,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2025]: Sec. 1. This chapter applies to a political subdivision
6 (as defined in ~~IC 3-5-2-38~~). **IC 3-5-2.1-79).**

7 SECTION 247. IC 35-47-16-1, AS ADDED BY P.L.147-2014,
8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2025]: Sec. 1. A judicial officer:

10 (1) may possess and use a firearm in the same locations that a law
11 enforcement officer who is authorized to carry a firearm under
12 IC 5-2-1 may possess a firearm while the law enforcement officer
13 is engaged in the execution of the law enforcement officer's
14 official duties; and

15 (2) may not be prohibited from possessing a firearm on land or in
16 buildings and other structures owned or leased by:

17 (A) the state or any agency of state government; or

18 (B) a political subdivision (as defined in ~~IC 3-5-2-38~~).
19 **IC 3-5-2.1-79).**

20 SECTION 248. IC 35-48-1 IS REPEALED [EFFECTIVE JULY 1,
21 2025]. (Definitions for Controlled Substances Law).

22 SECTION 249. IC 35-48-1.1 IS ADDED TO THE INDIANA
23 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2025]:

25 **Chapter 1.1. Definitions**

26 **Sec. 1. Section 8 of this chapter (formerly IC 35-48-1-9.3, as**
27 **added by P.L.225-2003) applies only to a controlled substance**
28 **offense under IC 35-48-4 that occurs after June 30, 2003.**

29 **Sec. 2. The definitions in this chapter apply throughout this**
30 **article.**

31 **Sec. 3. "Administer" means the direct application of a**
32 **controlled substance, whether by injection, inhalation, ingestion, or**
33 **any other means, to the body of a patient or research subject by:**

34 **(1) a practitioner or by the practitioner's authorized agent; or**

35 **(2) the patient or research subject at the direction and in the**
36 **presence of the practitioner.**

37 **Sec. 4. "Agent" means an authorized person who acts on behalf**
38 **of, or at the direction of, a manufacturer, distributor, or dispenser,**
39 **but it does not include a common or contract carrier, public**
40 **warehouseman, or employee of the carrier or warehouseman.**

41 **Sec. 5. "Board" refers to the Indiana state board of pharmacy.**

42 **Sec. 6. "Cocaine" includes coca leaves and any salt, compound,**



1 or derivative of coca leaves, and any salt, compound, isomer,
 2 derivative, or preparation which is chemically equivalent or
 3 identical to any of these substances. However, decocainized coca
 4 leaves or extraction of coca leaves that do not contain cocaine or
 5 ecgonine are not included.

6 Sec. 7. "Controlled substance" means a drug, substance, or
 7 immediate precursor in schedule I, II, III, IV, or V under:

8 (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or
 9 IC 35-48-2-12, if IC 35-48-2-14 does not apply; or

10 (2) a rule adopted by the board, if IC 35-48-2-14 applies.

11 The term does not include low THC hemp extract.

12 Sec. 8. (a) "Controlled substance analog" means a substance
 13 that, due to its chemical structure and potential for abuse or
 14 misuse, meets the following criteria:

15 (1) The substance is substantially similar to a controlled
 16 substance classified under IC 35-48-2.

17 (2) The substance has a narcotic, stimulant, depressant, or
 18 hallucinogenic effect on the central nervous system or is
 19 represented or intended to have a narcotic, stimulant,
 20 depressant, or hallucinogenic effect on the central nervous
 21 system substantially similar to or greater than that of a
 22 controlled substance classified under IC 35-48-2.

23 (b) The definition set forth in subsection (a) does not include:

24 (1) a controlled substance;

25 (2) a legend drug;

26 (3) a substance for which there is an approved new drug
 27 application;

28 (4) any compound, mixture, or preparation that contains any
 29 controlled substance, that is not for administration to a
 30 human being or an animal, and that is packaged in a form or
 31 concentration, or with adulterants or denaturants, such that
 32 as packaged it does not present any significant potential for
 33 abuse;

34 (5) a substance to which an investigational exemption applies
 35 under Section 505 of the federal Food, Drug and Cosmetic Act
 36 (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the
 37 extent that conduct with respect to the substance is pursuant
 38 to the exemption; or

39 (6) low THC hemp extract.

40 (c) For purposes of subsection (a), "substantially similar", as it
 41 applies to the chemical structure of a substance, means that the
 42 chemical structure of the substance, when compared to the



1 structure of a controlled substance, has a single difference in the
 2 structural formula that substitutes one (1) atom or functional
 3 group for another, including:

- 4 (1) one (1) halogen for another halogen;
- 5 (2) one (1) hydrogen for a halogen;
- 6 (3) one (1) halogen for a hydrogen; or
- 7 (4) an alkyl group added or deleted:
 - 8 (A) as a side chain to or from a molecule; or
 - 9 (B) from a side chain of a molecule.

10 Sec. 9. "Counterfeit substance" means a controlled substance
 11 which, or the container or labeling of which, without authorization,
 12 bears the trademark, trade name, or other identifying mark,
 13 imprint, number, or device, or any likeness thereof, of a
 14 manufacturer, distributor, or dispenser other than the person who
 15 in fact manufactured, distributed, or dispensed the substance.

16 Sec. 10. "Delivery" means:

- 17 (1) an actual or constructive transfer from one (1) person to
 18 another of a controlled substance, whether or not there is an
 19 agency relationship; or
- 20 (2) the organizing or supervising of an activity described in
 21 subdivision (1).

22 Sec. 11. "Dispense" means to deliver a controlled substance to
 23 an ultimate user or research subject by or pursuant to the lawful
 24 order of a practitioner and includes the prescribing, administering,
 25 packaging, labeling, or compounding necessary to prepare the
 26 substance for that delivery.

27 Sec. 12. "Dispenser" means a practitioner who dispenses.

28 Sec. 13. "Distribute" means to deliver other than by
 29 administering or dispensing a controlled substance.

30 Sec. 14. "Distributor" means a person who distributes.

31 Sec. 15. (a) Except as provided in subsection (b), "drug" has the
 32 meaning set forth in IC 16-42-19-2. It does not include devices or
 33 their components, parts, or accessories, nor does it include food.

34 (b) For purposes of IC 35-48-4, "drug":

- 35 (1) has the meaning set forth in subsection (a); and
- 36 (2) includes a controlled substance (as defined in section 7 of
 37 this chapter) and a controlled substance analog (as defined in
 38 section 8 of this chapter).

39 Sec. 16. "Drug offense" means a felony or misdemeanor
 40 involving the production, delivery, sale, or possession of a
 41 controlled substance.

42 Sec. 17. "Drug related felony" means a felony conviction for an



offense described in:

- (1) IC 35-48-4-1 through IC 35-48-4-11.5 (repealed); or
- (2) IC 35-48-4-13 (repealed) through IC 35-48-4-14.7.

Sec. 18. "Enhancing circumstance" means one (1) or more of the following:

(1) The person has a prior conviction for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum.

(2) The person committed the offense while in possession of a firearm.

(3) The person committed the offense:

(A) on a school bus; or

(B) in, on, or within five hundred (500) feet of:

- (i) school property while a person under eighteen (18) years of age was reasonably expected to be present; or
- (ii) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(4) The person delivered or financed the delivery of the drug to a person under eighteen (18) years of age at least three (3) years junior to the person.

(5) The person manufactured or financed the manufacture of the drug.

(6) The person committed the offense in the physical presence of a child less than eighteen (18) years of age, knowing that the child was present and might be able to see or hear the offense.

(7) The person committed the offense on the property of a:

(A) penal facility; or

(B) juvenile facility (as defined in IC 35-44.1-3-5).

(8) The person knowingly committed the offense in, on, or within one hundred (100) feet of a facility. For purposes of this subdivision, "facility" means a place that is:

- (A) created and funded under IC 12-23-14 or IC 33-23-16;
- (B) certified under IC 12-23-1-6; or
- (C) used for the purpose of conducting a recovery or support group meeting;

and at which a drug abuser (as defined in IC 12-7-2-73) may be provided with treatment, care, or rehabilitation.

Sec. 19. "Fentanyl containing substance" means one (1) or more of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers:

- (1) 4-fluoroisobutyl fentanyl.



- 1 (2) Acetyl fentanyl (Other names include:
- 2 N-(1-phenethylpiperidin-4-yl)- N- phenylacetamide).
- 3 (3) Cyclopentyl fentanyl. Other name:
- 4 N - (1 - p h e n e t h y l p i p e r i d i n - 4 - y l) - N -
- 5 phenylcyclopentanecarboxamide.
- 6 (4) Fentanyl related substances.
- 7 (5) Furanyl fentanyl.
- 8 (6) Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin-
- 9 4-yl)-N- phenylisobutyramide.
- 10 (7) Methoxyacetyl fentanyl. Other name:
- 11 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide.
- 12 (8) 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
- 13 piperidyl] - N-phenyl-propanimide] (9813).
- 14 (9) 3-Methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-
- 15 piperidinyl]-N-phenylpropanamide) (9833).
- 16 (10) N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl)
- 17 isobutyramide (para-chloroisobutyryl fentanyl).
- 18 (1 1) N - (2 - f l u o r o p h e n y l) - 2 - m e t h o x y -
- 19 N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil).
- 20 (12) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl)
- 21 butyramide (para-fluorobutyryl fentanyl).
- 22 (13) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also
- 23 known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide,
- 24 (butyryl fentanyl).
- 25 (14) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide
- 26 (valeryl fentanyl).
- 27 (15) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl)
- 28 butyramide (para-methoxybutyryl fentanyl).
- 29 (1 6) N - [1 - (2 - t h i e n y l) m e t h y l - 4 - p i p e r i d y l] -
- 30 N-phenylpropanamide (thenylfentanyl), including any
- 31 isomers, salts, or salts of isomers (9834).
- 32 (17) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide
- 33 (isobutyryl fentanyl).
- 34 (1 8) N - (1 - p h e n e t h y l p i p e r i d i n - 4 - y l) -
- 35 Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl).
- 36 (19) Para-chloroisobutyryl fentanyl. Other name:
- 37 N-(4-chlorophenyl)- N-(1-phenethylpiperidin- 4-yl)
- 38 isobutyramide.
- 39 (20) Para-fluorobutyryl fentanyl. Other name: N-(4-
- 40 fluorophenyl)-N- (1-phenethylpiperidin- 4-yl)butyramide.
- 41 (21) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-
- 42 (2-phenethyl)- 4-piperidinyl] propanamide (9812).



(22) Para-methoxybutyryl fentanyl. Other name: N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide.

(23) Tetrahydrofuranyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide.

(24) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) (9835).

(25) Valeryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide.

(26) Fentanyl.

(27) An immediate precursor to fentanyl: 4-Anilino-N-Phenethyl-4-Piperidine (ANPP).

(28) Carfentanil.

Sec. 20. "Fentanyl related substance" means any substance not listed in schedule I through V of IC 35-48-2 that is structurally related to fentanyl by one (1) or more of the following modifications:

(1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

(2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

(5) Replacement of the N-propionyl group by another acyl group.

Sec. 21. "Hashish" does not include low THC hemp extract.

Sec. 22. "Hash oil" does not include low THC hemp extract.

Sec. 23. (a) "Hemp bud" means the harvested immature reproductive organ of the female hemp plant.

(b) The term does not include agricultural hemp seed.

Sec. 24. (a) "Hemp flower" means the harvested reproductive organ, whether immature or mature, of the female hemp plant.

(b) The term does not include agricultural hemp seed.

Sec. 25. "Immediate precursor" means a substance which the board has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and



1 which is an immediate chemical intermediate used or likely to be
 2 used in the manufacture of a controlled substance, the control of
 3 which is necessary to prevent, curtail, or limit manufacture.

4 Sec. 26. (a) Except as provided in subsections (b) and (c),
 5 "isomer" means an optical isomer.

6 (b) "Isomer", as used in IC 35-48-2-4(d), means an optical,
 7 positional, or geometric isomer.

8 (c) "Isomer", as used in section 6 of this chapter, means an
 9 optical or geometric isomer.

10 Sec. 27. (a) "Low THC hemp extract" means a substance or
 11 compound that:

12 (1) is derived from or contains any part of the plant *Cannabis*
 13 *sativa* L. that meets the definition of hemp under
 14 IC 15-15-13-6;

15 (2) contains not more than three-tenths percent (0.3%) total
 16 delta-9-tetrahydrocannabinol (THC), including precursors, by
 17 weight; and

18 (3) contains no other controlled substances.

19 (b) The term does not include:

20 (1) the harvested reproductive organ, whether immature or
 21 mature, of the female hemp plant; or

22 (2) smokable hemp.

23 Sec. 28. "Manufacture" means the following:

24 (1) For offenses not involving marijuana, hashish, or hash oil:

25 (A) the production, preparation, propagation,
 26 compounding, conversion, or processing of a controlled
 27 substance, either directly or indirectly by extraction from
 28 substances of natural origin, independently by means of
 29 chemical synthesis, or by a combination of extraction and
 30 chemical synthesis, and includes any packaging or
 31 repackaging of the substance or labeling or relabeling of its
 32 container. It does not include the preparation,
 33 compounding, packaging, or labeling of a controlled
 34 substance:

35 (i) by a practitioner as an incident to administering or
 36 dispensing of a controlled substance in the course of a
 37 professional practice; or

38 (ii) by a practitioner, or by the practitioner's authorized
 39 agent under the practitioner's supervision, for the
 40 purpose of, or as an incident to, research, teaching, or
 41 chemical analysis and not for sale; or

42 (B) the organizing or supervising of an activity described



in clause (A).

(2) For offenses involving marijuana, hashish, or hash oil:

(A) the preparation, compounding, conversion, or processing of marijuana, hashish, or hash oil, either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the marijuana, hashish, or hash oil, or labeling or relabeling of its container. It does not include planting, growing, cultivating, or harvesting a plant, or the preparation, compounding, packaging, or labeling of marijuana, hashish, or hash oil:

(i) by a practitioner as an incident to lawfully administering or dispensing of marijuana, hashish, or hash oil in the course of a professional practice; or

(ii) by a practitioner, or by the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale; or

(B) the organizing or supervising of an activity described in clause (A).

Sec. 29. (a) "Marijuana" means any part of the plant genus *Cannabis* whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

(b) The term does not include:

(1) the mature stalks of the plant;

(2) fiber produced from the stalks;

(3) oil or cake made from the seeds of the plant;

(4) any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom);

(5) the sterilized seed of the plant which is incapable of germination;

(6) hemp (as defined by IC 15-15-13-6);

(7) low THC hemp extract; or

(8) smokable hemp.

Sec. 30. "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or



by a combination of extraction and chemical synthesis:

(1) Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation. The term does not include the isoquinoline alkaloids of opium.

(2) Opium poppy and poppy straw.

(3) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in this section.

Sec. 31. "Opiate" or "opioid" means a drug or other substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under IC 35-48-2, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

Sec. 32. "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

Sec. 33. "Poppy straw" means any part, except the seeds, of the opium poppy, after mowing.

Sec. 34. "Practitioner" means a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other institution or individual licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in Indiana.

Sec. 35. "Prescription drug" means a controlled substance or a legend drug (as defined in IC 16-18-2-199).

Sec. 36. "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.

Sec. 37. "Sale to a minor" means delivery or financing the delivery of a drug to a person less than eighteen (18) years of age and at least three (3) years junior to the person making the delivery or financing.

Sec. 38. (a) Except as provided in subsection (b), "smokable hemp" means a product containing not more than three-tenths percent (0.3%) delta-9-tetrahydrocannabinol (THC), including precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The



term includes:

(1) hemp bud; and

(2) hemp flower.

(b) The term does not include:

(1) a hemp plant that is; or

(2) parts of a hemp plant that are;

grown or handled by a licensee for processing or manufacturing into a legal hemp product.

Sec. 39. "Ultimate user" means a person who lawfully possesses a controlled substance for the person's own use, for the use of a member of the person's household, or for administering to an animal owned by the person or by a member of the person's household.

SECTION 250. IC 35-48-2-4, AS AMENDED BY P.L.84-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) The controlled substances listed in this section are included in schedule I.

(b) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

4-fluoroisobutyl fentanyl.

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N-phenylacetamide) (9815).

Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).

Acetylmethadol (9601).

Acrylfentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide.

Allylprodine (9602).

Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide) (9832).

Alphacetylmethadol (9603).

Alphameprodine (9604).

Alphamethadol (9605).

Alpha'-Methyl butyl fentanyl (2-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide) (9864).

Alphamethylfentanyl (9814).

Benzethidine (9606).

Beta-hydroxy-3-methylfentanyl (9831). Other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]



- 1]-N-phenylpropanamide.
- 2 Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-
- 3 phenethyl)-4-piperidiny]-N-phenylpropanamide) (9830).
- 4 Betacetylmethadol (9607).
- 5 Betameprodine (9608).
- 6 Betamethadol (9609).
- 7 Betaprodine (9611).
- 8 B r o r p h i n e (9 0 9 8) . O t h e r n a m e :
- 9 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2
- 10 H-benzo[d]imidazol-2-one.
- 11 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-dieth
- 12 ylethan-1-amine (butonitazene); other name: butoxynitazene.
- 13 Clonitazene (9612).
- 14 C y c l o p e n t y l f e n t a n y l . O t h e r n a m e :
- 15 N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxami
- 16 de.
- 17 Dextromoramide (9613).
- 18 Diampromide (9615).
- 19 Diethylthiambutene (9616).
- 20 N,N-diethyl-2-(2-(4-flourobenzyl)-5-nitro-1H-benzimidazol-1-y
- 21 l)ethan-1-amine (flunitazene).
- 22 N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)eth
- 23 an-1-amine (metodesnitazene).
- 24 N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-
- 25 1-yl)ethan-1-amine (metonitazene).
- 26 N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-
- 27 1-yl)ethan-1-amine (protonitazene); other name: pronitazene.
- 28 Difenoxin (9168).
- 29 Dimenoxadol (9617).
- 30 Dimepheptanol (9618).
- 31 2',5'-Dimethoxyfentanyl (N-(1- (2,5-dimethoxyphenethyl)
- 32 piperidin-4-yl)- N-phenylpropionamide) (9861).
- 33 Dimethylthiambutene (9619).
- 34 Dioxaphetyl butyrate (9621).
- 35 Dipipanone (9622).
- 36 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-
- 37 1-amine (etodesnitazene; etazene).
- 38 2-(4-ethnoxybenzyl)5-nitro-1(2-(pyrrolidin-1-yl)ethyl)-1H-ben
- 39 zimidazol (N-pyrrolidino etonizatene; etonitazepyne).
- 40 Ethylmethylthiambutene (9623).
- 41 Etonitazene (9624).
- 42 Etoxidine (9625).



1 Fentanyl related substances.
 2 Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-
 3 2-carboxamide) (9834).
 4 3-Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-
 5 N-phenylfuran-3-carboxamide) (9860).
 6 Furethidine (9626).
 7 Hydroxypethidine (9627).
 8 Isobutyryl fentanyl. Other name:
 9 N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide.
 10 Isotonitazene. Other name: N,N-diethyl-2-
 11 (2-(4-isopropoxybenzyl)-5-nitro-1H-benzimidazol-
 12 1-yl)ethan-1-amine).
 13 Isovaleryl fentanyl (3-methyl-N-(1-phenethylpiperidin-4-yl)-N-
 14 phenylbutanamide) (9862).
 15 Ketobemidone (9628).
 16 Levomoramide (9629).
 17 Levophenacymorphan (9631).
 18 Meta-Fluorofentanyl (N-(3-fluorophenyl)-N-
 19 (1-phenethylpiperidin-4-yl) propionamide) (9857).
 20 Meta-Fluoroisobutyryl fentanyl (N-(3-fluorophenyl)-N-
 21 (1-phenethylpiperidin-4-yl) isobutyramide) (9858).
 22 Methoxyacetyl fentanyl. Other name:
 23 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide
 24 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-
 25 piperidyl]-N-phenyl-propanimide] (9813).
 26 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-
 27 piperidinyl]-N-phenylpropanamide) (9833).
 28 Metonitazene
 29 (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-
 30 1-yl)ethan-1-amine) (9757).
 31 MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961).
 32 Morpheridine (9632).
 33 N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl),
 34 including any isomers, salts, or salts of isomers (9818).
 35 N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]-2-piperidin-4-yl]-
 36 N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-
 37 (2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide,
 38 (beta-hydroxythiofentanyl).
 39 N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide
 40 (para-chloroisobutyryl fentanyl).
 41 N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
 42 acetamide (ocfentanil).



1 N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) butyramide
 2 (para-fluorobutyryl fentanyl).
 3 N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known
 4 as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl
 5 fentanyl).
 6 N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl
 7 fentanyl).
 8 N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl) butyramide
 9 (para-methoxybutyryl fentanyl).
 10 N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide
 11 (thenylfentanyl), including any isomers, salts, or salts of isomers
 12 (9834).
 13 N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl
 14 fentanyl).
 15 N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide
 16 (cyclopentyl fentanyl).
 17 Noracymethadol (9633).
 18 Norlevorphanol (9634).
 19 Normethadone (9635).
 20 Norpipanone (9636).
 21 O c f e n t a n i l . O t h e r n a m e :
 22 N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)
 23 acetamide.
 24 Ortho-fluorofentanyl or 2-fluorofentanyl. Other name:
 25 N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide.
 26 Ortho-Fluorofuranyl fentanyl (N-(2-fluorophenyl)- N-
 27 (1-phenethylpiperidin-4-yl)furan-2-carboxamide) (9863).
 28 Para-chloroisobutyryl fentanyl. Other name:
 29 N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide.
 30 Para-fluorobutyryl fentanyl. Other name:
 31 N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide.
 32 Para-fluorofentanyl (N-(4-fluorophenyl)-N-
 33 [1-(2-phenethyl)-4-piperidiny] propanamide (9812).
 34 Para-methoxybutyryl fentanyl. Other name:
 35 N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide.
 36 Para-Methoxyfuranyl fentanyl (N-(4-methoxyphenyl)- N-
 37 (1-phenethylpiperidin-4-yl) furan-2-carboxamide (9859).
 38 Para-Methylcyclopropyl fentanyl (N-(4-methylphenyl)- N-
 39 (1-phenethylpiperidin-4-yl)cyclopropanecarboxamide) (9865).
 40 Phenadoxone (9637).
 41 Phenampromide (9638).
 42 Phenomorphan (9647).



- 1 Phenoperidine (9641).
- 2 PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663).
- 3 Piritramide (9642).
- 4 Proheptazine (9643).
- 5 Properidine (9644).
- 6 Propiram (9649).
- 7 Racemoramide (9645).
- 8 Tetrahydrofuranyl fentanyl. Other name:
- 9 N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carb
- 10 oxamide.
- 11 Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-
- 12 piperidinyl]-propanamide) (9835).
- 13 Tianeptine (7-[(3-chloro-6-methyl-5,5-dioxo-1H-benzo[c]
- 14 [2,1]benzothiazepin-11-yl)amino]heptanoic acid).
- 15 Tilidine (9750).
- 16 Trimeperidine (9646).
- 17 U47700 (3,4-dichloro- N- [2-dimethylamino)cyclohexyl]-
- 18 N-methyl- benzamide).
- 19 Valeryl fentanyl. Other name :
- 20 N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide.
- 21 Zipeprol (1-methoxy-3- [4-(2-methoxy-2-phenylethyl) piperazin-
- 22 1-yl]- 1- phenylpropan- 2-ol) (9873).
- 23 (c) Opium derivatives. Any of the following opium derivatives, their
- 24 salts, isomers, and salts of isomers, unless specifically excepted by rule
- 25 of the board or unless listed in another schedule, whenever the
- 26 existence of these salts, isomers, and salts of isomers is possible within
- 27 the specific chemical designation:
- 28 Acetorphine (9319).
- 29 Acetyldihydrocodeine (9051).
- 30 Benzylmorphine (9052).
- 31 Codeine methylbromide (9070).
- 32 Codeine-N-Oxide (9053).
- 33 Cyprenorphine (9054).
- 34 Desomorphine (9055).
- 35 Dihydromorphine (9145).
- 36 Drotebanol (9335).
- 37 Etorphine (except hydrochloride salt) (9056).
- 38 Heroin (9200).
- 39 Hydromorphenol (9301).
- 40 Methyldesorphine (9302).
- 41 Methyldihydromorphine (9304).
- 42 Morphine methylbromide (9305).



Morphine methylsulfonate (9306).

Morphine-N-Oxide (9307).

Myrophine (9308).

Nicocodeine (9309).

Nicomorphine (9312).

Normorphine (9313).

Pholcodine (9314).

Thebacon (9315).

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic, psychedelic, or psychogenic substances, their salts, isomers, and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers):

(†) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name: TCPy.

(‡) 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA.

(‡) 4-Bromo-2, 5-dimethoxyphenethylamine (7392). Some trade or other names:

2-[4-bromo-2,5-dimethoxyphenyl]-1-aminoethane; alpha-desmethyl DOB; 2C-B, Nexus.

(‡) 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name: DOET.

(‡) 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348). Other name: 2C-T-7.

(‡) 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.

(‡) 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA.

(‡) 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other Name: MMDA.

(‡) 5-Methoxy-N, N-diisopropyltryptamine, including any isomers, salts, or salts of isomers (7439). Other name: 5-MeO-DIPT.

(†) 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and other names: 4-methyl-2, 5-dimethoxy-a-methylphenethylamine; DOM; and STP.



- 1 (H) 3, 4-methylenedioxy amphetamine (7400). Other name:
- 2 MDA.
- 3 (H) 3,4-methylenedioxy-N-ethylamphetamine (7404). Other
- 4 names: N-ethyl-alpha-methyl-3,4(methylenedioxy)
- 5 phenethylamine; N-ethyl MDA; MDE; and MDEA.
- 6 (H) 3, 4-methylenedioxymethamphetamine (MDMA) (7405).
- 7 (H) 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.
- 8 (H) Alpha-ethyltryptamine (7249). Some trade and other names:
- 9 Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine;
- 10 3-(2-aminobutyl) indole; [alpha]-ET; and AET.
- 11 (H) Alpha-methyltryptamine (7432). Other name: AMT.
- 12 (H) Bufotenine (7433). Some trade and other names:
- 13 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
- 14 3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin;
- 15 5-hydroxy-N, N-dimethyltryptamine; mappine.
- 16 (H) Diethyltryptamine (7434). Some trade or other names: N,
- 17 N-Diethyltryptamine; DET.
- 18 (H) Dimethyltryptamine (7435). Some trade or other names:
- 19 DMT.
- 20 (H) Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b,
- 21 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido
- 22 (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.
- 23 (H) Lysergic acid diethylamide (7315). Other name: LSD.
- 24 (H) Marijuana (7360).
- 25 (H) Mescaline (7381).
- 26 (H) Methoxetamine[2-(ethylamino)-2-(3-methoxyphenyl)
- 27 cyclohexan-1-one or 2-(3-methoxyphenyl)-2-(ethylamino)-
- 28 cyclohexanone].
- 29 (H) Parahexyl (7374). Some trade or other names:
- 30 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6,
- 31 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.
- 32 (H) Peyote (7415), including:
- 33 (A) all parts of the plant that are classified botanically as
- 34 lophophora williamsii lemaire, whether growing or not;
- 35 (B) the seeds thereof;
- 36 (C) any extract from any part of the plant; and
- 37 (D) every compound, manufacture, salt, derivative, mixture, or
- 38 preparation of the plant, its seeds, or extracts.
- 39 (H) N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.
- 40 (H) N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other
- 41 names: N-hydroxy-alpha-methyl-3,4
- 42 (methylenedioxy)phenethylamine; and N-hydroxy MDA.



- (29) N-methyl-3-piperidyl benzilate (7484). Other name: LBJ.
 (30) Psilocybin (7437).
 (31) Psilocyn (7438).
 (32) Tetrahydrocannabinols (7370), including synthetic equivalents of the substances contained in the plant, or in the resinous extractives of *Cannabis*, sp. and synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as:
 (A) π^1 cis or trans tetrahydrocannabinol, and their optical isomers;
 (B) π^6 cis or trans tetrahydrocannabinol, and their optical isomers; and
 (C) π^3_4 cis or trans tetrahydrocannabinol, and their optical isomers.
 Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered. Other name: THC.
 (33) Ethylamine analog of phencyclidine (7455). Some trade or other names: N-Ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl) ethylamine; cyclohexamine; PCE.
 (34) Pyrrolidine analog of phencyclidine (7458). Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCP_y; PHP.
 (35) Thiophene analog of phencyclidine (7470). Some trade or other names: 1-(1-(2-thienyl) cyclohexyl) piperidine; 2-Thienyl Analog of Phencyclidine; TPCP.
 (36) *Salvia divinorum* or salvinorin A, including:
 (A) all parts of the plant that are classified botanically as *salvia divinorum*, whether growing or not;
 (B) the seeds of the plant;
 (C) any extract from any part of the plant; and
 (D) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts.
 (37) 5-Methoxy-N,N-Dimethyltryptamine. Some trade or other names: 5-methoxy-3-[2- (dimethylamino)ethyl]indole; 5-MeO-DMT.
 (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
 (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
 (40) 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C).
 (41) 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I).
 (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-2).



- 1 ~~(43)~~ 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine
- 2 (2C-T-4).
- 3 ~~(44)~~ 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).
- 4 ~~(45)~~ 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).
- 5 ~~(46)~~ 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).
- 6 ~~(47)~~ Deschloroketamine (2-Phenyl-2-
- 7 (methylamino)cyclohexanone).
- 8 ~~(48)~~ 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-
- 9 ethyltryptamine).
- 10 ~~(49)~~ N-methyltryptamine (1H-Indole-3-ethanamine, N-methyl-).
- 11 ~~(50)~~ 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (other
- 12 names: eutylone; bk-EBDB (7549)).
- 13 ~~(51)~~ N-(1-amino- 3,3-dimethyl-1- oxobutan-2-yl)-
- 14 1-butyl-1H-indazole-3- carboxamide (other name:
- 15 ADB-BUTINACA) (7027).
- 16 ~~(52)~~ 4-methyl-1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (other
- 17 names: α -PiHP; alpha-PiHP) (7551).
- 18 ~~(53)~~ 2-(methylamino)-1-(3-methylphenyl)propan-1-one (other
- 19 names: 3-MMC; 3-methylmethcathinone) (1259).
- 20 (e) Depressants. Unless specifically excepted in a rule adopted by
- 21 the board or unless listed in another schedule, any material, compound,
- 22 mixture, or preparation which contains any quantity of the following
- 23 substances having a depressant effect on the central nervous system,
- 24 including its salts, isomers, and salts of isomers whenever the existence
- 25 of such salts, isomers, and salts of isomers is possible within the
- 26 specific chemical designation:
- 27 Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H-
- 28 thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4diazepine) (other names
- 29 include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and
- 30 Pasaden).
- 31 Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-
- 32 4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine).
- 33 Gamma-hydroxybutyric acid (other names include GHB;
- 34 gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium
- 35 oxybate; sodium oxybutyrate) (2010).
- 36 Mecloqualone (2572).
- 37 Methaqualone (2565).
- 38 (f) Stimulants. Unless specifically excepted or unless listed in
- 39 another schedule, any material, compound, mixture, or preparation that
- 40 contains any quantity of the following substances having a stimulant
- 41 effect on the central nervous system, including its salts, isomers, and
- 42 salts of isomers:



1 ([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-
 2 dihydro-4-methyl-5-phenyl-2-oxazamine) (1590).
 3 Amineptine (7-[(10,11-dihydro-5H- dibenzo[a,d]cyclohepten- 5-
 4 yl)amino] heptanoic acid) (1219).
 5 Aminorex (1585). Other names: aminoxaphen;
 6 2-amino-5-phenyl-2-oxazoline; or
 7 4,5-dihydro-5-phenyl-2-oxazamine.
 8 4,4'-Dimethylaminorex (4,4'-DMAR; 4,5-dihydro- 4-methyl-5-(4-
 9 methylphenyl)- 2- oxazamine; 4-methyl-5- (4-methylphenyl)-
 10 4,5-dihydro-1,3-oxazol- 2-amine).
 11 Benzylone, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan
 12 -1-one. Synonyms: BMDP, N-benzyl methylone,
 13 3 , 4 - M e t h y l e n e d i o x y - N b e n z y l c a t h i n o n e ,
 14 N-benzyl-3,4-methylenedioxycathinone.
 15 Cathinone (1235). Some trade or other names:
 16 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone;
 17 2-aminopropiophenone; and norephedrone.
 18 Fenethylamine (1503).
 19 N-Benzylpiperazine (7493). Other names: BZP; and
 20 1-benzylpiperazine.
 21 N-ethylamphetamine (1475).
 22 M e s o c a r b (N - p h e n y l - N - (3 - (1 -
 23 phenylpropan-2-yl)-1,2,3-oxadiazol-3- ium-5yl)carbamimidate)
 24 (1227).
 25 Methcathinone (1237). Some other trade names:
 26 2-Methylamino-1-Phenylpropan-1-one; Ephedrone;
 27 Monomethylpropion; UR 1431.
 28 N, N-dimethylamphetamine (1480). Other names: N,
 29 N-alpha-trimethyl-benzeneethanamine; and N,
 30 N-alpha-trimethylphenethylamine.
 31 Methiopropamine (N-methyl-1-(thiophen-2-yl) propan-2- amine)
 32 (1478).
 33 (g) Synthetic drugs as defined in IC 35-31.5-2-321.
 34 SECTION 251. IC 35-48-4-14.5, AS AMENDED BY P.L.252-2017,
 35 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2025]: Sec. 14.5. (a) As used in this section, "chemical
 37 reagents or precursors" refers to one (1) or more of the following:
 38 (1) Ephedrine.
 39 (2) Pseudoephedrine.
 40 (3) Phenylpropanolamine.
 41 (4) The salts, isomers, and salts of isomers of a substance
 42 identified in subdivisions (1) through (3).



- 1 (5) Anhydrous ammonia or ammonia solution (as defined in
- 2 IC 22-11-20-1).
- 3 (6) Organic solvents.
- 4 (7) Hydrochloric acid.
- 5 (8) Lithium metal.
- 6 (9) Sodium metal.
- 7 (10) Ether.
- 8 (11) Sulfuric acid.
- 9 (12) Red phosphorous.
- 10 (13) Iodine.
- 11 (14) Sodium hydroxide (lye).
- 12 (15) Potassium dichromate.
- 13 (16) Sodium dichromate.
- 14 (17) Potassium permanganate.
- 15 (18) Chromium trioxide.
- 16 (19) Benzyl cyanide.
- 17 (20) Phenylacetic acid and its esters or salts.
- 18 (21) Piperidine and its salts.
- 19 (22) Methylamine and its salts.
- 20 (23) Isosafrole.
- 21 (24) Safrole.
- 22 (25) Piperonal.
- 23 (26) Hydriodic acid.
- 24 (27) Benzaldehyde.
- 25 (28) Nitroethane.
- 26 (29) Gamma-butyrolactone.
- 27 (30) White phosphorus.
- 28 (31) Hypophosphorous acid and its salts.
- 29 (32) Acetic anhydride.
- 30 (33) Benzyl chloride.
- 31 (34) Ammonium nitrate.
- 32 (35) Ammonium sulfate.
- 33 (36) Hydrogen peroxide.
- 34 (37) Thionyl chloride.
- 35 (38) Ethyl acetate.
- 36 (39) Pseudoephedrine hydrochloride.
- 37 (b) A person who possesses more than ten (10) grams of ephedrine,
- 38 pseudoephedrine, or phenylpropanolamine, pure or adulterated,
- 39 commits a Level 6 felony. However, the offense is a Level 5 felony if
- 40 the person possessed:
- 41 (1) a firearm while possessing more than ten (10) grams of
- 42 ephedrine, pseudoephedrine, or phenylpropanolamine, pure or



adulterated; or

(2) more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(c) A person who possesses anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with the intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed:

(1) a firearm while possessing anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6; or

(2) anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(d) Subsection (b) does not apply to a:

(1) licensed health care provider, pharmacist, retail distributor, wholesaler, manufacturer, warehouseman, or common carrier or an agent of any of these persons if the possession is in the regular course of lawful business activities; or

(2) person who possesses more than ten (10) grams of a substance described in subsection (b) if the substance is possessed under circumstances consistent with typical medicinal or household use, including:

(A) the location in which the substance is stored;

(B) the possession of the substance in a variety of:

(i) strengths;

(ii) brands; or

(iii) types; or

(C) the possession of the substance:

(i) with different expiration dates; or

(ii) in forms used for different purposes.



(e) A person who possesses two (2) or more chemical reagents or precursors with the intent to manufacture a controlled substance commits a Level 6 felony.

(f) An offense under subsection (e) is a Level 5 felony if the person possessed:

(1) a firearm while possessing two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance; or

(2) two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(g) A person who sells, transfers, distributes, or furnishes a chemical reagent or precursor to another person with knowledge or the intent that the recipient will use the chemical reagent or precursors to manufacture a controlled substance commits unlawful sale of a precursor, a Level 6 felony. However, the offense is a Level 5 felony if the person sells, transfers, distributes, or furnishes more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine.

(h) This subsection does not apply to a drug containing ephedrine, pseudoephedrine, or phenylpropanolamine that is dispensed under a prescription. A person who:

(1) has been convicted of a drug related felony (as defined in ~~IC 35-48-1-16.3~~; **IC 35-48-1.1-17**); and

(2) not later than seven (7) years from the date the person was sentenced for the offense;

knowingly or intentionally possesses ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits possession of a precursor by a drug offender, a Level 6 felony.

SECTION 252. IC 36-1-20.2-3, AS ADDED BY P.L.135-2012, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. For purposes of this chapter, the performance of the duties of:

(1) a precinct election officer (as defined in ~~IC 3-5-2-40.1~~) **IC 3-5-2.1-82**) that are imposed by IC 3; or

(2) a volunteer firefighter;

is not considered employment by a unit.

SECTION 253. IC 36-1.5-2-1, AS ADDED BY P.L.186-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2025]: Sec. 1. Except as provided in section 4 of this chapter, the definitions in ~~IC 3-5-2~~ **IC 3-5-2.1** and IC 36-1-2 apply throughout this article.

SECTION 254. IC 36-2-14-6, AS AMENDED BY P.L.71-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) Whenever the coroner is notified that a person in the county:

- (1) has died from violence;
- (2) has died by casualty;
- (3) has died when apparently in good health;
- (4) has died in an apparently suspicious, unusual, or unnatural manner; or
- (5) has been found dead;

the coroner shall, before the scene of the death is disturbed, notify a law enforcement agency having jurisdiction in that area. The agency shall assist the coroner in determining the cause, manner, and mechanism of death. The coroner shall hold the human remains until the investigation of how the person died and the medical investigation of the cause of death are concluded.

(b) If the coroner reasonably suspects the cause of the person's death to be accidental or intentional overdose of a controlled substance (as defined by ~~IC 35-48-1-9~~; **IC 35-48-1.1-7**), the coroner shall do the following:

- (1) Obtain any relevant information about the decedent maintained by the INSPECT program established by IC 25-1-13-4.
- (2) Extract one (1) or more of the following bodily fluids from the decedent:
 - (A) Blood.
 - (B) Vitreous.
 - (C) Urine.
- (3) Test a bodily fluid extracted under subdivision (2) to determine whether the bodily fluid contained any amount, including a trace amount, of a controlled substance at the time of the decedent's death.
- (4) If the coroner reasonably suspects the cause of the person's death to be accidental or intentional overdose of an opioid (as defined in ~~IC 35-48-1-21~~) **IC 35-48-1.1-31**) or if the person was administered an overdose intervention drug (as defined in IC 16-18-2-263.9) prior to death and was unresponsive to the overdose intervention drug, the coroner shall test a bodily fluid extracted under subdivision (2) to determine whether the bodily



fluid contained any amount, including a trace amount, of xylazine at the time of the decedent's death.

(5) Report the results of the test conducted under this subsection to the Indiana department of health after completing the medical investigation of the cause of the decedent's death.

(6) Provide the Indiana department of health notice of the decedent's death, including any information related to the controlled substances involved, if any.

(c) The coroner:

(1) shall file a certificate of death with the county health department, or, if applicable, a multiple county health department, of the county in which the individual died, within seventy-two (72) hours after the completion of the death investigation;

(2) shall complete the certificate of death utilizing all verifiable information establishing the time and date of death; and

(3) may file a pending investigation certificate of death before completing the certificate of death, if necessary.

(d) If this section applies, the body and the scene of death may not be disturbed until:

(1) the coroner has photographed them in the manner that most fully discloses how the person died; and

(2) law enforcement and the coroner have finished their initial assessment of the scene of death.

However, a coroner or law enforcement officer may order a body to be moved before photographs are taken if the position or location of the body unduly interferes with activities carried on where the body is found, but the body may not be moved from the immediate area and must be moved without substantially destroying or altering the evidence present.

(e) When acting under this section, if the coroner considers it necessary to have an autopsy performed, is required to perform an autopsy under subsection (g), or is requested by the prosecuting attorney of the county to perform an autopsy, the coroner shall arrange for the autopsy to be performed by a:

(1) physician who:

(A) is certified by the American Board of Pathology; or

(B) holds a subspecialty board certification in forensic pathology from the American Osteopathic Board of Pathology and the American Osteopathic Association; or

(2) pathology resident acting under the direct supervision of a physician described in subdivision (1).

A physician employed under subdivision (1) to perform the autopsy



1 shall be paid a fee of at least fifty dollars (\$50) from the county
2 treasury.

3 (f) If:

4 (1) at the request of:

5 (A) the decedent's spouse;

6 (B) a child of the decedent, if the decedent does not have a
7 spouse;

8 (C) a parent of the decedent, if the decedent does not have a
9 spouse or children;

10 (D) a brother or sister of the decedent, if the decedent does not
11 have a spouse, children, or parents; or

12 (E) a grandparent of the decedent, if the decedent does not
13 have a spouse, children, parents, brothers, or sisters;

14 (2) in any death, two (2) or more witnesses who corroborate the
15 circumstances surrounding death are present; and

16 (3) two (2) physicians who are licensed to practice medicine in
17 the state and who have made separate examinations of the
18 decedent certify the same cause of death in an affidavit within
19 twenty-four (24) hours after death;

20 an autopsy need not be performed. The affidavits shall be filed with the
21 circuit court clerk.

22 (g) A county coroner may not certify the cause of death in the case
23 of the sudden and unexpected death of a child who is less than three (3)
24 years old unless an autopsy is performed at county expense. However,
25 a coroner may certify the cause of death of a child described in this
26 subsection without the performance of an autopsy if subsection (f)
27 applies to the death of the child.

28 (h) After consultation with the law enforcement agency
29 investigating the death of a decedent, the coroner shall do the
30 following:

31 (1) Inform a crematory authority if a person is barred under
32 IC 23-14-31-26(c) from serving as the authorizing agent with
33 respect to the cremation of the decedent's body because the
34 coroner made the determination under IC 23-14-31-26(c)(2) in
35 connection with the death of the decedent.

36 (2) Inform a cemetery owner if a person is barred under
37 IC 23-14-55-2(c) from authorizing the disposition of the body or
38 cremated remains of the decedent because the coroner made the
39 determination under IC 23-14-55-2(c)(2) in connection with the
40 death of the decedent.

41 (3) Inform a seller of prepaid services or merchandise if a person's
42 contract is unenforceable under IC 30-2-13-23(b) because the



coroner made the determination under IC 30-2-13-23(b)(4) in connection with the death of the decedent.

SECTION 255. IC 36-2-14-18, AS AMENDED BY P.L.31-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) Notwithstanding IC 5-14-3-4(b)(1), when a coroner investigates a death, the office of the coroner is required to make available for public inspection and copying the following:

- (1) The name, age, address, sex, and race of the deceased.
- (2) The address where the dead body was found, or if there is no address the location where the dead body was found and, if different, the address where the death occurred, or if there is no address the location where the death occurred.
- (3) The name of the agency to which the death was reported and the name of the person reporting the death.
- (4) The name of any public official or governmental employee present at the scene of the death and the name of the person certifying or pronouncing the death.
- (5) Information regarding an autopsy (requested or performed) limited to the date, the person who performed the autopsy, where the autopsy was performed, and a conclusion as to:
 - (A) the probable cause of death;
 - (B) the probable manner of death; and
 - (C) the probable mechanism of death.
- (6) The location to which the body was removed, the person determining the location to which the body was removed, and the authority under which the decision to remove the body was made.
- (7) The records required to be filed by a coroner under section 6 of this chapter and the verdict and the written report required under section 10 of this chapter.

(b) A county coroner or a coroner's deputy who receives an investigatory record from a law enforcement agency shall treat the investigatory record with the same confidentiality as the law enforcement agency would treat the investigatory record.

(c) Notwithstanding any other provision of this section, a coroner shall make available a full copy of an autopsy report, other than a photograph, a video recording, or an audio recording of the autopsy, upon the written request of a parent of the decedent, an adult child of the decedent, a next of kin of the decedent, or an insurance company investigating a claim arising from the death of the individual upon whom the autopsy was performed. A parent of the decedent, an adult child of the decedent, a next of kin of the decedent, and an insurance company are prohibited from publicly disclosing any information



1 contained in the report beyond that information that may otherwise be
 2 disclosed by a coroner under this section. This prohibition does not
 3 apply to information disclosed in communications in conjunction with
 4 the investigation, settlement, or payment of the claim.

5 (d) Notwithstanding any other provision of this section, a coroner
 6 shall make available a full copy of an autopsy report, other than a
 7 photograph, a video recording, or an audio recording of the autopsy,
 8 upon the written request of:

9 (1) the director of the division of disability and rehabilitative
 10 services established by IC 12-9-1-1;

11 (2) the director of the division of mental health and addiction
 12 established by IC 12-21-1-1; or

13 (3) the director of the division of aging established by
 14 IC 12-9.1-1-1;

15 in connection with a division's review of the circumstances surrounding
 16 the death of an individual who received services from a division or
 17 through a division at the time of the individual's death.

18 (e) Notwithstanding any other provision of this section, a coroner
 19 shall make available, upon written request, a full copy of an autopsy
 20 report, including a photograph, a video recording, or an audio recording
 21 of the autopsy, to:

22 (1) the department of child services established by IC 31-25-1-1,
 23 including an office of the department located in the county where
 24 the death occurred;

25 (2) the statewide child fatality review committee established by
 26 IC 16-49-4; or

27 (3) a county child fatality review team or regional child fatality
 28 review team established under IC 16-49-2 for the area where the
 29 death occurred;

30 for purposes of an entity described in subdivisions (1) through (3)
 31 conducting a review or an investigation of the circumstances
 32 surrounding the death of a child (as defined in IC 16-49-1-2) and
 33 making a determination as to whether the death of the child was a
 34 result of abuse, abandonment, or neglect. An autopsy report made
 35 available under this subsection is confidential and shall not be
 36 disclosed to another individual or agency, unless otherwise authorized
 37 or required by law.

38 (f) Notwithstanding any other provision of this section, a coroner
 39 shall make available, upon written request, a full copy of an autopsy
 40 report, including a photograph, a video recording, or an audio recording
 41 of the autopsy, to the local fetal-infant mortality review team
 42 established under IC 16-49-6 for purposes of the local fetal-infant



1 mortality review team conducting a review or an investigation of the
 2 circumstances surrounding a fetal death or an infant death (as defined
 3 in IC 16-49-6). An autopsy report made available under this subsection
 4 is confidential and shall not be disclosed to another individual or
 5 agency, unless otherwise authorized or required by law.

6 (g) Notwithstanding any other provision of this section, a coroner
 7 shall make available, upon written request, a full copy of an autopsy
 8 report, including a photograph, a video recording, or an audio recording
 9 of the autopsy, to the statewide maternity mortality review committee
 10 established under IC 16-50-1.

11 (h) Notwithstanding any other provision of this section, and except
 12 as otherwise provided in this subsection, a coroner may make available,
 13 upon written request, a full copy of an autopsy report to the peer review
 14 committee (as defined in ~~IC 34-6-2-99~~ **IC 34-6-2.1-145**) of a hospital
 15 at which the decedent was treated immediately before death for
 16 purposes of the hospital's peer review activities. An autopsy report
 17 made available under this subsection:

18 (1) may not include:

19 (A) a photograph;

20 (B) a video recording; or

21 (C) an audio recording;

22 of the autopsy; and

23 (2) is confidential and may not be disclosed to another individual
 24 or agency, unless otherwise authorized or required by law.

25 However, if immediately making available an autopsy report under this
 26 subsection will interfere with the coroner's investigation or other legal
 27 proceedings related to the decedent's death, the coroner may delay
 28 making available the requested autopsy related information until the
 29 investigation or other legal proceedings are concluded.

30 (i) Except as provided in subsection (j), the information required to
 31 be available under subsection (a) must be completed not later than
 32 fourteen (14) days after the completion of:

33 (1) the autopsy report; or

34 (2) if applicable, any other report, including a toxicology report,
 35 requested by the coroner as part of the coroner's investigation;
 36 whichever is completed last.

37 (j) The prosecuting attorney may petition a circuit or superior court
 38 for an order prohibiting the coroner from publicly disclosing the
 39 information required in subsection (a). The prosecuting attorney shall
 40 serve a copy of the petition on the coroner.

41 (k) Upon receipt of a copy of the petition described in subsection (j),
 42 the coroner shall keep the information confidential until the court rules



1 on the petition.

2 (l) The court shall grant a petition filed under subsection (j) if the
3 prosecuting attorney proves by a preponderance of the evidence that
4 public access or dissemination of the information specified in
5 subsection (a) would create a significant risk of harm to the criminal
6 investigation of the death. The court shall state in the order the reasons
7 for granting or denying the petition. An order issued under this
8 subsection must use the least restrictive means and duration possible
9 when restricting access to the information. Information to which access
10 is restricted under this subsection is confidential.

11 (m) Any person may petition the court to modify or terminate an
12 order issued under subsection (l). The petition for modification or
13 termination must allege facts demonstrating that:

- 14 (1) the public interest will be served by allowing access; and
- 15 (2) access to the information specified in subsection (a) would not
16 create a significant risk to the criminal investigation of the death.

17 The person petitioning the court for modification or termination shall
18 serve a copy of the petition on the prosecuting attorney and the coroner.

19 (n) Upon receipt of a petition for modification or termination filed
20 under subsection (m), the court may:

- 21 (1) summarily grant, modify, or dismiss the petition; or
- 22 (2) set the matter for hearing.

23 If the court sets the matter for hearing, upon the motion of any party or
24 upon the court's own motion, the court may close the hearing to the
25 public.

26 (o) If the person filing the petition for modification or termination
27 proves by a preponderance of the evidence that:

- 28 (1) the public interest will be served by allowing access; and
- 29 (2) access to the information specified in subsection (a) would not
30 create a significant risk to the criminal investigation of the death;

31 the court shall modify or terminate its order restricting access to the
32 information. In ruling on a request under this subsection, the court shall
33 state the court's reasons for granting or denying the request.

34 SECTION 256. IC 36-7-4-216, AS AMENDED BY P.L.126-2011,
35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2025]: Sec. 216. (a) Each citizen member shall be appointed
37 because of the member's knowledge and experience in community
38 affairs, the member's awareness of the social, economic, agricultural,
39 and industrial problems of the area, and the member's interest in the
40 development and integration of the area.

41 (b) A citizen member may not hold:

- 42 (1) an elected office (as defined in ~~IC 3-5-2-17~~); **IC 3-5-2.1-34**;



1 or

2 (2) any other appointed office in municipal, county, or state
3 government;

4 except for membership on the board of zoning appeals as required by
5 section 902 of this chapter and, in the case of an area plan commission,
6 membership on the body from which the member must be appointed
7 under this series.

8 (c) Subject to subsection (d), a citizen member must meet one (1)
9 of the following requirements:

10 (1) The member must be a resident of the jurisdictional area of the
11 plan commission. The member may also be required by statute to
12 reside within an unincorporated area of the jurisdictional area of
13 the plan commission.

14 (2) The member must be a resident of the county and also an
15 owner of real property located in whole or in part in the
16 jurisdictional area of the plan commission. The member may also
17 be required by statute to own real property within an
18 unincorporated area of the jurisdictional area of the plan
19 commission.

20 (d) At least a majority of the total number of citizen members
21 appointed to a plan commission must be residents of the jurisdictional
22 area of the plan commission. The commission shall determine whether
23 a citizen member meets all applicable residency requirements for
24 appointment in accordance with uniform rules prescribed by the
25 commission.

26 SECTION 257. IC 36-7-4-905, AS AMENDED BY P.L.126-2011,
27 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2025]: Sec. 905. (a) None of the members of a board of
29 zoning appeals may hold:

30 (1) an elected office (as defined in ~~IC 3-5-2-17~~; **IC 3-5-2.1-34**);
31 or

32 (2) any other appointed office, except as permitted by section 902
33 of this chapter, in municipal, county, or state government.

34 (b) A member of the board of zoning appeals must meet one (1) of
35 the following requirements:

36 (1) The member must be a resident of the jurisdictional area of the
37 board.

38 (2) The member must be a resident of the county and also an
39 owner of real property located in whole or in part in the
40 jurisdictional area of the board.

41 However, at least a majority of the total number of citizen members
42 appointed to the board of zoning appeals must be residents of the



jurisdictional area of the board of zoning appeals. The board shall determine whether a member meets all applicable residency requirements for appointment in accordance with uniform rules prescribed by the board.

SECTION 258. IC 36-8-12-16, AS AMENDED BY P.L.236-2023, SECTION 201, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A volunteer fire department that provides service within a jurisdiction served by the department may establish a schedule of charges for the services that the department provides not to exceed the state fire marshal's recommended schedule for services. The volunteer fire department or its agent may collect a service charge according to this schedule from the owner of property that receives service if the following conditions are met:

(1) At the following times, the department gives notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the service charge for each service that the department provides:

(A) Before the schedule of service charges is initiated.

(B) When there is a change in the amount of a service charge.

(2) The property owner has not sent written notice to the department to refuse service by the department to the owner's property.

(3) The bill for payment of the service charge:

(A) is submitted to the property owner in writing within thirty (30) days after the services are provided;

(B) includes a copy of a fire incident report in the form prescribed by the state fire marshal, if the service was provided for an event that requires a fire incident report;

(C) must contain verification that the bill has been approved by the chief of the volunteer fire department; and

(D) must contain language indicating that correspondence from the property owner and any question from the property owner regarding the bill should be directed to the department.

(4) Payment is remitted directly to the governmental unit providing the service.

(b) A volunteer fire department shall use the revenue collected from the fire service charges under this section:

(1) for the purchase of equipment, buildings, and property for firefighting, fire protection, or other emergency services;

(2) for deposit in the township firefighting and emergency services fund established under IC 36-8-13-4(a)(1) or the township firefighting fund established under



1 IC 36-8-13-4(a)(2)(A); or

2 (3) to pay principal and interest on a loan made by the department
3 of homeland security established by IC 10-19-2-1 or a division of
4 the department for the purchase of new or used firefighting and
5 other emergency equipment or apparatus.

6 (c) Any administrative fees charged by a fire department's agent
7 must be paid only from fees that are collected and allowed by Indiana
8 law and the fire marshal's schedule of fees.

9 (d) An agent who processes fees on behalf of a fire department shall
10 send all bills, notices, and other related materials to both the fire
11 department and the person being billed for services.

12 (e) All fees allowed by Indiana law and the fire marshal's fee
13 schedule must be itemized separately from any other charges.

14 (f) If at least twenty-five percent (25%) of the money received by a
15 volunteer fire department for providing fire protection or emergency
16 services is received under one (1) or more contracts with one (1) or
17 more political subdivisions (as defined in ~~IC 34-6-2-110~~;
18 **IC 34-6-2.1-155**), the legislative body of a contracting political
19 subdivision must approve the schedule of service charges established
20 under subsection (a) before the schedule of service charges is initiated
21 in that political subdivision.

22 (g) A volunteer fire department that:

- 23 (1) has contracted with a political subdivision to provide fire
24 protection or emergency services; and
25 (2) charges for services under this section;

26 must submit a report to the legislative body of the political subdivision
27 before April 1 of each year indicating the amount of service charges
28 collected during the previous calendar year and how those funds have
29 been expended.

30 (h) The state fire marshal shall annually prepare and publish a
31 recommended schedule of service charges for fire protection services.

32 (i) The volunteer fire department or its agent may maintain a civil
33 action to recover an unpaid service charge under this section and may,
34 if it prevails, recover all costs of the action, including reasonable
35 attorney's fees.

36 SECTION 259. IC 36-8-12-17, AS AMENDED BY P.L.236-2023,
37 SECTION 202, IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) If a political subdivision has
39 not imposed its own false alarm fee or service charge, a volunteer fire
40 department that provides service within the jurisdiction may establish
41 a service charge for responding to false alarms. The volunteer fire
42 department may collect the false alarm service charge from the owner



1 of the property if the volunteer fire department dispatches firefighting
 2 apparatus or personnel to a building or premises in the township in
 3 response to:

- 4 (1) an alarm caused by improper installation or improper
 5 maintenance; or
- 6 (2) a drill or test, if the fire department is not previously notified
 7 that the alarm is a drill or test.

8 However, if the owner of property that constitutes the owner's residence
 9 establishes that the alarm is under a maintenance contract with an
 10 alarm company and that the alarm company has been notified of the
 11 improper installation or maintenance of the alarm, the alarm company
 12 is liable for the payment of the fee or service charge.

13 (b) Before establishing a false alarm service charge, the volunteer
 14 fire department must provide notice under IC 5-3-1-4(d) in each
 15 political subdivision served by the department of the amount of the
 16 false alarm service charge. The notice required by this subsection must
 17 be given:

- 18 (1) before the false alarm service charge is initiated; and
- 19 (2) before a change in the amount of the false alarm service
 20 charge.

21 (c) A volunteer fire department may not collect a false alarm service
 22 charge from a property owner or alarm company unless the
 23 department's bill for payment of the service charge:

- 24 (1) is submitted to the property owner in writing within thirty (30)
 25 days after the false alarm; and
- 26 (2) includes a copy of a fire incident report in the form prescribed
 27 by the state fire marshal.

28 (d) A volunteer fire department shall use the money collected from
 29 the false alarm service charge imposed under this section:

- 30 (1) for the purchase of equipment, buildings, and property for fire
 31 fighting, fire protection, or other emergency services;
- 32 (2) for deposit in the township firefighting and emergency
 33 services fund established under IC 36-8-13-4(a)(1) or the
 34 township firefighting fund established under
 35 IC 36-8-13-4(a)(2)(A); or
- 36 (3) to pay principal and interest on a loan made by the department
 37 of homeland security established by IC 10-19-2-1 or a division of
 38 the department for the purchase of new or used firefighting and
 39 other emergency equipment or apparatus.

40 (e) If at least twenty-five percent (25%) of the money received by a
 41 volunteer fire department for providing fire protection or emergency
 42 services is received under one (1) or more contracts with one (1) or



1 more political subdivisions (as defined in ~~IC 34-6-2-110~~;
2 **IC 34-6-2.1-155**), the legislative body of a contracting political
3 subdivision must approve the false alarm service charge established
4 under subsection (a) before the service charge is initiated in that
5 political subdivision.

6 (f) A volunteer fire department that:

7 (1) has contracted with a political subdivision to provide fire
8 protection or emergency services; and

9 (2) imposes a false alarm service charge under this section;

10 must submit a report to the legislative body of the political subdivision
11 before April 1 of each year indicating the amount of false alarm
12 charges collected during the previous calendar year and how those
13 funds have been expended.

14 (g) The volunteer fire department may maintain a civil action to
15 recover unpaid false alarm service charges imposed under this section
16 and may, if it prevails, recover all costs of the action, including
17 reasonable attorney's fees.

