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 ENROLLED ACT No. 80

AN ACT to amend the Indiana Code concerning general provisions.

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

SECTION 1. IC 2-2.1-1-7.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) This section applies only if the number of members of the house of representatives affiliated with one (1) political party equals the number of members of the house of representatives affiliated with a different political party.

(b) For purposes of this section, an individual is considered to be affiliated with a political party if the individual was:

(1) the nominee (as defined in ~~IC 3-5-2-33)~~ **IC 3-5-2.1-68)** of that political party for election to the office to which the individual was elected at the previous general election; or

(2) selected by that political party to fill a candidate vacancy or a vacancy in the office under IC 3-13 for the office the individual currently holds.

(c) The speaker of the house of representatives and the principal clerk of the house of representatives shall be elected by the members of the house of representatives affiliated with the political party whose:

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

(8) Perform other census and mapping research as determined by the executive director of the legislative services agency or as

required by the council.

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

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

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

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

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

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

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

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

(1) must report actual amounts; and

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

to the extent practicable.

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

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

(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 expenditure of ten thousand dollars ($10,000) 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.

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

(1) A declaration of intent to be a write-in candidate.

(2) A declaration of candidacy.

(3) A consent to the nomination.

(4) A consent to become a candidate.

(5) A certificate of candidate selection.

(6) A consent filed under IC 3-13-2-7.

(7) A statement filed under IC 33-24-2, IC 33-25-2, IC 33-33-45-42, IC 33-33-49-13.3, or IC 33-33-71-43.

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

(1) has taken the action necessary to qualify under Indiana law for listing on the ballot at an election or to become a write-in candidate;

(2) has publicly announced or declared candidacy for an elected office; or

(3) otherwise seeks nomination for or election to an elected office, regardless of whether the individual wins election to the office.

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

(1) receives more than one hundred dollars ($100) in contributions;

(2) makes more than one hundred dollars ($100) in expenditures;

(3) is required to file a written instrument designating a principal committee under IC 3-9-1-5.5 or IC 3-9-5-1;

(4) is subject to campaign contribution limits under IC 3-9-2;

(5) is subject to campaign expense restrictions under IC 3-9-3; or

(6) is subject to requirements for campaign communications including fabricated media under IC 3-9-8.

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

(1) the individual; or

(2) another person under IC 3-13-1 or IC 3-13-2;

is void or invalid.

(d) As used in IC 3-14-3-18, "candidate" includes an individual described in IC 3-14-3-18(a).

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

(1) the principal political committee that each candidate is required to have under IC 3-9-1; or

(2) an exploratory committee established by a candidate who has not decided whether to become a candidate for a specific office.

Sec. 18. As used in IC 3-9, "caucus" refers to a caucus to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2. The term does not include a caucus to fill a vacant office under IC 3-13-5 or IC 3-13-11.

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

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

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

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

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

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

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

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

(1) the polls; or

(2) for purposes of early voting:

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

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

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

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

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

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

Sec. 25. "Contestee" means a candidate whose nomination or

election is being contested by a contestor.

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

Sec. 27. (a) "Contribution" means a donation (whether 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:

(1) funds are transferred from one (1) committee to another; or

(2) a donation of funds to influence an election on a public question is accepted as a contribution;

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) The term defined in subsection (a) includes a donation of property (as defined in IC 35-31.5-2-253):

(1) that satisfies subsection (a)(1) and (a)(2); and

(2) through a payment platform that acts as a conduit.

(e) This subsection does not apply to a contribution described in IC 3-9-2-11.5. 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.

(f) This subsection does not apply to a contribution described in

IC 3-9-2-11.5. 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.

(2) A board of elections and registration.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) votes are counted by automatic tabulating machines.

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. 49.6. For purposes of IC 3-9-2-11.5, "foreign national" has the meaning set forth in 52 U.S.C. 30121(b).

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. 53.3. "Independent expenditure" means an expenditure by a person expressly advocating the approval or rejection of a public question.

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

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

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

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

(1) with respect to the state, either of the two (2) parties whose nominees received the highest and second highest numbers of votes statewide for secretary of state in the last election; or

(2) with respect to a political subdivision, either of the two (2) parties whose nominees received the highest and second highest numbers of votes in that political subdivision for secretary of state in the last election.

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

(1) a pencil or pen for marking a paper ballot or ballot card; or

(2) an approved device that automatically:

(A) registers the voter's vote on an electronic voting system; or

(B) produces a marked optical scan ballot indicating the choices of the voter.

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

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

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

(1) in the software or firmware of the voting system; or

(2) to the hardware of the voting system that:

(A) materially alters the system's reliability, functionality, capacity, or operation; or

(B) has a reasonable and identifiable potential to affect the voting system's operation and compliance with the applicable voting system standards.

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

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

(1) For candidates nominated in a primary election, the date 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.

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

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

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

(1) Inspector.

(2) Judge.

(3) Poll clerk.

(4) Assistant poll clerk.

(5) Election sheriff.

Sec. 82.4. For purposes of IC 3-9-1-4, "preliminary activity" includes conducting a poll, drafting language for a public question, the planning and use of a focus group, a telephone call, or engaging in travel.

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

(b) The term includes an alternate presidential elector elected as provided in IC 3-10-4, unless the text or the context of the

statute provides otherwise.

Sec. 83.6. "Prohibited source" is a foreign national.

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

(1) The document shows the name of the individual to whom the document was issued, and the name conforms to the name in the individual's voter registration record.

(2) The document shows a photograph of the individual to whom the document was issued.

(3) The document includes an expiration date, and the document:

(A) is not expired; or

(B) expired after the date of the most recent general election.

(4) The document was issued by the United States or the state of Indiana.

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

(1) otherwise complies with the requirements of subsection (a); and

(2) has no expiration date or states that the document has an indefinite expiration date;

is sufficient proof of identification for purposes of this title.

(c) The term does not include a document issued by an educational institution.

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

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

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

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

(1) The bureau of motor vehicles.

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

Sec. 89. "Regular party committee" means:

(1) a central committee; or

(2) a national committee of a political party.

Sec. 90. "Residence" means the place:

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

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

Sec. 90.3. "Retraction", with respect to a ballot, means:

(1) the removal of votes on the ballot from the memory or the document onto which the votes were recorded; or

(2) the exclusion or subtraction of votes on the ballot from the final total from the memory or tabulation system on the document on which the votes were recorded.

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

(1) the names of; or

(2) coding that indicates the names of;

political parties and candidates selected by the voter.

Sec. 92. "School board" means the governing body of a school corporation (as defined in IC 20-18-2-5).

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

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

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

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

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

(2) a voter writing the voter's name on an electronic poll book using an electronic signature pad, tablet, or other signature capturing device at a polling place, office of the circuit court 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, state comptroller (referred to as "auditor of state" in the Constitution of the State of Indiana), treasurer of state, attorney general, justice of the supreme court, judge of the court of appeals, and judge of the tax court.

Sec. 97.5. "Tabulated" means, with respect to ballots, the process of cumulating into totals the votes on the ballots in a

precinct, a county, or the election district for each office and each public question on the ballot in the precinct, county, or election district after accounting for ballots that must be retracted.

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) Their duties under this title and federal law (including HAVA and NVRA).

(2) Requirements and best practices concerning cybersecurity for

the computerized list, voting systems, and electronic poll books.

(3) Physical security for all aspects of the election process, including voting systems, electronic poll books, absentee voting, and polling places.

(4) Requirements and best practices to ensure that voting systems, precinct polling places, and vote centers are accessible to voters with disabilities.

(5) Best practices in answering voters' questions on how to vote, including providing instructions to voters on straight ticket voting.

(b) The election division may call a meeting under this section:

(1) during a year in which a general or a municipal election is not held; and

(2) at other times when the election division determines that doing so is necessary or desirable.

(c) Each circuit court clerk, each member of a board of registration established under IC 3-7-12, and each director, assistant director, or co-director of a board of elections and registration shall attend a meeting called by the election division under this section. A member of a county election board may attend a meeting called by the election division under this section. A circuit court clerk, member of a board of registration, or member of a board of elections and registration may require the attendance of the following:

(1) Each of the circuit court clerk's, board of registration member's, or board of elections and registration member's appointed and acting chief deputies or chief assistants with election related responsibilities.

(2) If the number of deputies or assistants:

(A) is not more than three (3), one (1) of the clerk's or member's appointed and acting deputies or assistants; or

(B) is greater than three (3), two (2) of the clerk's or member's appointed and acting deputies or assistants.

(d) The election division shall set the time and place of the instructional meeting. In years in which a primary election is held, the election division:

(1) may conduct the meeting before the first day of the year; and

(2) shall conduct the meeting before primary election day.

The instructional meeting may not last for more than three (3) days.

(e) Each individual who attends the meeting under subsection (c) and an individual who has been elected or selected to serve as circuit court clerk but has not yet begun serving in that office is entitled to receive all of the following from the county general fund without appropriation:

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

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

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

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

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

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

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

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

(1) Administer absentee balloting.

(2) Determine whether an individual who wishes to file as a 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, AS AMENDED BY HEA 1680-2025, SECTION 14, 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:

(A) by mail; or

(B) before an absentee voter board (other than an absentee

voter board located in the office of the circuit court clerk or a satellite office);

in accordance with section 18 of this chapter, IC 3-11-10-24, or IC 3-11-10-25.

(5) The voter identification number of the individual.

(e) If the county election board determines that an absentee ballot application does not comply with subsection (d), the board shall implement the procedures prescribed by section 17.6 of this chapter.

(f) The following statement must be printed in at least 16 point font size, underlined, and clearly legible print on the envelope of an absentee ballot application that a person sends to an individual:

"(Name of person sending the absentee ballot application) has sent you the enclosed application. This is unsolicited and is not sent by a state or local election official.".

(g) This subsection:

(1) applies only to an application to be mailed to an individual; and

(2) does not apply to an application provided to an individual online.

An agency of the state or a political subdivision may not provide an individual with an absentee ballot application unless requested by the individual or a member of the individual's family listed in IC 3-6-6-7(a)(4).

(h) An absentee ballot application must request that the individual include:

(1) on the individual's ballot application:

(A) either:

(i) the individual's ten (10) digit Indiana driver's license number issued under IC 9-24-11;

(ii) the individual's ten (10) digit Indiana identification card number for nondrivers issued under IC 9-24-16; or

(iii) the unique identifying number assigned to the voter's registration record in the computerized list; and

(B) the last four (4) digits of the voter's Social Security number; or

(2) with the individual's ballot application, a photocopy of:

(A) the individual's:

(i) driver's license issued under IC 9-24; or

(ii) Indiana identification card for nondrivers issued under 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 applications.

(4) That the person has no knowledge or reason to believe that the

individual submitting the application:

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

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

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

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

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

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

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

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

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

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

(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 idiosyncrasies of the system, including in-process audit records that set forth all transactions.

(5) The electronic poll book must permit a poll clerk to enter information regarding an individual who has appeared to vote to verify whether the individual is eligible to vote, and if so, whether the voter has:

(A) already received a ballot at the election;

(B) returned an absentee ballot; or

(C) submitted any additional documentation required under IC 3-7-33-4.5 or IC 3-7-33-4.7.

(6) After the voter has been provided with a ballot, the electronic poll book must permit a poll clerk to enter information indicating that the voter has received a ballot.

(7) The electronic poll book must transmit the information in subdivision (6) to the county server so that:

(A) the server may transmit the information immediately to every other polling place or satellite absentee office in the county; or

(B) the server makes the information immediately available to every other polling place or satellite office in the county.

(8) The electronic poll book must permit reports to be:

(A) generated by a county election board for a watcher appointed under IC 3-6-8 at any time during election day; and

(B) electronically transmitted by the county election board to a political party or independent candidate who is eligible to appoint a watcher under IC 3-6-8.

(9) On each day after absentee ballots are cast before an absentee voter board in the circuit court clerk's office, a satellite office, or a vote center, and after election day, the electronic poll book must permit voter history to be quickly and accurately uploaded into the computerized list (as defined in IC 3-7-26.3-2).

(10) The electronic poll book must be able to display an electronic image of the signature of a voter taken from:

(A) the voter's registration application; or

(B) a more recent signature of a voter from an absentee application, poll list, electronic poll book, or registration document.

(11) The electronic poll book must be used with a signature pad, tablet, or other signature capturing device that permits the voter to:

(A) make an electronic signature for comparison with the signature displayed under subdivision (10); and

(B) indicate the name of the voter's political party under IC 3-10-1-24.

An image of the electronic signature made by the voter on the signature pad, tablet, or other signature capturing device must be retained and identified as the signature of the voter for the period required for retention under IC 3-10-1-31.1.

(12) The electronic poll book must include a bar code capturing device that:

(A) permits a voter who presents an Indiana driver's license or a state identification card issued under IC 9-24-16 to scan the license or card through the bar code reader or tablet; and

(B) has the capability to display the voter's registration record upon processing the information contained within the bar code on the license or card.

(13) A printer separate from the electronic poll book used in a vote center county may be programmed to print on the back of a ballot card, immediately before the ballot card is delivered to the voter, the printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks log into the electronic poll book system.

(14) The electronic poll book must be compatible with:

(A) any hardware attached to the electronic poll book, such as signature capturing devices, bar code capturing devices, and network cards;

(B) the statewide voter registration system; and

(C) any software system used to prepare voter information to be included on the electronic poll book.

(15) The electronic poll book must have the ability to be used in conformity with this title for:

(A) any type of election conducted in Indiana; or

(B) any combination of elections held concurrently with a general election, municipal election, primary election, or special election.

(16) The procedures for setting up, using, and shutting down an electronic poll book must be reasonably easy for a precinct election officer to learn, understand, and perform. A vendor shall provide sufficient training to election officials and poll workers to completely familiarize them with the operations essential for carrying out election activities. A vendor shall provide an assessment of learning goals achieved by the training in consultation with VSTOP (as described in IC 3-11-18.1-12).

(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 the vendor's electronic poll book.

(ii) A description of any known anomalies involving the

functioning of the electronic poll book, including how those anomalies were resolved.

(J) Information concerning batteries used in the electronic poll book, including the following:

(i) A list of all batteries to be used in the electronic poll book and any peripherals.

(ii) The expected life span of each battery.

(iii) A log documenting when each battery was installed or subsequently replaced.

(iv) A schedule for the replacement of each battery not later than thirty (30) days before the end of the expected life span of each battery.

(v) Plans to test batteries before each election.

(vi) Plans for the emergency replacement of batteries that fail on election day or during the thirty (30) days before election day.

(19) The electronic poll book and any hardware attached to the electronic poll book must be designed to prevent injury or damage to any individual or the hardware, including fire and electrical hazards.

(20) The electronic poll book must demonstrate that it correctly processes all activity regarding each voter registration record, including the use, alteration, storage, receipt, and transmittal of information that is part of the record. Compliance with this subdivision requires the mapping of the data life cycle of the voter registration record as processed by the electronic poll book.

(21) The electronic poll book must successfully perform in accordance with all representations concerning functionality, usability, security, accessibility, and sustainability made in 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.

(22) The electronic poll book must have the capacity to transmit all information generated by the voter or poll clerk as part of the process of casting a ballot, including the time and date stamp indicating when the voter signed the electronic poll book, and the electronic signature of the voter, for retention on the dedicated private server approved by the county election board for the period required by Indiana and federal law.

(23) The electronic poll book must:

(A) permit a voter to check in and sign the electronic poll book even when there is a temporary interruption in connectivity to the Internet; and

(B) provide for the uploading of each signature so that the signature may be assigned to the voter's registration record.

(24) The electronic poll book must have the capacity, for each voter who appears on the electronic poll list, to transmit information that a voter cast a provisional ballot:

(A) from the electronic poll book to the dedicated private server; and

(B) from the dedicated private server to the voter's record in the statewide voter registration system.

This functionality may not be disabled.

(c) The county election board is responsible for the care and custody of all electronic poll books while not in use.

(d) The county election board is responsible for ensuring that all electronic poll books are dedicated devices to be used only for their intended purpose and for no other activity. Software that is not needed for the essential purpose of running the electronic poll book may not be installed on an electronic poll book.

SECTION 24. IC 3-11-8-16, AS AMENDED BY P.L.230-2005, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. A person may not remain within a distance equal to the length of the chute (as defined in ~~IC 3-5-2-10)~~ **IC 3-5-2.1-21)** of the entrance to the polls except for the purpose of offering to vote.

SECTION 25. IC 3-11-8-23, AS AMENDED BY P.L.65-2024, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 23. (a) If a challenged voter has already made an affirmation or executed an affidavit under IC 3-7-48-7.5, IC 3-10-10-9, IC 3-10-11-4.5, or IC 3-10-12-5, the challenged voter is not required to execute an additional affidavit under this section.

(b) The affidavit of a challenged voter required by section 22.1 of this chapter must be sworn and affirmed and must contain the following:

(1) A statement that the voter is a citizen of the United States.

(2) The voter's date of birth to the best of the voter's information and belief.

(3) A statement that the voter has been a resident of the precinct for thirty (30) days immediately before this election or is qualified to vote in the precinct under IC 3-10-10, IC 3-10-11, or IC 3-10-12.

(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

(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 an election.

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

(1) The voter's name.

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

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

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

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

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

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

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

(j) If:

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

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

the voter may then vote.

(k) The electronic poll book (or each line on a poll list sheet

provided to take a voter's current address) must include a box under the heading "Address Unchanged". A voter whose address is unchanged shall check the box instead of writing the voter's current address on the poll list, or if an electronic poll book is used, the poll clerk shall check the box after stating to the voter the address shown on the electronic poll book and receiving an oral affirmation from the voter that the voter's residence address shown on the poll list is the voter's current residence address instead of writing the voter's current residence address on the poll list or reentering the address in the electronic poll book.

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

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

SECTION 27. IC 3-11-10-26, AS AMENDED BY HEA 1679-2025, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 26. (a) This subsection applies to all counties, except for a county to which IC 3-6-5.2 or IC 3-6-5.6 applies. As an alternative to voting by mail, a voter is entitled to cast an absentee ballot before an absentee voter board at any of the following:

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

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

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

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

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

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

(g) An absent uniformed services voter who is eligible to vote by absentee ballot in the circuit court clerk's office under IC 3-7-36-14 may vote before the board not earlier than twenty-eight (28) days before the election and not later than noon on 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 holiday, the voter may vote before the board on the first day following the day on which the voter registration period closes. If a voter described by this subsection wishes to cast an absentee ballot during the period beginning at noon on the day before election day and ending at noon on election day, the county election board or absentee voter board may receive and process the ballot at a location designated by resolution of the county election board.

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

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

(2) establish a satellite office under section 26.3 of this chapter;

to permit voters to cast absentee ballots under this section for at least four (4) hours on the third Saturday preceding election day.

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

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

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

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

(3) notified before the ballot is cast regarding the effect of casting 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) The following apply in a primary election:

(1) A voter entitled to cast an absentee ballot before an absentee voter board under this section shall mark the voter's political party ballot selection on the electronic poll book instead of communicating the selection to the poll clerks.

(2) 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 is elected the following apply:

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

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

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

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

(2) The date, time, and place at which the person is to appear, answer written interrogatories, or produce documentary material or other tangible items. The date shall not be less than ten (10) days from the date of service of the demand. However, the attorney general may demand and obtain immediate access to records and materials if access is necessary for purposes of investigating alleged violations relating to sales or solicited sales 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)), 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).

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

SECTION 30. IC 4-6-15-1, AS ADDED BY P.L.165-2021,

SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following definitions apply throughout this 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.

(2) A candidate for a local 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) The printing of tickets to be used in a lottery game.

(2) Consultation services for operation of the lottery.

(3) Any goods and services involving any of the following:

(A) Equipment for the official recording for lottery game play purposes of a player's selection in lottery games involving player selections.

(B) The drawing, determination, or generation of winners in lottery games.

(C) The security services required under this article.

(f) As used in this section, "contractor" refers to 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 38. IC 4-31-13-3.5, AS AMENDED BY P.L.158-2013, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (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 contributions made after June 30, 1996.

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

(1) A candidate for a state office.

(2) A candidate for a legislative office.

(3) A candidate for a local 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, "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).

(f) 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.

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

(h) A permit holder or a person with an interest in a permit holder

may not make a contribution to a candidate or a committee during the following periods:

(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).**

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

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

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

SECTION 42. IC 4-33-10-2.1, AS AMENDED BY P.L.158-2013, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.1. (a) This section applies only to contributions made 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, "candidate" refers to any of the following:

(1) A candidate for a state office.

(2) A candidate for a legislative office.

(3) A candidate for a local 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, "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 issued under this article.

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

(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 subdivision (1).

(f) 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.

(g) A licensee or a person with an interest in a licensee 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 4-33-6-19 or IC 4-33-6-19.3.

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

SECTION 44. IC 4-35-7-13, AS AMENDED BY P.L.95-2008, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (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) As used in this section, "candidate" refers to any of the following:

(1) A candidate for a state office.

(2) A candidate for a legislative office.

(3) A candidate for a local office.

(c) 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.

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

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

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

SECTION 45. IC 5-2-15-3, AS AMENDED BY P.L.30-2019,

SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) As used in this section, "property" refers to 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 this subsection consists of appropriations, revenues, or transfers to the trust fund under IC 4-12-1. Contributions to the trust fund are irrevocable. The trust fund must be limited to providing prefunding of annual required contributions and to cover OPEB liability for covered individuals. Funds may be used only for these purposes and not to increase benefits or reduce premiums. The trust fund shall be established to comply with and be administered in a manner that satisfies the Internal Revenue Code requirements concerning a trust fund for prefunding annual required contributions and for covering OPEB liability for covered individuals. All assets in the trust fund established under this subsection:

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

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

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

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

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

SECTION 57. IC 5-14-1.5-2, AS AMENDED BY P.L.171-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 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 a designee of the governing body:

(i) for the sole purpose of receiving information, deliberating, or making recommendations to the governing body; and

(ii) that has not more than one (1) member of the governing body as a member.

(c) "Meeting" means a gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business. It does not include any of the following:

(1) Any social or chance gathering not intended to avoid this chapter.

(2) Any on-site inspection of any:

(A) project;

(B) program; or

(C) facilities of applicants for incentives or assistance from the governing body.

(3) Traveling to and attending meetings of organizations devoted to betterment of government.

(4) A caucus.

(5) A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.

(6) An orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action.

(7) A gathering for the sole purpose of administering an oath of office to an individual.

(8) Collective bargaining discussions that the governing body of a school corporation engages in directly with bargaining adversaries. This subdivision applies only to a governing body that has not appointed an agent or agents to conduct collective bargaining on behalf of the governing body as described in subsection (b)(3).

(d) "Official action" means to:

(1) receive information;

(2) deliberate;

(3) make recommendations;

(4) establish policy;

(5) make decisions; or

(6) take final action.

(e) "Public business" means any function upon which the public agency is empowered or authorized to take official action.

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

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

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

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

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

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

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

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

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

(1) Evaluates bids for contracts.

(2) Awards contracts.

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

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

SECTION 59. IC 5-26.5-2-5, AS AMENDED BY P.L.271-2013, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The definitions set forth in ~~IC 3-5-2~~ **IC 3-5-2.1** apply to this section.

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

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

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

(1) The governor.

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

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

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

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

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

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

(c) In addition to the members appointed under subsection (a)(2), the governor may appoint not more than three (3) additional members to the board. If the governor appoints more than one (1) additional member to the board under this subsection, at least one (1) of the additional members must belong to a major political party (as defined

in ~~IC 3-5-2-30)~~ **IC 3-5-2.1-62)** other than the party of which the governor is a member.

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 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)), 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) by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant's certificate under this chapter.

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

(7) 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 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

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

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

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

(1) file the returns required by IC 6-2.5-6-1; or

(2) report the collection of any state gross retail or use tax on the returns filed under IC 6-2.5-6-1.

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

(c) The department may, for good cause, revoke a certificate issued under this chapter after at least five (5) days notice to the certificate 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.

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

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

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

(i) This section shall in no way relieve any taxpayer from the taxpayer's obligation of filing a return or returns at the time required under this article and IC 6-3.6, and, should the amount withheld under the provisions of this section be insufficient to pay the total tax of such

taxpayer, such unpaid tax shall be paid at the time prescribed by section 5 of this chapter.

(j) Notwithstanding subsection (b), an employer of a domestic service employee that enters into an agreement with the domestic service employee to withhold federal income tax under Section 3402 of the Internal Revenue Code may withhold Indiana income tax on the domestic service employee's wages on the employer's Indiana individual income tax return in the same manner as allowed by Section 3510 of the Internal Revenue Code.

(k) To the extent allowed by Section 1137 of the Social Security Act, an employer of a domestic service employee may report and remit state unemployment insurance contributions on the employee's wages on the employer's Indiana individual income tax return in the same manner as allowed by Section 3510 of the Internal Revenue Code.

(l) A person who knowingly fails to remit trust fund money as set forth in this section commits a Level 6 felony.

SECTION 68. IC 6-3.5-5-1, AS AMENDED BY P.L.256-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Adopting entity" means either the county council or the local income tax council established by IC 6-3.6-3-1 for the county, whichever adopts an ordinance to impose a wheel tax first.

(2) "Bus" has the meaning set forth in IC 9-13-2-17.

(3) "Commercial vehicle" has the meaning set forth in IC 6-6-5.5-1(b).

(4) "County council" includes the city-county council of a county that contains a consolidated city of the first class.

(5) "In-state miles" has the meaning set forth in IC 6-6-5.5-1(b).

(6) "Political subdivision" has the meaning set forth in ~~IC 34-6-2-110.~~ **IC 34-6-2.1-155.**

(7) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(8) "School bus" has the meaning set forth in IC 9-13-2-161(a).

(9) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

(10) "State agency" has the meaning set forth in ~~IC 34-6-2-141.~~ **IC 34-6-2.1-194.**

(11) "Tractor" has the meaning set forth in IC 9-13-2-180.

(12) "Trailer" has the meaning set forth in IC 9-13-2-184(a).

(13) "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.

(14) "Truck" has the meaning set forth in IC 9-13-2-188(a).

(15) "Wheel tax" means the tax imposed under this chapter.

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 within the previous five (5) years.

(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 77. IC 7.1-5-12-5, AS AMENDED BY P.L.145-2024, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Except as provided in subsection (c) and subject to section 13 of this chapter, smoking may be allowed in the following:

(1) A horse racing facility operated under a permit under IC 4-31-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(2) A riverboat (as defined in IC 4-33-2-17) and any other permanent structure that is:

(A) owned or leased by the owner of the riverboat; and

(B) located on land that is adjacent to:

(i) the dock to which the riverboat is moored; or

(ii) the land on which the riverboat is situated in the case of a riverboat described in IC 4-33-2-17(2).

(3) A facility that operates under a gambling game license under IC 4-35-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(4) A satellite facility licensed under IC 4-31-5.5.

(5) An establishment owned or leased by a business that meets the following requirements:

(A) The business was in business and permitted smoking on December 31, 2012.

(B) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(C) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(D) The business limits smoking in the establishment to smoking with a waterpipe or hookah device.

(E) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of loose tobacco for use in a waterpipe or hookah device.

(F) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(6) An establishment owned or leased by a business that meets the following requirements:

(A) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(B) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(C) The business limits smoking in the establishment to cigar smoking.

(D) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of cigars and the rental of onsite humidors.

(E) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(7) A premises owned or leased by and regularly used for the activities of a business that meets all of the following:

(A) The business is exempt from federal income taxation under 26 U.S.C. 501(c).

(B) The business:

(i) meets the requirements to be considered a club under IC 7.1-3-20-1; or

(ii) is a fraternal club (as defined in IC 7.1-3-20-7).

(C) The business provides food or alcoholic beverages only to its bona fide members and their guests.

(D) The business:

(i) provides a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises;

(ii) allows smoking only in the room or area described in item (i);

(iii) does not allow an individual who is less than twenty-one (21) years of age to enter into the room or area described in item (i); and

(iv) allows a guest in the smoking room or area described in item (i) only when accompanied by a bona fide member of the business.

(8) A retail tobacco store used primarily for the sale of tobacco products and tobacco accessories that meets the following requirements:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The store prohibits entry by an individual who is less than

twenty-one (21) years of age.

(C) The sale of products other than tobacco products and tobacco accessories is merely incidental.

(D) The sale of tobacco products accounts for at least eighty-five percent (85%) of the store's annual gross sales.

(E) Food or beverages are not sold in a manner that requires consumption on the premises, and there is not an area set aside for customers to consume food or beverages on the premises.

(9) A bar or tavern:

(A) for which a permittee holds:

(i) a beer retailer's permit under IC 7.1-3-4;

(ii) a liquor retailer's permit under IC 7.1-3-9; or

(iii) a wine retailer's permit under IC 7.1-3-14;

(B) that does not employ an individual who is less than eighteen (18) years of age;

(C) that does not allow an individual who:

(i) is less than twenty-one (21) years of age; and

(ii) is not an employee of the bar or tavern;

to enter any area of the bar or tavern; and

(D) that is not located in a business that would otherwise be subject to this chapter.

(10) A cigar manufacturing facility that does not offer retail sales.

(11) A premises of a cigar specialty store to which all of the following apply:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The sale of tobacco products and tobacco accessories account for at least fifty percent (50%) of the store's annual gross sales.

(C) The store has a separate, enclosed, designated smoking room that is adequately ventilated to prevent migration of smoke to nonsmoking areas.

(D) Smoking is allowed only in the room described in clause (C).

(E) Individuals who are less than twenty-one (21) years of age are prohibited from entering into the room described in clause (C).

(F) Cigarette smoking is not allowed on the premises of the store.

(G) The owner or operator of the store posts a conspicuous sign on the premises of the store that displays the message that cigarette smoking is prohibited.

(H) The store does not prepare any food or beverage that would require a certified food protection manager under 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.

SECTION 84. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) As required under 52 U.S.C. 20504(e)(1), the manager or designated license branch employee shall transmit an electronic version of the completed voter registration portion of each application for a driver's license or an identification card for nondrivers issued under this article to the county voter registration office of the county in which the individual's residential address (as indicated on the application) is located.

(b) The voter registration application shall be transmitted to the county voter registration office in an electronic format and on an expedited basis (as defined by ~~IC 3-5-2-23.2)~~ **IC 3-5-2.1-43)** using the computerized list established under IC 3-7-26.3.

SECTION 85. IC 9-30-5-1, AS AMENDED BY P.L.49-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that:

(1) 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; or

(2) the:

(A) controlled substance is marijuana or a metabolite of marijuana;

(B) person was not intoxicated;

(C) person did not cause a traffic accident; and

(D) substance was identified by means of a chemical test taken 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;

commits a Level 6 felony.

(c) A person who commits an offense under subsection (a) or (b) commits a separate offense for each person or law enforcement animal whose death (or catastrophic injury, in the case of a person) is caused by the violation of subsection (a) or (b).

(d) It is a defense under subsection (a) or (b) that the person accused of causing the death or catastrophic injury of another person or the death of a law enforcement animal when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood 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 88. IC 10-11-2-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) Except as provided in subsection (b), a person who has charge of a jail, prison, correctional facility, or other place of detention shall:

(1) receive a prisoner arrested by a police employee of the department within the jurisdiction served by the jail; and

(2) detain the prisoner in custody until otherwise ordered by a court or by the superintendent.

A person who refuses to receive a prisoner or who releases a prisoner except as directed may be removed from office by the governor.

(b) A person who has charge of a jail, prison, correctional facility, or other place of detention may not receive or detain a prisoner in custody under subsection (a) until the arresting police employee has had the prisoner examined by a physician or competent medical personnel if the prisoner appears to be:

(1) unconscious;

(2) suffering from a serious illness;

(3) suffering from a serious injury; or

(4) seriously impaired by alcohol, a controlled substance (as defined in ~~IC 35-48-1-9),~~ **IC 35-48-1.1-7),** a drug other than a controlled substance, or a combination of alcohol, a controlled substance, or drugs.

(c) Except as provided in subsection (d), the cost of the examination and resulting treatment under subsection (b) is the financial responsibility of the prisoner receiving the examination or treatment.

(d) If a prisoner is unable to bear the financial responsibility for the

cost of the examination and treatment under subsection (b), the prisoner may apply for indigent medical assistance.

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 AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, 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 safety of the child.

(d) The term does not include placement to an entity or in 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.

SECTION 93. IC 10-13-3-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) As used in this chapter, "protective order" has the meaning set forth in IC 5-2-9-2.1.

(b) The term includes a foreign protection order (as defined in ~~IC 34-6-2-48.5).~~ **IC 34-6-2.1-76).**

SECTION 94. IC 11-13-3-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A condition to remaining on parole is that the parolee not commit a crime during the period of parole.

(b) The parole board may also adopt, under IC 4-22-2, additional conditions to remaining on parole and require a parolee to satisfy one (1) or more of these conditions. These conditions must be reasonably related to the parolee's successful reintegration into the community and not unduly restrictive of a fundamental right.

(c) If a person is released on parole, the parolee shall be given a written statement of the conditions of parole. Signed copies of this statement shall be:

(1) retained by the parolee;

(2) forwarded to any person charged with the parolee's supervision; and

(3) placed in the parolee's master file.

(d) The parole board may modify parole conditions if the parolee receives notice of that action and had ten (10) days after receipt of the notice to express the parolee's views on the proposed modification. This subsection does not apply to modification of parole conditions after a revocation proceeding under section 10 of this chapter.

(e) As a condition of parole, the parole board may require the parolee to reside in a particular parole area. In determining a parolee's residence requirement, the parole board shall:

(1) consider:

(A) the residence of the parolee prior to the parolee's incarceration; and

(B) the parolee's place of employment; and

(2) assign the parolee to reside in the county where the parolee resided prior to the parolee's incarceration unless assignment on this basis would be detrimental to the parolee's successful reintegration into the community.

(f) As a condition of parole, the parole board may require the parolee to:

(1) periodically undergo a laboratory chemical test (as defined in IC 9-13-2-22) or series of tests to detect and confirm the presence of a controlled substance (as defined in ~~IC 35-48-1-9);~~ **IC 35-48-1.1-7);** and

(2) have the results of any test under this subsection reported to the parole board by the laboratory.

The parolee is responsible for any charges resulting from a test required under this subsection. However, a person's parole may not be revoked on the basis of the person's inability to pay for a test under this subsection.

(g) As a condition of parole, the parole board:

(1) may require a parolee who is a sex offender (as defined in IC 11-8-8-4.5) to:

(A) participate in a treatment program for sex offenders approved by the parole board; and

(B) avoid contact with any person who is less than sixteen (16) years of age unless the parolee:

(i) receives the parole board's approval; or

(ii) successfully completes the treatment program referred to in clause (A); and

(2) shall:

(A) require a parolee who is a sex or violent offender (as defined in IC 11-8-8-5) to register with a local law enforcement authority under IC 11-8-8;

(B) prohibit a parolee who is a sex offender from residing within one thousand (1,000) feet of school property (as defined in IC 35-31.5-2-285) for the period of parole, unless the sex offender obtains written approval from the parole board;

(C) prohibit a parolee who is a sex offender convicted of a sex offense (as defined in IC 35-38-2-2.5) from residing within one (1) mile of the victim of the sex offender's sex offense unless the sex offender obtains a waiver under IC 35-38-2-2.5;

(D) prohibit a parolee who is a sex offender from owning, operating, managing, being employed by, or volunteering at any attraction designed to be primarily enjoyed by children less than sixteen (16) years of age;

(E) require a parolee who is a sex offender to consent:

(i) to the search of the sex offender's personal computer at any time; and

(ii) to the installation on the sex offender's personal 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 belonging to the individual.

(m) As a condition of parole, the parole board may require a parolee to receive:

(1) addiction counseling;

(2) inpatient detoxification;

(3) case management;

(4) daily living skills; and

(5) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(n) A parolee may be responsible for the reasonable expenses, as determined by the department, of the parolee's participation in a treatment or other program required as a condition of parole under this section. However, a person's parole may not be revoked solely on the basis of the person's inability to pay for a program required as a condition of parole under this section.

(o) As a condition of parole, the parole board shall prohibit a person convicted of an animal abuse offense (as defined in IC 35-38-2-2.8) from owning, harboring, or training a companion animal (as defined in IC 35-38-2-2.8).

SECTION 95. IC 12-7-2-26.5, AS AMENDED BY P.L.108-2010, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 26.5. "Chemical test", for purposes of IC 12-23-14, 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 or a controlled substance (as defined in ~~IC 35-48-1-9).~~ **IC 35-48-1.1-7).**

SECTION 96. IC 12-7-2-69.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 69.5. "Domestic violence", for purposes of IC 12-18-8, has the meaning set forth in ~~IC 34-6-2-34.5.~~ **IC 34-6-2.1-50.**

SECTION 97. IC 12-7-2-71 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 71. "Drug", for purposes of IC 12-23, means a drug or a controlled substance (as defined in ~~IC 35-48-1).~~ **IC 35-48-1.1).**

SECTION 98. IC 12-18-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. As used in this chapter, "domestic violence" has the meaning set forth in ~~IC 34-6-2-34.5.~~ **IC 34-6-2.1-50.**

SECTION 99. IC 13-11-2-42, AS AMENDED BY P.L.192-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 42. "Contaminant", for purposes of environmental management laws, means any solid, semi-solid, liquid, or gaseous matter, or any odor, radioactive material, pollutant (as defined by the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as in effect on January 1, 1989), hazardous waste (as defined in the federal Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), as in effect on January 1, 1989), any constituent of a hazardous waste, or any combination of the items described in this section, from whatever source, that:

(1) is injurious to human health, plant or animal life, or property;

(2) interferes unreasonably with the enjoyment of life or property; or

(3) otherwise violates:

(A) environmental management laws; or

(B) rules adopted under environmental management laws.

The term includes chemicals used in the illegal manufacture of a controlled substance (as defined in ~~IC 35-48-1-9)~~ **IC 35-48-1.1-7)** or an immediate precursor (as defined in ~~IC 35-48-1-17)~~ **IC 35-48-1.1-25)** of a controlled substance, and waste produced from the illegal manufacture of a controlled substance or an immediate precursor of the controlled substance.

SECTION 100. IC 13-17-15-1, AS ADDED BY P.L.181-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this chapter, "drug" means:

(1) a drug, as defined in IC 16-42-19-2; or

(2) a controlled substance, as defined in ~~IC 35-48-1-9.~~ **IC 35-48-1.1-7.**

SECTION 101. IC 13-20-16-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. The state or a political subdivision (as defined in ~~IC 34-6-2-110)~~ **IC 34-6-2.1-155)** shall dispose of used lead acid batteries in the state's or political subdivision's possession by one (1) or more of the following means:

(1) Delivery to a wholesaler or an agent of a wholesaler.

(2) Delivery to a manufacturer of lead acid batteries.

(3) Delivery to a facility that:

(A) recycles used lead acid batteries; or

(B) collects lead acid batteries for delivery to a recycling facility.

(4) Delivery to a facility operated as a secondary lead smelter under a valid permit issued by the department or the United States Environmental Protection Agency.

SECTION 102. IC 14-19-11-15, AS ADDED BY P.L.127-2022, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, the executive director and employees of the authority are public employees (as defined in ~~IC 34-6-2-38).~~ **IC 34-6-2.1-54).**

SECTION 103. IC 15-15-12-31, AS ADDED BY P.L.2-2008, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31. (a) Obligations incurred by the council and other liabilities and claims against the council may be enforced only against the assets of the council in the same manner as if the council were a corporation. Liabilities for the debts or actions of the council may not arise against:

(1) the state;

(2) a political subdivision (as defined in ~~IC 34-6-2-110);~~ **IC 34-6-2.1-155);** or

(3) a member, an officer, an employee, or an agent of the council in an individual capacity.

(b) The members and employees of the council may not be held responsible individually in any way to any person for errors in judgment, mistakes, or other acts either of commission or omission, as principal, agent, or employee, except for their own individual acts that result in the violation of any law.

(c) An employee of the council may not be held responsible individually for the act or omission of any member of the council.

(d) Any liability of the members of the council is several and not joint. A member of the council may not be held liable for the default of any other member.

SECTION 104. IC 15-15-13-6.5, AS ADDED BY P.L.190-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.5. As used in this chapter, "hemp product" means a product derived from, or made by, processing hemp plants or plant parts including derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers. However, the term does not include:

(1) smokable hemp (as defined by ~~IC 35-48-1-26.6);~~ **IC 35-48-1.1-38);** or

(2) products that contain a total delta-9-tetrahydrocannabinol concentration of more than three-tenths of one percent (0.3%) by weight.

SECTION 105. IC 15-15-13-19, AS ADDED BY P.L.190-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19. (a) Hemp bud (as defined in ~~IC 35-48-1-17.2)~~ **IC 35-48-1.1-23)** and hemp flower (as defined in ~~IC 35-48-1-17.3)~~ **IC 35-48-1.1-24)** may be sold only to a processor licensed under this chapter.

(b) The state seed commissioner may impose a civil penalty under section 13 of this chapter for a violation of subsection (a).

SECTION 106. IC 15-15-13-20, AS ADDED BY P.L.190-2019, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) A person who knowingly or intentionally violates:

(1) a term, condition, or requirement of a license issued; or

(2) a rule adopted;

under this chapter is subject to a civil penalty, determined by the state seed commissioner, not to exceed ten thousand dollars ($10,000) per violation. The state seed commissioner may also revoke the license of a person who violates this subsection.

(b) A person who knowingly or intentionally:

(1) grows hemp;

(2) handles hemp; or

(3) sells agricultural hemp seed;

not including smokable hemp (as defined by ~~IC 35-48-1-26.6),~~ **IC 35-48-1.1-38),** and is not licensed under this chapter, commits a Class A misdemeanor.

SECTION 107. IC 15-18-5-22, AS ADDED BY P.L.2-2008, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 22. (a) Obligations incurred by the board and other liabilities and claims against the board may be enforced only against the assets of the board in the same manner as if it were a corporation. Liabilities for the debts or actions of the board may not arise against:

(1) the state;

(2) a political subdivision (as defined in ~~IC 34-6-2-110);~~ **IC 34-6-2.1-155);** or

(3) a member, officer, employee, or agent of the board in an individual capacity.

(b) The members and employees of the board may not be held responsible individually to any person for errors in judgment, mistakes, or other acts either of commission or omission, as principal, agent, or employee, except for their own individual acts that result in the 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 HEA 1167-2025, SECTION 1, 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 time established by the department of homeland security.

(d) The department of homeland security may deny certification or licensure to an applicant who would be subject to disciplinary sanctions under subsection (b) if that person were a certificate holder or license holder, has had disciplinary action taken against the applicant or the applicant's certificate or license to practice in another state or jurisdiction, or has practiced without a certificate or license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(e) The department of homeland security may order a certificate holder or license holder to submit to a reasonable physical or mental examination if the certificate holder's or license holder's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department of homeland security order to submit to a physical or mental examination makes a certificate holder or license holder liable to temporary suspension under subsection (i).

(f) Except as provided under subsection (a), subsection (g), and section 14.5 of this chapter, a certificate or license may not be denied, revoked, or suspended because the applicant, certificate holder, or license holder has been convicted of an offense. The acts from which the applicant's, certificate holder's, or license holder's conviction resulted may be considered as to whether the applicant or certificate holder or license holder should be entrusted to serve the public in a specific capacity.

(g) The department of homeland security may deny, suspend, or revoke a certificate or license issued under this article if the individual who holds or is applying for the certificate or license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia 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 35-48-4-8.1(c).

(6) Dealing in paraphernalia 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 35-48-4-8.5(b).

(7) Possession of paraphernalia 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 35-48-4-8.3(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.

SECTION 112. IC 16-42-21-1 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.~~ **IC 35-48-1.1.**

SECTION 113. IC 16-42-27-2, AS AMENDED BY P.L.36-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) A prescriber may, directly or by standing order, prescribe or dispense an overdose intervention drug without examining the individual to whom it may be administered if all of the following conditions are met:

(1) The overdose intervention drug is dispensed or prescribed to:

(A) a person at risk of experiencing an opioid-related overdose; or

(B) a family member, a friend, or any other individual or entity in a position to assist an individual who, there is reason to believe, is at risk of experiencing an opioid-related overdose.

(2) The prescriber instructs the individual receiving the overdose intervention drug or prescription to summon emergency services either immediately before or immediately after administering the overdose intervention drug to an individual experiencing an opioid-related overdose.

(3) The prescriber provides education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(4) The prescriber provides 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.

(b) A prescriber may provide a prescription of an overdose intervention drug to an individual as a part of the individual's addiction treatment plan.

(c) An individual described in subsection (a)(1) may administer an overdose intervention drug to an individual who is suffering from an overdose.

(d) An individual described in subsection (a)(1) may not be

considered to be practicing medicine without a license in violation of IC 25-22.5-8-2, if the individual, acting in good faith, does the following:

(1) Obtains the overdose intervention drug from a prescriber or 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 SEA 287-2025, SECTION 25, 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) A vacancy on the governing body must be filled under section 30 of this chapter.

(d) An individual appointed to fill a vacancy under subsection (c):

(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) Notwithstanding section 30(d) of this chapter, if a tie vote occurs among the remaining members of the governing body or the governing body or caucus 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).

(C) Criminal confinement (IC 35-42-3-3).

(D) Incest (IC 35-46-1-3).

(E) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
(F) Dealing in methamphetamine (IC 35-48-4-1.1).
(G) Manufacturing methamphetamine (IC 35-48-4-1.2).
(H) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
(I) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
(J) Dealing in a schedule V controlled substance (IC 35-48-4-4).
(K) Dealing in a counterfeit substance (IC 35-48-4-5).
(L) Dealing in marijuana, hash oil, hashish, or salvia as a felony (IC 35-48-4-10).
(M) 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).
(N) Homicide (IC 35-42-1).
(O) Voluntary manslaughter (IC 35-42-1-3).
(P) Reckless homicide (IC 35-42-1-5).
(Q) Battery as any of the following:
(i) A Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014).
(ii) A Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014).
(iii) A Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).
(R) Aggravated battery (IC 35-42-2-1.5).
(S) Robbery (IC 35-42-5-1).
(T) Carjacking (IC 35-42-5-2) (before its repeal).
(U) Arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-1-1(a)).
(V) Burglary as a Class A felony or Class B felony (for a crime

committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).

(W) Human trafficking (IC 35-42-3.5).

(X) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(Y) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.

(Z) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.

(2) Public indecency (IC 35-45-4-1) committed:

(A) after June 30, 2003; or

(B) before July 1, 2003, if the person committed the offense by, in a public place:

(i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5);

(ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or

(iii) fondling the person's genitals or the genitals of another person.

(d) The department shall permanently revoke the license of a person who is known by the department to have been convicted of a federal offense or an offense in another state that is comparable to a felony or misdemeanor listed in subsection (c).

(e) A license may be suspended by the secretary of education as specified in IC 20-28-7.5.

(f) The department shall develop a data base of information on school corporation employees who have been reported to the department under this section.

(g) Upon receipt of information from the office of judicial administration in accordance with IC 33-24-6-3 concerning persons convicted of an offense listed in subsection (c), the department shall:

(1) cross check the information received from the office of judicial administration with information concerning licensed teachers (as defined in IC 20-18-2-22(b)) maintained by the department; and

(2) if a licensed teacher (as defined in IC 20-18-2-22(b)) has been convicted of an offense described in subsection (c), revoke the licensed teacher's license.

SECTION 118. IC 21-12-6-5, AS AMENDED BY THE

TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) Unless a student qualifies under subsection (b), to qualify to participate in the program, a student must meet the following requirements:

(1) Be a resident of Indiana.

(2) Be:

(A) enrolled in grade 7 or 8 at a:

(i) public school; or

(ii) nonpublic school that is accredited either by the Indiana state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4.1-2; or

(B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.

(3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced ~~priced~~ **price** lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.

(4) Agree that the student will:

(A) graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution;

(B) not illegally use controlled substances (as defined in ~~IC 35-48-1-9);~~ **IC 35-48-1.1-7);**

(C) not commit a crime or an infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) timely apply, when the eligible student is a senior in high school:

(i) for admission to an eligible institution; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution;

(F) achieve a cumulative grade point average upon graduation of:

(i) at least 2.0, if the student graduates from high school

before July 1, 2014; and

(ii) at least 2.5, if the student graduates from high school after June 30, 2014;

on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; and

(G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.

(b) A student qualifies to participate in the program if the student:

(1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:

(A) a foster family home;

(B) the home of a relative or other unlicensed caretaker;

(C) a child caring institution; or

(D) a group home;

(2) meets the requirements in subsection (a)(1) through (a)(2); and

(3) agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11) or legal guardian, to the conditions set forth in subsection (a)(4).

(c) The commission may require that an applicant apply electronically to participate in the program using an online Internet application on the commission's website.

SECTION 119. IC 21-12-6-6, AS AMENDED BY P.L.165-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) A student may apply to the commission for a scholarship. To qualify for a scholarship, the student must meet the following requirements:

(1) Be an eligible student who qualified to participate in the program under section 5 of this chapter.

(2) Be a resident of Indiana.

(3) Be a graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution and have achieved a cumulative grade point average in high school of:

(A) at least 2.0 on a 4.0 grading scale, if the student is expected to graduate from high school before July 1, 2014; and

(B) at least 2.5 on a 4.0 grading scale, if the student is expected to graduate from high school after June 30, 2014.

(4) Have applied to attend and be accepted to attend as a full-time student an eligible institution.

(5) Certify in writing that before the student's graduation from high school the student:

(A) did not illegally use controlled substances (as defined in ~~IC 35-48-1-9);~~ **IC 35-48-1.1-7);**

(B) did not illegally consume alcoholic beverages;

(C) did not commit any other crime or a delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(D) timely filed an application for other types of financial assistance available to the student from the state or federal government; and

(E) completed an academic success program required under the rules adopted by the commission.

(6) Submit to the commission all the information and evidence required by the commission to determine eligibility as a scholarship applicant.

(7) This subdivision applies only to applicants who initially enroll in the program under section 5 of this chapter or IC 21-12-6.5-2 after June 30, 2011. For purposes of this chapter, applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them when they subsequently apply for a scholarship. Have a lack of financial resources reasonably available to the applicant, as defined by the commission, that, in the absence of an award under this chapter, would deter the scholarship applicant from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant.

(8) Meet any other minimum criteria established by the commission.

(b) This section applies to an individual who graduates from high school after December 31, 2011. To be eligible for a scholarship under this section, a student must initially attend an eligible institution described in subsection (a)(4) not later than the fall semester (or its equivalent, as determined by the commission) in the year immediately following the year in which the student graduates from high school.

SECTION 120. IC 22-4-8-3, AS AMENDED BY P.L.211-2019, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. "Employment" shall not include the following:

(1) Except as provided in section 2(i) of this chapter, service performed prior to January 1, 1978, in the employ of this state,

any other state, any town or city, or political subdivision, or any instrumentality of any of them, other than service performed in the employ of a municipally owned public utility as defined in this article; or service performed in the employ of the United States of America, or an instrumentality of the United States immune under the Constitution of the United States from the contributions imposed by this article, except that to the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation statute, all of the provisions of this article shall be applicable to such instrumentalities, in the same manner, to the same extent, and on the same terms as to all other employers, employing units, individuals, and services. However, if this state shall not be certified for any year by the Secretary of Labor under Section 3304 of the Internal Revenue Code the payments required of such instrumentalities with respect to that year shall be refunded by the commissioner from the fund in the same manner and within the same period as is provided in IC 22-4-32-19 with respect to contribution erroneously paid or wrongfully assessed.

(2) Service with respect to which unemployment compensation is payable under an unemployment compensation system established by an Act of Congress; however, the department is authorized to enter into agreements with the proper agencies under the Act of Congress which agreements shall become effective ten (10) days after publication, in accordance with rules adopted by the department under IC 4-22-2, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this article, acquired rights to unemployment compensation under the Act of Congress, or who have, after having acquired potential rights to unemployment compensation under the Act of Congress, acquired rights to benefits under this article.

(3) "Agricultural labor" as provided in section 2(l)(1) of this chapter shall include only services performed:

(A) on a farm, in the employ of any person, in connection with cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing 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 in section 2(m) of this chapter.

(6) Service performed on or in connection with a vessel or aircraft not an American vessel or American aircraft, if the employee is employed on and in connection with the vessel or aircraft when outside the United States.

(7) Service performed by an individual in the employ of child or spouse, and service performed by a child under the age of twenty-one (21) in the employ of a parent.

(8) Service not in the course of the employing unit's trade or business performed in any calendar quarter by an individual, unless the cash remuneration paid for the service is fifty dollars ($50) or more and the service is performed by an individual who is regularly employed by the employing unit to perform the service. For the purposes of this subdivision, an individual shall be deemed to be regularly employed to perform service not in the course of an employing unit's trade or business during a calendar quarter only if:

(A) on each of some of twenty-four (24) days during the quarter that the individual performs the service for some portion of the day; or

(B) the individual was regularly employed (as determined under clause (A)) by an employing unit in the performance of a service during the preceding calendar quarter.

(9) Service performed by an individual in any calendar quarter in the employ of any organization exempt from income tax under Section 501 of the Internal Revenue Code (except those services included in sections 2(i) and 2(j) of this chapter) if the remuneration for the service is less than fifty dollars ($50).

(10) Service performed in the employ of a hospital, if the service is performed by a patient of the hospital.

(11) Service performed in the employ of a school or eligible postsecondary educational institution if the service is performed:

(A) by a student who is enrolled and is regularly attending classes at the school or eligible postsecondary educational institution; or

(B) by the spouse of a student, if the spouse is advised, at the time the spouse commences to perform the service, that:

(i) the employment of the spouse to perform the service is provided under a program to provide financial assistance to the student by the school or eligible postsecondary educational institution; and

(ii) the employment will not be covered by any program of unemployment insurance.

(12) Service performed by an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at the institution, which combines academic instruction with work experience, if the service is an integral part of the program, and the institution has so certified to the employer, except that this subdivision shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

(13) Service performed in the employ of a government foreign to the United States of America, including service as a consular or other officer or employee or a nondiplomatic representative.

(14) Service performed in the employ of an instrumentality wholly owned by a government foreign to that of the United States of America, if the service is of a character similar to that performed in foreign countries by employees of the United States of America or of an instrumentality of the United States of America, and if the department finds that the Secretary of State of the United States has certified to the Secretary of the Treasury of the United States that the government, foreign to the United States, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in such country by employees of the United States and of instrumentalities of the United States.

(15) Service performed as a student nurse in the employ of a hospital or nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to state law; and service performed as an intern in the employ of a hospital by an individual who has completed a four (4) year course in a medical school chartered or approved pursuant to state law.

(16) Service performed by an individual as an insurance producer or as an insurance solicitor, if all service performed by the individual is performed for remuneration solely by way of commission.

(17) Service performed by an individual:

(A) under the age of eighteen (18) in the delivery or distribution of newspapers or shopping news, not including 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 SEA 371-2025, SECTION 18, 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 plan, system, or program, public or private, providing for

compulsory retirement and who is otherwise eligible shall not be deemed to have left the individual's work voluntarily without good cause in connection with the work. However, if such individual subsequently becomes reemployed and thereafter voluntarily leaves work without good cause in connection with the work, the individual shall be deemed ineligible as outlined in this section.

(5) An otherwise eligible individual shall not be denied benefits for any week because the individual is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall the individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work, or refusal to accept work. For purposes of this subdivision, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974.

(6) An individual is not subject to disqualification because of separation from the individual's employment if:

(A) the employment was outside the individual's labor market;

(B) the individual left to accept previously secured full-time work with an employer in the individual's labor market; and

(C) the individual actually became employed with the employer in the individual's labor market.

(7) An individual who, but for the voluntary separation to move to another labor market to join a spouse who had moved to that labor market, shall not be disqualified for that voluntary separation, if the individual is otherwise eligible for benefits. Benefits paid to the spouse whose eligibility is established under this subdivision shall not be charged against the employer from whom the spouse voluntarily separated.

(8) An individual shall not be subject to disqualification if the individual voluntarily left employment or was discharged due to circumstances directly caused by domestic or family violence (as 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 and wanton misconduct;

(5) refusing to obey instructions;

(6) conduct endangering safety of self or coworkers;

(7) incarceration in jail following conviction of a misdemeanor or felony by a court of competent jurisdiction; or

(8) 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 SEA 371-2025, SECTION 20, 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),** or consuming alcohol or a controlled substance (as defined in ~~IC 35-48-1-9)~~ **IC 35-48-1.1-7)** on the employer's premises without employer permission.

(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 HEA 1167-2025, SECTION 2, AND BY HEA 1637-2025, SECTION 71, 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 IC 22-12-7-7 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) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the department may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the

applicant from reapplying for the license for a length of time established by the department.

(c) The department may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license to practice in another state or jurisdiction or who has practiced without a license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(d) The department may order a practitioner to submit to a reasonable physical or mental examination if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department order to submit to a physical or mental examination makes a practitioner liable to temporary suspension under subsection (h).

(e) Except as provided under subsection (f) or (g), a license may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(f) The department may deny, suspend, or revoke a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or IC 35-48-4-7(c) (for a crime committed after June 30, 2014).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a 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 a 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 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 synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) 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).

(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.

(g) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license 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 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 violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

(h) The department may temporarily suspend a practitioner's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice.

(i) On receipt of a complaint or an information alleging that a person licensed under this chapter has engaged in or is engaging in a practice that jeopardizes the public health, safety, or welfare, the department shall initiate an investigation against the person.

(j) Any complaint filed with the office of the attorney general alleging a violation of this licensing program shall be referred to the department for summary review and for its general information and any authorized action at the time of the filing.

(k) The department shall conduct a fact finding investigation as the department considers proper in relation to the complaint.

(l) A practitioner may petition the department to accept the surrender of the practitioner's license. The practitioner may not surrender the practitioner's license without the written approval of the department, and the department may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(m) A practitioner who has been subjected to disciplinary sanctions may be required by the commission to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not 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 the power to select the corporation's board of directors.

(d) Corporations may repay loans or advances in accordance with and to the extent authorized under IC 23-17-7-9.

SECTION 126. IC 24-1-1-5.1, AS ADDED BY P.L.135-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.1. 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 violation of this chapter.

SECTION 127. IC 24-1-1-5.2, AS ADDED BY P.L.135-2008,

SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.2. (a) The attorney general may bring an action in a county 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 violation of this chapter.

(b) An action brought under this section may be brought, without respect to the amount in controversy, in a circuit or superior court in a county in which the defendant resides or is engaged in business, or in which service may be obtained.

(c) The plaintiff in an action brought under this section is entitled to recover a penalty of threefold the damages awarded in the action, plus reasonable costs and attorney's fees.

SECTION 128. IC 24-1-2-5.1, AS AMENDED BY P.L.6-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.1. (a) 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 one (1) or more of the following, together with the costs and expenses of the suit, including reasonable attorney's fees and expert fees, in connection with a violation of this chapter:

(1) Appropriate injunctive or other equitable relief, including 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 state or political subdivision as a result of the violation.

(b) The attorney general may bring an action in the name of the state as parens patriae on behalf of one (1) or more natural persons residing in Indiana for one (1) or more of the following, together with the costs and expenses of the suit, including reasonable attorney's fees and expert fees, in connection with a violation of this chapter:

(1) Appropriate injunctive or other equitable relief, including 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 marijuana; or

(iii) cultivates, processes, or distributes hemp; and

(B) that is accredited as a testing laboratory to International Organization for Standardization (ISO) 17025 by a third party accrediting body such as the American Association for Laboratory Accreditation (A2LA) or Assured Calibration and Laboratory Accreditation Select Services (ACLASS).

(3) "Low THC hemp extract" has the meaning set forth in ~~IC 35-48-1-17.5.~~ **IC 35-48-1.1-27.**

SECTION 132. IC 24-4-22-1, AS AMENDED BY P.L.10-2019,

SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this chapter, "low THC hemp extract" has the meaning set forth in ~~IC 35-48-1-17.5.~~ **IC 35-48-1.1-27.**

SECTION 133. IC 24-5-0.5-4, AS AMENDED BY SEA 464-2025, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A person relying upon an uncured or incurable deceptive act may bring an action for the damages actually suffered as a consumer as a result of the deceptive act or five hundred dollars ($500), whichever is greater. The court may increase damages for a willful deceptive act in an amount that does not exceed the greater of:

(1) three (3) times the actual damages of the consumer suffering the loss; or

(2) one thousand dollars ($1,000).

Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in an action under this subsection. This subsection does not apply to a consumer transaction in real property, including a claim or action involving a construction defect (as defined in IC 32-27-3-1(5)) brought against a construction professional (as defined in IC 32-27-3-1(4)), 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. This subsection also does not apply to a violation of IC 24-4.7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages awarded to a person under this section have priority over any civil penalty imposed under this chapter.

(b) Any person who is entitled to bring an action under subsection (a) on the person's own behalf against a supplier for damages for a deceptive act may bring a class action against such supplier on behalf of any class of persons of which that person is a member and which has 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 an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction, 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, expert fees, and court fees 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), (c), or (n) 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) or (n) 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) or (n) 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 action to recover treble damages, if appropriate.

(j) An offer to cure is:

(1) not admissible as evidence in a proceeding initiated under this section unless the offer to cure is delivered by a supplier to the consumer or a representative of the consumer before the supplier files the supplier's initial response to a complaint; and

(2) only admissible as evidence in a proceeding initiated under this section to prove that a supplier is not liable for attorney's fees under subsection (k).

If the offer to cure is timely delivered by the supplier, the supplier may submit the offer to cure as evidence to prove in the proceeding in accordance with the Indiana Rules of Trial Procedure that the supplier made an offer to cure.

(k) A supplier may not be held liable for the attorney's fees and court costs of the consumer that are incurred following the timely delivery of an offer to cure as described in subsection (j) unless the actual damages awarded, not including attorney's fees and costs, exceed the value of the offer to cure.

(l) If a court finds that a person has knowingly violated section 3(b)(20) 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 not exceeding one thousand dollars ($1,000) per consumer. In determining the amount of the civil penalty in any action by the attorney general under this subsection, the court shall consider, among other relevant factors, the frequency and persistence of noncompliance by the debt collector, the nature of the noncompliance, and the extent to which the noncompliance was intentional. A person may not be held liable in any action by the attorney general for a violation of section 3(b)(20) of this chapter if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error, notwithstanding the maintenance of procedures reasonably adapted to avoid the error. A person may not be held liable in any action for a violation of this chapter for contacting a person other than the debtor, if the contact is made in compliance with the Fair Debt Collection Practices Act.

(m) If a court finds that a person has knowingly or intentionally violated section 3(b)(40) 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 in accordance with IC 24-5-14.5-12(b). As specified in IC 24-5-14.5-12(b), a civil penalty recovered under IC 24-5-14.5-12(b) 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 IC 24-5-14.5. In addition to the recovery of a civil penalty in accordance with IC 24-5-14.5-12(b), the attorney general may also recover reasonable attorney fees and court costs from the person on behalf of the state. Those funds shall also be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6.

(n) An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(i) of this chapter

may be brought and enforced only by the attorney general under this subsection. An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(ii) of this chapter may be brought and enforced only by an attorney acting on behalf of the local law enforcement agency involved in the transaction, unless the local unit of government served by the local law enforcement agency requests the attorney general to bring and enforce an action under this subsection on behalf of the local unit. 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; or

(3) order the supplier to pay to:

(A) the attorney acting on behalf of the local law enforcement agency; or

(B) the attorney general for the state;

as applicable, the reasonable costs of the attorney's or the attorney general's investigation and prosecution, expert fees, and court fees related to the action.

The time for bringing an action under subsection (c), as set forth in section 5(b) of this chapter, applies to an action brought under this subsection.

SECTION 134. IC 25-1-1.1-2, AS AMENDED BY HEA 1167-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. Notwithstanding IC 25-1-7, a board, a commission, or a committee may suspend, deny, or revoke a license or certificate issued under this title by the board, the commission, or the committee without an investigation by the office of the attorney general if the individual who holds the license or certificate is convicted of any of the following and the board, commission, or committee determines, after the individual has appeared in person, that the offense affects the individual's ability to perform the duties of the profession:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime

committed after June 30, 2014) under IC 35-48-4-8.1(c).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a 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 a 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 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 synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) 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).

(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.

(12) A sex crime under IC 35-42-4.

(13) A felony that reflects adversely on the individual's fitness to hold a professional license.

SECTION 135. IC 25-1-1.1-3, AS AMENDED BY P.L.142-2020, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. A board, a commission, or a committee shall revoke or suspend a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate 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 (before its repeal on July 1, 2019).

(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 violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

SECTION 136. IC 25-1-9.3-3, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. 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 137. IC 25-1-9.5-8, AS AMENDED BY SEA 473-2025, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A prescriber may issue a prescription to a patient who is receiving services through the use of telehealth if the patient has not been examined previously by the prescriber in person if the following conditions are met:

(1) The prescriber has satisfied the applicable standard of care in the treatment of the patient.

(2) The issuance of the prescription by the prescriber is within the prescriber's scope of practice and certification.

(3) The prescription:

(A) meets the requirements of subsection (b); and

(B) is not for an opioid. However, an opioid may be prescribed if the opioid:

(i) has been approved by the federal Food and Drug Administration for the treatment of opioid addiction; and

(ii) is used to treat or manage opioid dependence.

(4) The prescription is not for an abortion inducing drug (as defined in IC 16-18-2-1.6).

(5) If the prescription is for a medical device, including an ophthalmic device, the prescriber must use telehealth technology that is sufficient to allow the provider to make an informed diagnosis and treatment plan that includes the medical device being prescribed. However, a prescription for an ophthalmic device is also subject to the conditions in section 13 of this chapter.

(b) Except as provided in subsection (a), a prescriber may issue a prescription for a controlled substance (as defined in ~~IC 35-48-1-9)~~ **IC 35-48-1.1-7)** to a patient who is receiving services through the use of telehealth, even if the patient has not been examined previously by the prescriber in person, if the following conditions are met:

(1) The prescriber maintains a valid controlled substance registration under IC 35-48-3.

(2) The prescriber meets the conditions set forth in 21 U.S.C. 829 et seq., 21 CFR 1300, 1304, and 1306, and any other regulation enforced by the federal Drug Enforcement Agency.

(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 year the authority was granted or renewed; and

(2) is subject to renewal indefinitely for successive periods of two (2) years.

(d) The rules adopted under section 7 of this chapter concerning the authority of advanced practice registered nurses to prescribe drugs must do the following:

(1) Require an advanced practice registered nurse or a prospective advanced practice registered nurse who seeks the authority to submit an application to the board.

(2) Require an applicant to satisfy the following as a prerequisite to the initial granting of the authority:

(A) Meet all the qualifications for licensure as a registered nurse under this article.

(B) Successfully complete:

(i) education requirements determined by the board to be appropriate to the advanced practice registered nurse's role; and

(ii) a graduate level course in pharmacology providing at least two (2) semester hours of academic credit.

(C) Either:

(i) provide documentation, as requested by the board, that the applicant has graduated before December 31, 1997, from an advanced, organized formal education program appropriate to the practice and that is acceptable to the board; or

(ii) complete a graduate, postgraduate, or doctoral advanced practice registered nurse program from an accredited college or university.

(3) Establish requirements for an advanced practice registered nurse to comply with national certification or the certification's equivalence, including a portfolio equivalence, appropriate to the advanced practice registered nurse's role.

(4) Require, as a condition of the renewal of the authority, the completion by the advanced practice registered nurse of the continuing education requirements set out in section 19.7 of this chapter.

SECTION 140. IC 25-24-3-6, AS AMENDED BY P.L.56-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. As used in this chapter, "legend drug" has the meaning set forth in IC 16-18-2-199. The term does not include controlled substances (as defined in ~~IC 35-48-1-9)~~ **IC 35-48-1.1-7)** other than Tramadol (Ultram).

SECTION 141. IC 25-26-13-25, AS AMENDED BY P.L.247-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 25. (a) All original prescriptions, whether in written or electronic format, shall be numbered and maintained in numerical and chronological order, or in a manner approved by the board and accessible for at least two (2) years in the pharmacy. A prescription transmitted from a practitioner by means of communication other than writing must immediately be reduced to writing or recorded in an electronic format by the pharmacist. The files shall be open for inspection to any member of the board or the board's duly authorized agent or representative.

(b) A prescription may be electronically transmitted from the practitioner by computer or another electronic device to a pharmacy that is licensed under this article or any other state or territory. An electronic data intermediary that is approved by the board:

(1) may transmit the prescription information between the prescribing practitioner and the pharmacy;

(2) may archive copies of the electronic information related to the transmissions as necessary for auditing and security purposes; and

(3) must maintain patient privacy and confidentiality of all

archived information as required by applicable state and federal laws.

(c) Except as provided in subsection (d), a prescription for any drug, the label of which bears either the legend, "Caution: Federal law prohibits dispensing without prescription" or "Rx Only", may not be refilled without written, electronically transmitted, or oral authorization of a licensed practitioner.

(d) A prescription for any drug, the label of which bears either the legend, "Caution: Federal law prohibits dispensing without prescription" or "Rx Only", may be refilled by a pharmacist without the written, electronically transmitted, or oral authorization of a licensed practitioner if all of the following conditions are met:

(1) The pharmacist has made every reasonable effort to contact the original prescribing practitioner or the practitioner's designee for consultation and authorization of the prescription refill.

(2) The pharmacist believes that, under the circumstances, failure to provide a refill would be seriously detrimental to the patient's health.

(3) The original prescription authorized a refill but a refill would otherwise be invalid for either of the following reasons:

(A) All of the authorized refills have been dispensed.

(B) The prescription has expired under subsection (h).

(4) The prescription for which the patient requests the refill was:

(A) originally filled at the pharmacy where the request for a refill is received and the prescription has not been transferred for refills to another pharmacy at any time; or

(B) filled at or transferred to another location of the same pharmacy or its affiliate owned by the same parent corporation if the pharmacy filling the prescription has full access to prescription and patient profile information that is simultaneously and continuously updated on the parent corporation's information system.

(5) The drug is prescribed for continuous and uninterrupted use and the pharmacist determines that the drug is being taken properly in accordance with IC 25-26-16.

(6) The pharmacist shall document the following information regarding the refill:

(A) The information required for any refill dispensed under subsection (e).

(B) The dates and times that the pharmacist attempted to contact the prescribing practitioner or the practitioner's designee for consultation and authorization of the prescription

refill.

(C) The fact that the pharmacist dispensed the refill without the authorization of a licensed practitioner.

(7) The pharmacist notifies the original prescribing practitioner of the refill and the reason for the refill by the practitioner's next business day after the refill has been made by the pharmacist.

(8) Any pharmacist initiated refill under this subsection may not be for more than the quantity on the most recent fill or a thirty (30) day supply, whichever is less.

(9) Not more than one (1) pharmacist initiated refill is dispensed under this subsection for a single prescription in a six (6) month period.

(10) The drug prescribed is not a controlled substance.

A pharmacist may not refill a prescription under this subsection if the practitioner has designated on the prescription form the words "No Emergency Refill".

(e) When refilling a prescription, the refill record shall include:

(1) the date of the refill;

(2) the quantity dispensed if other than the original quantity; and

(3) the dispenser's identity on:

(A) the original prescription form; or

(B) another board approved, uniformly maintained, readily retrievable record.

(f) The original prescription form or the other board approved record described in subsection (e) must indicate by the number of the original prescription the following information:

(1) The name and dosage form of the drug.

(2) The date of each refill.

(3) The quantity dispensed.

(4) The identity of the pharmacist who dispensed the refill.

(5) The total number of refills for that prescription.

(g) This subsection does not apply:

(1) unless a patient requests a prescription drug supply of more than thirty (30) days;

(2) to the dispensing of a controlled substance (as defined in ~~IC 35-48-1-9);~~ **IC 35-48-1.1-7);** or

(3) if a prescriber indicates on the prescription that the quantity of the prescription may not be changed.

A pharmacist may dispense, upon request of the patient, personal or legal representative of the patient, or guardian of the patient, not more than a ninety (90) day supply of medication if the patient has completed an initial thirty (30) day supply of the drug therapy and the

prescription, including any refills, allows a pharmacist to dispense at least a ninety (90) day supply of the medication. However, a pharmacist shall comply with state and federal laws and regulations concerning the dispensing limitations concerning a prescription drug. The pharmacist shall inform the customer concerning whether the additional supply of the prescription will be covered under the patient's insurance, if applicable.

(h) A prescription is valid for not more than one (1) year after the original date of issue.

(i) A pharmacist may not knowingly dispense a prescription after the demise of the practitioner, unless in the pharmacist's professional judgment it is in the best interest of the patient's health.

(j) A pharmacist may not knowingly dispense a prescription after the demise of the patient.

(k) A pharmacist or a pharmacy shall not resell, reuse, or redistribute a medication that is returned to the pharmacy after being dispensed unless the medication:

(1) was dispensed to an individual:

(A) residing in an institutional facility (as defined in 856 IAC 1-28.1-1(6));

(B) in a hospice program under IC 16-25; or

(C) in a county jail or department of correction facility;

(2) was properly stored and securely maintained according to sound pharmacy practices;

(3) is returned unopened and:

(A) was dispensed in the manufacturer's original:

(i) bulk, multiple dose container with an unbroken tamper resistant seal; or

(ii) unit dose package; or

(B) was packaged by the dispensing pharmacy in a:

(i) multiple dose blister container; or

(ii) unit dose package;

(4) was dispensed by the same pharmacy as the pharmacy accepting the return;

(5) is not expired; and

(6) is not a controlled substance (as defined in ~~IC 35-48-1-9),~~ **IC 35-48-1.1-7),** unless the pharmacy holds a Category II permit (as described in section 17 of this chapter).

(l) A pharmacist or a pharmacy shall not resell, reuse, or redistribute medical devices or medical supplies used for prescription drug therapy that have been returned to the pharmacy after being dispensed unless the medical devices or medical supplies:

(1) were dispensed to an individual in a county jail or department of correction facility;

(2) are not expired; and

(3) are returned unopened and in the original sealed packaging.

(m) A pharmacist may use the pharmacist's professional judgment as to whether to accept medication for return under this section.

(n) This subsection does not apply to a controlled substance, compounded drug, or biological product, or if the prescriber has indicated adaptation of a prescription is not permitted. A pharmacist, acting in good faith, exercising reasonable care, and obtaining patient consent, may do the following:

(1) Change the quantity of a medication prescribed if:

(A) the prescribed quantity or package size is not commercially available;

(B) the change in quantity is related to a change in dosage form; or

(C) the change in quantity reflects the intended day supply.

(2) Change the dosage form of the prescription if it is in the best interest of patient care, if the prescriber's directions are also modified to equate to an equivalent amount of drug dispensed as prescribed.

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

SECTION 147. IC 27-1-45.5-2, AS ADDED BY P.L.117-2021, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. 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 148. IC 27-13-31-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) As used in this section, "in good faith and without malice" when used to describe an action taken or a decision or recommendation made means that:

(1) a reasonable effort has been taken to obtain the facts of the matter;

(2) a reasonable belief exists that the action, decision, or recommendation is warranted by the facts known; and

(3) if the action is described in IC 34-30-15-7, the action is made in compliance with IC 34-30-15-7.

(b) As used in this section, "health care review committee" means a peer review committee under ~~IC 34-6-2-99~~ **IC 34-6-2.1-145** (or IC 34-4-12.6-1(c) before its repeal).

(c) In all actions to which this section applies, good faith shall be presumed and malice shall be required to be proven by the person

aggrieved.

(d) A person who, in good faith and without malice:

(1) takes any action or makes a decision or recommendation as a member, an agent, or an employee of a health care review committee; or

(2) furnishes any record, information, or assistance to a health care review committee;

is not subject to liability for damages in any legal action in consequence of that action.

(e) Neither:

(1) the health maintenance organization or limited service health maintenance organization that established the health care review committee; or

(2) the officers, directors, employees, or agents of the health maintenance organization or limited service health maintenance organization;

are liable for damages in any civil action for the activities of a person who, in good faith and without malice, takes any action or makes a decision or recommendation as a member, an agent, or an employee of a health care review committee, or furnishes any record, information, or assistance to a health care review committee.

(f) This section does not relieve any person of liability arising from treatment of a patient or an enrollee, or from a determination of the reimbursement to be provided under the terms of an insurance policy, a health maintenance organization contract, or another benefit program providing payment, reimbursement, or indemnification for health care costs based on the appropriateness of health care services delivered to an enrollee.

(g) A health care review committee shall comply with ~~IC 34-6-2-99.~~ **IC 34-6-2.1-145.**

SECTION 149. IC 28-9-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. "Person" has the meaning set forth in ~~IC 3-5-2-36.~~ **IC 3-5-2.1-77.**

SECTION 150. IC 31-9-2-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. "Controlled substance", for purposes of the juvenile law, has the meaning set forth in ~~IC 35-48-1.~~ **IC 35-48-1.1.**

SECTION 151. IC 31-9-2-97.4, AS AMENDED BY P.L.3-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 97.4. "Professional health care provider", for purposes of IC 31-19-25, has the meaning set forth in ~~IC 34-6-2-117.~~ **IC 34-6-2.1-165.**

SECTION 152. IC 31-19-19-4, AS AMENDED BY P.L.128-2012, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. All papers, records, and information pertaining to the adoption, whether part of:

(1) the permanent record of the court; or

(2) a file in:

(A) the division of vital records;

(B) the department or local office;

(C) a licensed child placing agency; or

(D) a professional health care provider (as defined in ~~IC 34-6-2-117);~~ **IC 34-6-2.1-165);**

are confidential and may be disclosed only in accordance with IC 31-19-17, this chapter, or IC 31-19-20 through IC 31-19-25.5.

SECTION 153. IC 31-19-21-6, AS AMENDED BY P.L.3-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. The following persons shall provide for the storage and indexing of consents made under this chapter to carry out IC 31-19-24 through IC 31-19-25.5:

(1) The state registrar.

(2) The department.

(3) County offices of family and children.

(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.

(2) The adopted person's:

(A) full name;

(B) sex;

(C) date of birth;

(D) place of birth, if known; and

(E) current address, if known.

(3) The county of the adoption proceeding, if known.

(4) The name and address of the agency that placed the adopted person, if known.

(5) The full name and current address of the petitioners for adoption, if any.

(6) The date of the adoption proceeding, if known.

(7) The full name and current address of the birth parents, if known.

(8) The nature of the:

(A) medical;

(B) identifying; or

(C) nonidentifying;

information being sought.

(9) An affirmation:

(A) by an attending physician, if medical information is sought, that indicates:

(i) the nature of the illness;

(ii) that the illness is believed to be hereditary or congenital; or

(iii) why the information to be sought or shared is necessary for diagnosis or treatment of any person;

(B) by the petitioner, if medical, identifying, or nonidentifying information is sought, that sets forth the reasons why the release of the information may be beneficial to the welfare of the adoptee, a birth parent, a relative of an adoptee, or a relative of a birth parent; and

(C) that the medical, identifying, or nonidentifying information sought:

(i) is not available through the state registrar; or

(ii) is not allowed to be released by the state registrar.

(10) A statement by the petitioner that the petitioner agrees to the payment of:

(A) a reasonable fee for the services of a confidential intermediary if a confidential intermediary is appointed under section 2 of this chapter; and

(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, or a pre-adoptive sibling.

(5) Require the confidential intermediary to affirm under oath that the confidential intermediary agrees to act in good faith and perform its responsibilities in accordance with sections 2 through 9 of this chapter.

(6) Instruct the confidential intermediary to act as quickly as possible.

SECTION 158. IC 31-26-5-3, AS AMENDED BY P.L.183-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) Family preservation services may provide:

(1) comprehensive, coordinated, flexible, and accessible services;

(2) intervention as early as possible with emphasis on establishing a safe and nurturing environment;

(3) services to families who have members placed in care settings outside the nuclear family; and

(4) planning options for temporary placement outside the family if it would endanger the child to remain in the home.

(b) Unless authorized by a juvenile court, family preservation services may not include a temporary out-of-home placement if a person who is currently residing in the location designated as the

out-of-home placement has committed an act resulting in a substantiated report of child abuse or neglect or has a juvenile adjudication or a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) Before placing a child at imminent risk of placement in a temporary out-of-home placement, the department shall conduct a criminal history check (as defined in IC 31-9-2-22.5) for each person described in subsection (b). However, the department is not required to conduct a criminal history check under this section if the temporary out-of-home placement is made to an entity or 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.

SECTION 159. IC 31-34-4-2, AS AMENDED BY P.L.46-2024, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) If a child alleged to be a child in need of services is taken into custody under an order of the court under this chapter and the court orders out-of-home placement, the department is responsible for that placement and care and must consider placing the child with a:

(1) suitable and willing relative; or

(2) de facto custodian;

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 defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and the placement is in the best interest of the child.

However, a court or the department shall not make an out-of-home placement if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(h) In considering the placement under subsection (g), the court or the department shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or abuse or neglect.

(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 160. IC 31-34-18-6.1, AS AMENDED BY P.L.210-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.1. (a) The predispositional report prepared by

the department or caseworker must include the following information:

(1) A description of all dispositional options considered in preparing the report.

(2) 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.

(3) A description of the due diligence efforts that the department has made to identify all adult relatives of the child.

(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 report and recommendations of the dual status assessment team if the child is a dual status child under IC 31-41.

(b) If the department or caseworker is considering an out-of-home placement, including placement with a blood or an adoptive relative caretaker, the department or caseworker shall 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) The department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker 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 161. IC 31-34-20-1.5, AS AMENDED BY P.L.142-2020, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving or ordering placement of a child in another home under section 1(a)(3) of this chapter or awarding wardship to the department that will place the child in another home under section 1(a)(4) 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) or 1(a)(4) 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 department or caseworker 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 department or caseworker is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1 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 department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker 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) A juvenile court may enter a dispositional decree that approves placement of a child in another home or award wardship to the department that will place the child in a home with a person described in subsection (a) if:

(1) the 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) 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 defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing a child in another home or awarding wardship to the department is in the best interest of the child.

However, a court may not enter a dispositional decree that approves placement of a child in another home or awards wardship to the department if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(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;

(ii) battery (IC 35-42-2-1);

(iii) criminal recklessness (IC 35-42-2-2) as a felony;

(iv) criminal confinement (IC 35-42-3-3) as a felony;

(v) arson (IC 35-43-1-1) as a felony;

(vi) nonsupport of a dependent child (IC 35-46-1-5);

(vii) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(viii) a felony involving a weapon under IC 35-47; or

(ix) a felony relating to controlled substances under IC 35-48-4;

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing the child in another home is in the best interest of the child.

However, a court may not enter a dispositional decree placing 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 under this subsection if a person with whom the child is or will be placed has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(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 164. IC 31-37-19-13, AS AMENDED BY P.L.111-2021, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (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 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 HEA 1347-2025, SECTION 6, 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 military operations; and

(B) local laws may restrict use and development of the property to promote compatibility with military installation operations.

(7) If the owner has personal knowledge of the fact that all or a portion of the real estate is located within a community's flood plain boundaries, as indicated in a Federal Emergency Management Agency Flood Insurance Rate Map, a disclosure by the owner of that fact.

(8) A disclosure by the owner that the property is located within a locally designated historic district under IC 36-7-11.

(9) A disclosure by the owner of a conservation easement (as defined in IC 32-23-5-2).

(b) Responsibility for the disclosure required under subsection (a)(6) rests solely with the owner of the property and no liability for the owner's failure to make the required disclosure shall accrue to any third party. Failure of the owner to make the required disclosure under subsection (a)(6) shall not:

(1) invalidate the transfer of the property; or

(2) create any encumbrance or lien upon any legal or equitable

title to the property.

SECTION 167. IC 32-21-13-1, AS ADDED BY P.L.5-2010, SECTION 1, 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.

SECTION 168. IC 32-30-8-2, AS AMENDED BY P.L.80-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (d), as used in this chapter, "property" means a house, a building, a mobile home, or an apartment that is leased for residential or commercial purposes.

(b) The term includes:

(1) an entire building or complex of buildings; or

(2) a mobile home community;

and all real property of any nature appurtenant to and used in connection with the house, building, mobile home, or apartment, including all individual rental units and common areas.

(c) The term does not include a hotel, motel, or other guest house, part of which is rented to a transient guest.

(d) For actions brought by the attorney general in relation to 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), "property" means a house, a building, a mobile home, or an apartment that is owned or leased for 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 contributions from all sources to pay expenses connected with the candidate's candidacy.

SECTION 173. IC 33-33-49-13.1, AS AMENDED BY HEA 1272-2025, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13.1. (a) As used in this chapter:

(1) "close relative" has the meaning set forth in IC 33-23-11-2; and

(2) "committee" refers to the Marion County judicial selection committee established by subsection (b).

(b) The Marion County judicial selection committee is established to:

(1) select nominees for the court; and

(2) make recommendations to the voters concerning the retention of a judge on the court.

(c) The committee consists of the following fourteen (14) members:

(1) Four (4) members who reside in Marion County, appointed as

follows:

(A) One (1) member appointed by the speaker of the house of representatives.

(B) One (1) member appointed by the minority leader of the house of representatives.

(C) One (1) member appointed by the president pro tempore of the senate.

(D) One (1) member appointed by the minority leader of the senate.

A person appointed under this subdivision may not be a member of the general assembly.

(2) An attorney who resides in Marion County and practices primarily in the area of criminal law, appointed by the president of the Indianapolis bar association.

(3) An attorney who resides in Marion County and practices primarily in the area of criminal law, appointed by the president of the Marion County bar association.

(4) An attorney who resides in Marion County, appointed by the president of the Indiana Trial Lawyers Association.

(5) An attorney who resides in Marion County, appointed by the president of the Defense Trial Counsel of Indiana.

(6) Two (2) members appointed by the chairperson of each major political party (as defined by ~~IC 3-5-2-30(2))~~ **IC 3-5-2.1-62(2))** in Marion County. Each of the four (4) members appointed under this subdivision must reside in Marion County and must reflect 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.

(k) A quorum consists of nine (9) members of the committee.

(l) The affirmative votes of nine (9) members of the committee are required for the committee to take official action with respect to any candidate for judicial office.

(m) The committee shall:

(1) nominate judicial candidates for the court in accordance with section 13.4 of this chapter; and

(2) make recommendations concerning retention in accordance with section 13.7 of this chapter.

(n) The committee meets upon the call of the chairperson.

(o) The committee shall meet in the Indiana statehouse or in any other appropriate location in Marion County, as determined by the chairperson.

(p) Except as otherwise provided in subsection (q) or otherwise provided in this chapter, the committee may adopt its own policies and operating procedures. The policies and procedures must comply with

IC 5-14-1.5 (the open door law) and this chapter, and must include procedures by which eligible candidates for a vacancy on the court may submit their names to the committee. The policies and procedures are public records, and the meetings of the committee at which the policies and procedures are considered for initial adoption or amendment must be publicly announced and open to the public. Applications of candidates for judicial appointment are public records.

(q) Notwithstanding IC 5-14-1.5-2, the committee is a public agency for the purposes of IC 5-14-1.5. The committee may meet in executive session under IC 5-14-1.5-6.1 for the consideration of a candidate for appointment to or retention on the court if:

(1) notice of the executive session is given in the manner prescribed by IC 5-14-1.5-5; and

(2) all interviews of candidates are conducted at meetings open to the public.

(r) Notwithstanding IC 5-14-3-4, all public records (as defined in IC 5-14-3-2) of the committee are subject to IC 5-14-3-3, including records described in IC 5-14-3-4(b)(12). However, the following records are excepted from public inspection and copying at the discretion of the committee:

(1) Personnel files of committee employees and members and files of applicants for employment with the committee to the extent permitted under IC 5-14-3-4(b)(8).

(2) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1, unless the records are prepared for use in the consideration of a candidate for retention or judicial appointment.

(3) Investigatory records prepared for the committee until:

(A) the records are considered in connection with the consideration of a candidate;

(B) the records are publicly discussed by the committee in connection with the consideration of a candidate;

(C) a candidate elects to have the records released by the committee; or

(D) the committee elects to release the records that the committee considers appropriate in response to publicly disseminated statements relating to the activities or actions of the committee;

whichever occurs first.

(4) The work product of an attorney (as defined in IC 5-14-3-2) representing the committee.

(s) When an event described by subsection (r)(3) occurs, the

investigatory record becomes available for public inspection and copying under IC 5-14-3-3.

(t) A former member of the committee may not be nominated as a judge of the court if the person has served as a member of the committee within the previous five (5) years.

(u) On or before July 1, 2027, and July 1 biennially thereafter, the committee shall submit a report to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, for review by the interim committee on government in accordance with IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:

(1) official action taken; and

(2) actionable items considered;

by the committee during the preceding two (2) years.

SECTION 174. IC 33-42-9-7, AS AMENDED BY P.L.185-2021, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) A notarial act may be performed by the following individuals:

(1) Notaries public.

(2) An official court reporter acting under IC 33-41-1-6.

(3) Judges and justices of Indiana courts.

(4) The secretary of state.

(5) The clerk of the supreme court.

(6) Mayors, clerks, clerk-treasurers of towns and cities, township trustees, in their respective towns, cities, and townships.

(7) Clerks of circuit courts and master commissioners in their respective counties.

(8) Judges of United States district courts of Indiana, in their respective jurisdictions.

(9) United States commissioners appointed for any United States district court of Indiana, in their respective jurisdictions.

(10) A precinct election officer (as defined in ~~IC 3-5-2-40.1)~~ **IC 3-5-2.1-82)** and an absentee voter board member appointed under IC 3-11-10 or IC 3-11.5-4, for any purpose authorized 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 of IC 34-18, has the meaning set forth in IC 34-18-2-3.5.

Sec. 5. (a) "Advertiser or sponsor", for purposes of IC 34-30-22, means a person who for political, commercial, educational, benevolent, or charitable purposes:

(1) donates or contributes money, materials, or products; or

(2) pays fees to advertise or display trademarks;

in connection with an event.

(b) The term does not include a person who exercises primary

control over an event.

Sec. 6. (a) "Agency", for purposes of IC 34-30-9, has the meaning set forth in IC 4-20.5-1-3. The term includes any institution supported by taxes.

(b) "Agency", for purposes of IC 34-52-2, refers to any elected official or other authority exercising any of the executive, including administrative, authority of the state. The term does not include the legislative or judicial department of state government or a political subdivision.

Sec. 7. "Aggrieved person", for purposes of IC 34-24-2, means any of the following:

(1) A person who has an interest in property or in an enterprise that:

(A) is the object of corrupt business influence (IC 35-45-6-2); or

(B) has suffered damages or harm as a result of corrupt business influence (IC 35-45-6-2).

(2) An individual whose personal safety is threatened by criminal organization (as defined in section 42 of this chapter) activity.

(3) An individual or a business whose property value or business activity is negatively affected due to criminal organization (as defined in section 42 of this chapter) activity.

(4) A political subdivision in which criminal organization (as defined in section 42 of this chapter) activity negatively affects the property values or business activity of the political subdivision or the personal safety of the political subdivision's residents.

(5) The state.

Sec. 8. "Agricultural product", for purposes of IC 34-30-3 and IC 34-30-5, means a natural product of a farm, a nursery, a grove, an orchard, a vineyard, a garden, or an apiary. The term includes trees and firewood.

Sec. 9. "Agritourism activity", for the purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-2.

Sec. 10. "Agritourism provider", for the purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-3.

Sec. 11. "Ambulance service", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-4.

Sec. 12. "Annual aggregate", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-5.

Sec. 13. "Arising (or arises) from a (or the) state disaster

emergency", for purposes of IC 34-7-8 and IC 34-30-13.5, means an injury or harm:

(1) 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

(2) arising from COVID-19.

Sec. 14. (a) "Arising from COVID-19", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-2.

(b) "Arising from COVID-19", for purposes of section 13 of this chapter, IC 34-12-5, and IC 34-13-3-3, means an injury or harm caused by or resulting from:

(1) the actual, alleged, or possible exposure to or contraction of COVID-19; or

(2) services, treatment, or other actions performed for COVID-19.

(c) The definition under subsection (b) includes:

(1) the implementation of policies and procedures to:

(A) prevent or minimize the spread of COVID-19; and

(B) reallocate or procure staff or resources for COVID-19;

(2) testing in response to COVID-19;

(3) monitoring, collecting, reporting, tracking, tracing, disclosing, or investigating COVID-19 exposure or other COVID-19 related information;

(4) using, designing, manufacturing, providing, donating, or servicing precautionary, diagnostic, collection, or other health equipment or supplies, including personal protective equipment, for COVID-19;

(5) closing or partially closing to prevent or minimize the spread of COVID-19;

(6) delaying or modifying the scheduling or performance of a nonemergency medical procedure or appointment due to COVID-19;

(7) reasonable nonperformance of medical services due to 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

(B) consent to the issuance of execution on the judgment.

Sec. 29. "College, university, or junior college", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-7.

Sec. 30. "Commissioner", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-8.

Sec. 31. "Community health center", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-9.

Sec. 32. "Community intellectual disability center", for

purposes of IC 34-18, has the meaning set forth in IC 34-18-2-11.

Sec. 33. "Community mental health center", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-10.

Sec. 34. (a) "Compensation", for purposes of section 175 of this chapter, does not include payments:

(1) to reimburse the expenses of a qualified director (as defined in section 175 of this chapter); and

(2) for per diem.

(b) "Compensation", for purposes of IC 34-30-18, means anything of value given as payment for performing a function. The term does not include:

(1) payment for expenses, prizes, or trophies; or

(2) a payment to an individual of fifteen dollars ($15) or less for performing one (1) or more functions during a day.

(c) "Compensation", for purposes of IC 34-30-19, does not include the following:

(1) Reimbursement or payment of reasonable expenses incurred for the benefit of a sports or leisure activity.

(2) Any award, meal, or other gift that does not exceed one hundred dollars ($100) in value and is given as a token of appreciation or recognition.

(3) Any per diem payment that does not exceed fifty dollars ($50) for personal services as a referee, umpire, judge, or assistant to a referee, umpire, or judge.

Sec. 35. "Consumer", for purposes of IC 34-20, means:

(1) a purchaser;

(2) any individual who uses or consumes the product;

(3) any other person who, while acting for or on behalf of the injured party, was in possession and control of the product in question; or

(4) any bystander injured by the product who would reasonably be expected to be in the vicinity of the product during its reasonably expected use.

Sec. 36. "Corporation", for purposes of IC 34-31-8, has the meaning set forth in IC 34-31-8-2.

Sec. 37. "Cost of the periodic payments agreement", for purposes of IC 34-18-14, has the meaning set forth in IC 34-18-14-1.

Sec. 38. "Costs", for purposes of this article, includes fees.

Sec. 39. (a) "Court", for purposes of IC 34-51-4, refers to the court awarding a judgment.

(b) "Court", for purposes of IC 34-57-2, has the meaning set

forth in IC 34-57-2-17.

Sec. 40. (a) "COVID-19", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-3.

(b) "COVID-19", for purposes of IC 34-30-33, has the meaning set forth in IC 34-30-33-2.

(c) "COVID-19", for purposes of sections 14 and 84 of this chapter, IC 34-7-8, IC 34-12-5, IC 34-13-3-3, IC 34-30-13.5-1, and IC 34-30-13.5-3, has the meaning set forth in IC 34-30-32-3.

Sec. 41. "COVID-19 protective product", for purposes of IC 34-30-33, has the meaning set forth in IC 34-30-33-2.

Sec. 42. "Criminal organization", for purposes of section 7 of this chapter, has the meaning set forth in IC 35-45-9-1.

Sec. 43. "Cyber liability" means liability related to use of computer systems.

Sec. 44. "Daily newspaper", for purposes of IC 34-15-4, means a newspaper that publishes five (5) or more issues each week.

Sec. 45. "Debt", for purposes of sections 63, 107, 112, 113, and 188 of this chapter and IC 34-55-10, means a legally or an equitably enforced monetary obligation or liability of an individual arising out of contract, tort, or otherwise.

Sec. 46. "Department", for purposes of IC 34-13-3-7, refers to the department of correction.

Sec. 47. "Disclosure", for purposes of IC 34-21.5, has the meaning set forth in IC 34-21.5-2-1.

Sec. 48. "Distribute", for purposes of IC 34-21.5, has the meaning set forth in IC 34-21.5-2-1.

Sec. 49. "Domestic animal", for purposes of IC 34-30-30, has the meaning set forth in IC 34-30-30-1.

Sec. 50. "Domestic or family violence" means, except for an act of self-defense, the occurrence of at least one (1) of the following acts committed by a family or household member:

(1) Attempting to cause, threatening to cause, or causing physical harm to another family or household member.

(2) Placing a family or household member in fear of physical harm.

(3) Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.

(4) Abusing (as described in IC 35-46-3-0.5), torturing (as described in IC 35-46-3-0.5), mutilating (as described in IC 35-46-3-0.5), or killing a vertebrate animal without justification with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member.

For purposes of IC 34-26-5, domestic and family violence also includes stalking (as defined in IC 35-45-10-1) or a sex offense under IC 35-42-4, whether or not the stalking or sex offense is committed by a family or household member.

Sec. 51. "Economically feasible", for purposes of IC 34-55-6, means a finding by the court that:

(1) a reasonable probability exists that with the use of auctioneer services a valid and enforceable bid will be made at the execution for a sale price equal to or greater than the amount of the judgment and the costs and expenses necessary to its satisfaction, including the costs of the auctioneer; and

(2) no such probability exists without the use of an auctioneer.

Sec. 52. "Emergency", for purposes of IC 34-30-6, means an occurrence or an imminent threat of an occurrence that involves a hazardous substance or compressed gas and that creates the possibility of harm to any person, to property, or to the environment.

Sec. 53. "Emergency medical technician", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-12.

Sec. 54. (a) "Employee" and "public employee", for purposes of section 137 of this chapter, IC 34-13-2, IC 34-13-3, IC 34-13-4, and IC 34-30-14, mean a person presently or formerly acting on behalf of a governmental entity, whether temporarily or permanently or with or without compensation, including members of boards, committees, commissions, authorities, and other instrumentalities of governmental entities, volunteer firefighters (as defined in IC 36-8-12-2), and elected public officials.

(b) The term also includes attorneys at law whether employed by the governmental entity as employees or independent contractors and physicians licensed under IC 25-22.5 and optometrists who provide medical or optical care to confined offenders (as defined in IC 11-8-1) within the course of their employment by or contractual relationship with the department of 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.

(b) The term does not include being a spectator at an equine activity.

Sec. 58. "Equine activity sponsor", for purposes of IC 34-31-5, means a person who sponsors, organizes, or provides facilities for an equine activity.

Sec. 59. "Equine professional", for purposes of IC 34-31-5, means a person who, for compensation:

(1) instructs a participant on riding, driving, or being a

passenger upon an equine;

(2) rents to a participant an equine for the purpose of riding, driving, or being a passenger upon the equine; or

(3) rents equipment or tack to a participant.

Sec. 60. (a) "Evaluation of patient care", for purposes of IC 34-30-15, relates to:

(1) the accuracy of diagnosis;

(2) the propriety, appropriateness, quality, or necessity of care rendered by a professional health care provider; and

(3) the reasonableness of the utilization of services, procedures, and facilities in the treatment of individual patients.

(b) The term does not relate to charges for services or to methods used in arriving at diagnoses.

Sec. 61. "Event", for purposes of section 5 of this chapter and IC 34-30-22, means:

(1) a performance;

(2) a benefit;

(3) a fundraiser;

(4) an auction;

(5) a meal;

(6) a concert;

(7) a sporting event;

(8) a festival;

(9) a parade;

(10) a reception;

(11) a trade show;

(12) a convention;

(13) an educational program; or

(14) another occasion organized by or for a federally tax exempt organization.

Sec. 62. "Exempt", for purposes of IC 34-55-10, means protected from a judicial lien, process, or proceeding to collect a debt.

Sec. 63. "Exemption", for purposes of IC 34-55-10, means protection from a judicial lien, process, or proceeding to collect a debt.

Sec. 64. (a) "Extreme sport area", for purposes of IC 34-13-3, means an indoor or outdoor ramp, course, or area specifically designated for the exclusive recreational or sporting use of one (1) or more types of extreme sport equipment.

(b) The term does not include property used at any time as a

public sidewalk, footpath, vehicle parking lot, multiple use trail, multiple use greenway, or other public way.

Sec. 65. "Extreme sport equipment", for purposes of section 64 of this chapter and IC 34-13-3, means any of the following nonmotorized devices:

(1) Skateboards.

(2) Roller skates.

(3) Inline skates.

(4) Freestyle bicycles.

(5) Mountain bicycles.

(6) An apparatus that is:

(A) wheeled;

(B) recreational or sporting in nature;

(C) powered solely by the physical efforts of the user; and

(D) generally known, as the term is used in Rule 201 of the Indiana Rules of Evidence, as an apparatus used for extreme sport.

Sec. 66. "Family law arbitrator", for purposes of IC 34-57-5, means:

(1) an attorney certified as a family law specialist in Indiana by an independent certifying organization that is approved and monitored under Rule 30 of the Rules for Admission to the Bar;

(2) a private judge qualified under Rule 1.3 of the Indiana Supreme Court Rules for Alternative Dispute Resolution;

(3) an individual who is a former magistrate or commissioner of an Indiana court of record; or

(4) an attorney who is a registered domestic relations mediator under Rule 2.5(B) of the Indiana Supreme Court Rules for Alternative Dispute Resolution.

Sec. 67. (a) An individual is a "family or household member" of another person if the individual:

(1) is a current or former spouse of the other person;

(2) is dating or has dated the other person;

(3) is engaged or was engaged in a sexual relationship with the other person;

(4) is related by blood or adoption to the other person;

(5) is or was related by marriage to the other person;

(6) has or previously had an established legal relationship:

(A) as a guardian of the other person;

(B) as a ward of the other person;

(C) as a custodian of the other person;

(D) as a foster parent of the other person; or

(E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D);

(7) has a child in common with the other person; or

(8) has adopted a child of the other person.

(b) An individual is a "family or household member" of both persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), or (a)(8) applies if the individual is a minor child of one (1) of the persons.

Sec. 68. (a) "Fault", for purposes of IC 34-20, means an act or omission that is negligent, willful, wanton, reckless, or intentional toward the person or property of others. The term includes the following:

(1) Unreasonable failure to avoid an injury or to mitigate damages.

(2) A finding under IC 34-20-2 (or IC 33-1-1.5-3 before its repeal) that a person is subject to liability for physical harm caused by a product, notwithstanding the lack of negligence or willful, wanton, or reckless conduct by the manufacturer or seller.

(b) "Fault", for purposes of IC 34-51-2 and IC 34-51-6, includes any act or omission that is negligent, willful, wanton, reckless, or intentional toward the person or property of others. The term also includes unreasonable assumption of risk not constituting an enforceable express consent, incurred risk, and unreasonable failure to avoid an injury or to mitigate damages.

Sec. 69. "Fees or other expenses", for purposes of IC 34-52-2, include:

(1) the reasonable expenses of expert witnesses that are found by a court under IC 34-52-2 to be necessary for the preparation of the petitioner's case;

(2) the reasonable costs of any:

(A) study;

(B) analysis;

(C) engineering report; or

(D) test project;

that are found by a court under IC 34-52-2 to be necessary for the preparation of the petitioner's case;

(3) any reasonable discovery expenses, that are found by a court under IC 34-52-2 to be necessary for the preparation of the petitioner's case; and

(4) reasonable attorney's fees.

Sec. 70. "Financial interest", for purposes of IC 34-30-13.5-3, means an ownership or investment interest through equity, debt, or other means. The term includes an ownership or investment interest in an entity that holds, either directly or through a subsidiary, an ownership or investment interest.

Sec. 71. "Fire control or protection equipment", for purposes of IC 34-30-10.5, includes vehicles, firefighting tools, protective gear, breathing apparatuses, and other supplies, equipment, and tools used in firefighting or emergency rescue.

Sec. 72. "Firearm", for purposes of IC 34-28-7 and IC 34-30-20, has the meaning set forth in IC 35-47-1-5.

Sec. 73. "Food item", for purposes of IC 34-30-5, means any item that may be ingested as a normal part of the human diet. The term includes food that was prepared for serving by a food source (as defined in section 74 of this chapter) but not served by the food source.

Sec. 74. "Food source", for purposes of IC 34-30-5, means any of the following:

(1) A restaurant.

(2) A cafeteria.

(3) A hospital.

(4) A hotel.

(5) A caterer.

(6) A public or a private school, or postsecondary educational institution.

(7) A fraternal organization or veterans organization.

(8) Any other person that prepares and serves food to individuals in the ordinary course of that person's business.

Sec. 75. "Foreign judgment", for purposes of IC 34-54-11, means any judgment, decree or order of:

(1) a court of the United States; or

(2) any other court that is entitled to the full faith and credit of Indiana.

Sec. 76. "Foreign protection order", for purposes of IC 34-26-5-17, means a protection order issued by a tribunal of:

(1) another state; or

(2) an Indian tribe;

regardless of whether the protection order was issued in an independent proceeding or as part of another criminal or civil proceeding.

Sec. 77. (a) "Governmental entity", for purposes of section 137 of this chapter, IC 34-13-2, IC 34-13-3, and IC 34-13-4, means the

state or a political subdivision of the state. For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, the term includes a charter school.

(b) "Governmental entity", for purposes of section 149(j) of this chapter, means the state or a political subdivision of the state.

Sec. 78. "Grant recipient", for purposes of IC 34-57-3, means a nonprofit corporation or an organization that administers a community dispute resolution center under IC 34-57-3.

Sec. 79. (a) "Gratuitously renders emergency care", for purposes of IC 34-30-12-1, means the giving of emergency care (including the use of an automatic external defibrillator):

(1) that was volunteered without legal obligation on the part of the person rendering the emergency care; and

(2) for which the person rendering the emergency care does not expect remuneration.

(b) Emergency care may not be considered to be gratuitously rendered emergency care solely because of the failure to send a bill for the emergency care.

Sec. 80. (a) "Harassment", for purposes of IC 34-26-5, means conduct directed toward a victim that includes, but is not limited to, repeated or continuing impermissible contact:

(1) that would cause a reasonable person to suffer emotional distress; and

(2) that actually causes the victim to suffer emotional distress.

(b) "Harassment" does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes.

Sec. 81. "Hazardous substance", for purposes of IC 34-30-6, means:

(1) a material or waste that has been determined to be hazardous or potentially hazardous to any individual, to property, or to the environment by the United States Environmental Protection Agency, the federal Nuclear Regulatory Commission, the United States Department of Transportation, the environmental rules board, or the United States Occupational Safety and Health Agency or any agent or designee of any of the above mentioned boards, agencies, or commission; or

(2) any substance that may be potentially hazardous to any person, to property or to the environment.

Sec. 82. "Health care", for purposes of IC 34-18, has the

meaning set forth in IC 34-18-2-13.

Sec. 83. (a) "Health care provider", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-14.

(b) "Health care provider", for purposes of IC 34-30-12.5, has the meaning set forth in IC 34-30-12.5-2.

Sec. 84. (a) "Health care services":

(1) except as provided in subdivision (2), for purposes of IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a); and

(2) for purposes of IC 34-30-13-1.2, means only noninvasive examinations, treatments, and procedures and the following invasive procedures:

(A) Routine dental services.

(B) Injections.

(C) Suturing of minor lacerations.

(D) Incisions of boils or superficial abscesses.

The term does not include performance of an abortion, including abortion by surgical means, by use of an abortion inducing drug, or by prescribing a controlled substance or scheduled drug under IC 35-48.

(b) "Health care services", for purposes of IC 34-30-13.5, means:

(1) any services provided by an individual licensed under:

(A) IC 25-2.5;

(B) IC 25-10;

(C) IC 25-13;

(D) IC 25-14;

(E) IC 25-19;

(F) IC 25-22.5;

(G) IC 25-23;

(H) IC 25-23.5;

(I) IC 25-23.6;

(J) IC 25-24;

(K) IC 25-26;

(L) IC 25-27;

(M) IC 25-27.5;

(N) IC 25-29;

(O) IC 25-33;

(P) IC 25-34.5; or

(Q) IC 25-35.6;

(2) services provided as the result of hospitalization, to an individual admitted to a health facility licensed under

IC 16-28, or to a person residing in a housing with services establishment (as defined by IC 12-10-15-3);

(3) services incidental to the furnishing of services described in subdivision (1) or (2);

(4) any services by individuals:

(A) licensed as paramedics;

(B) certified as advanced emergency medical technicians; or

(C) certified as emergency medical technicians under IC 16-31;

(5) any services provided by individuals certified as emergency medical responders under IC 16-31;

(6) any services provided by certified health care professionals who are registered with the Indiana department of health, including:

(A) certified nurse aides certified under IC 16-28-1-11;

(B) qualified medication aides certified under IC 16-28-1-11; and

(C) home health aides registered under rules adopted under IC 16-27-1-7;

(7) any services provided by unlicensed health care professionals who have successfully completed any applicable training required by the Indiana department of health;

(8) any services provided by health care volunteers who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19;

(9) any services provided by individuals with provisional or temporary licenses who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19; or

(10) any other services or goods furnished for the purpose of preventing, alleviating, curing, or healing human illness, physical disability, or injury.

Sec. 85. "Health facility", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-15.

Sec. 86. "Hitchhiker", for purposes of IC 34-30-11, means a passenger who has solicited a ride in violation of IC 9-21-17-16.

Sec. 87. "Homeowners association", for purposes of section 175 of this chapter, means a corporation or other entity that:

(1) is organized and operated exclusively for the benefit of two

(2) or more persons who each own a dwelling in fee simple;

and

(2) acts, in accordance with the articles, bylaws, and other documents governing the entity, to:

(A) acquire, transfer, manage, repair, maintain, or engage in construction on or in the land and improvements on the land related to the use of the dwellings owned by the members of the corporation;

(B) purchase insurance to cover a casualty or an activity on or in the land and improvements on the land;

(C) engage in an activity incidental to an activity described in clause (A) or (B); or

(D) engage in more than one (1) of the activities described in clauses (A) through (C).

Sec. 88. "Hospital", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-16.

Sec. 89. "Hospital medical record", for purposes of IC 34-43-1, means the hospital's clinical record maintained on each hospital patient as provided in IC 16-18-2-168.

Sec. 90. "Ice skater", for purposes of IC 34-31-6.5, means a person, including an invitee, who wears ice skates while in an ice skating rink for the purpose of recreational or competitive ice skating, whether or not the person pays consideration for entrance to the skating rink.

Sec. 91. "Ice skating rink", for purposes of IC 34-31-6.5, means a building, facility, or other property where an area specifically designed for use for recreational or competitive ice skating is present.

Sec. 92. "Illegal drug", for purposes of IC 34-24-4, means a drug that is illegal to distribute under state law.

Sec. 93. "Illegal drug market", for purposes of IC 34-24-4, means the support system of illegal drug related operations, from production to retail sales, through which an illegal drug reaches a drug user.

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).

Sec. 99. "Inherent risks of agritourism activities", for the purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-4.

Sec. 100. "Inherent risks of equine activities", for purposes of IC 34-31-5, means the dangers or conditions that are an integral part of equine activities, including the following:

(1) The propensity of an equine to behave in ways that may result in injury, harm, or death to persons on or around the equine.

(2) The unpredictability of an equine's reaction to such things as sound, sudden movement, unfamiliar objects, people, or other animals.

(3) Hazards such as surface and subsurface conditions.

(4) Collisions with other equines or objects.

(5) The potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the animal or not acting within the participant's ability.

Sec. 101. "Innocent successor corporation", for purposes of IC 34-31-8, has the meaning set forth in IC 34-31-8-3.

Sec. 102. "Insured", for purposes of IC 34-53, means a person insured by an insurer.

Sec. 103. (a) "Insurer", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-17.

(b) "Insurer", for purposes of IC 34-53, has the meaning set forth in IC 27-1-2-3.

Sec. 104. "Interested party", for purposes of IC 34-50-2, has the meaning set forth in IC 34-50-2-1.

Sec. 105. "Intimate image", for purposes of IC 34-21.5, has the meaning set forth in IC 34-21.5-2-1.

Sec. 106. "Issuing state or Indian tribe", for purposes of IC 34-26-5-17, means the state or Indian tribe whose tribunal issues a protection order.

Sec. 107. "Judicial lien", for purposes of sections 63 and 113 of this chapter, means a lien on property obtained by a judgment, levy, or another legal or equitable process or proceeding instituted to collect a debt.

Sec. 108. "Land", for the purposes of IC 34-31-9, has the meaning set forth in IC 34-31-9-5.

Sec. 109. "Law", as for example "the law relating to other civil actions", for purposes of IC 34-13-5, means the statutes, including but not limited to IC 34-13-5 (and IC 34-4-17 before its repeal), and any applicable rules of the Indiana supreme court on any subject.

Sec. 110. "Law enforcement costs", for purposes of IC 34-24-1, means:

(1) expenses incurred by the law enforcement agency that makes a seizure under IC 34-24-1 (or IC 34-4-30.1 before its repeal) for the criminal investigation associated with the seizure;

(2) repayment of the investigative fund of the law enforcement agency that makes a seizure under IC 34-24-1 to the extent

that the agency can specifically identify any part of the money as having been expended from the fund; and

(3) expenses of the prosecuting attorney associated with the costs of proceedings associated with the seizure and the offenses related to the seizure.

Sec. 111. "Law enforcement officer", for purposes of IC 34-26-5, has the meaning set forth in IC 35-31.5-2-185.

Sec. 112. "Levy", for purposes of section 107 of this chapter and IC 34-55-10, means the seizure of property under a writ of attachment, a garnishment, an execution, or a similar legal or equitable process issued to collect a debt.

Sec. 113. "Lien", for purposes of section 107 of this chapter and IC 34-55-10, means a security interest, judicial lien, statutory lien, common law lien, or another interest in property to secure the payment of a debt or the performance of an obligation.

Sec. 114. "Lifetime sex or violent offender", for purposes of IC 34-28-2, has the meaning set forth in IC 34-28-2-1.5.

Sec. 115. "Livestock", for purposes of IC 34-30-5, means any animal or fowl raised for commercial purposes.

Sec. 116. "Local law enforcement authority", for purposes of IC 34-28-2, has the meaning set forth in IC 34-28-2-1.5.

Sec. 117. (a) "Loss", for purposes of IC 34-13-3, means injury to or death of a person or damage to property.

(b) "Loss", for purposes of IC 34-30-6, means injury to or death of a human being or damage to property or to the environment.

Sec. 118. "Malpractice", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-18.

Sec. 119. (a) "Manufacturer", for purposes of IC 34-20, means a person or an entity who designs, assembles, fabricates, produces, constructs, or otherwise prepares a product or a component part of a product before the sale of the product to a user or consumer. "Manufacturer" includes a seller who:

(1) has actual knowledge of a defect in a product;

(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 improvement to a municipal corporation; or

(3) the governing body of a municipal corporation and its members and officers in their official capacity.

Sec. 131. "News service", for purposes of IC 34-15-4, means an entity that is either a membership association or a corporation with subscribers that:

(1) gathers and transmits news to its members or subscribers; and

(2) maintains an office in Indiana.

Sec. 132. "Noneconomic damages", for purposes of IC 34-30-29.2, has the meaning set forth in IC 34-30-29.2-2.

Sec. 133. "Nonparty", for purposes of IC 34-51-2, means a person who caused or contributed to cause the alleged injury, death, or damage to property but who has not been joined in the action as a defendant.

Sec. 134. "Nonprofit religious organization", for purposes of IC 34-31-7, means an organization, a church, a body of communicants, or a group organized primarily for religious purposes and not for pecuniary profit that:

(1) operates:

(A) under Section 501 of the Internal Revenue Code or the Section 501 nonprofit status of the parent organization of the organization, church, body of communicants, or group; and

(B) under a constitution, a charter, an article, or a bylaw containing a clause that provides that upon dissolution, all remaining assets must:

(i) be used for nonprofit religious purposes; or

(ii) revert to the parent organization for nonprofit religious purposes; or

(2) operates as a place of worship and is recognized as a nonprofit organization by the Internal Revenue Service.

Sec. 135. (a) "Offender", for purposes of IC 34-13-3-7, means a person who is committed to the department of correction or was committed to the department of correction.

(b) "Offender", for purposes of IC 34-58, means a person who is committed to the department of correction or incarcerated in a jail.

Sec. 136. "Offeror", for purposes of IC 34-50, means a party to a civil action who makes a qualified settlement offer (as defined in section 176 of this chapter) to a recipient (as defined in section 177 of this chapter) who is an opposing party in the civil action.

Sec. 137. (a) "Operator", for purposes of IC 34-30-3, means a person who is an owner, a lessee, a tenant, or an occupant of land or premises that are used in the production of agricultural products.

(b) "Operator", for purposes of IC 34-31-6, means a person or an entity, other than a governmental entity or an employee of a governmental entity, that owns, manages, controls, directs, or has operational responsibility for a roller skating rink.

(c) "Operator", for purposes of IC 34-31-6.5, means an approved postsecondary educational institution (as defined in IC 21-7-13-6) that owns, manages, controls, directs, or has operational responsibility for an ice skating rink.

(d) "Operator", for purposes of IC 34-31-11.4, means an:

(1) elementary school (as defined under IC 20-18-2-4);

(2) approved secondary school (as defined under IC 21-12-1-5); or

(3) approved postsecondary school (as defined under IC 21-7-13-6);

that owns, manages, controls, directs, or has operational responsibility for a recreational facility.

Sec. 138. "Paramedic", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-21.

Sec. 139. (a) "Parents", for purposes of IC 34-28-3, means:

(1) the child's birth mother and father who:

(A) is listed as the father on the birth certificate;

(B) is presumed by law under IC 31-14-7 to be the child's father; or

(C) has established paternity with a court order;

(2) in the case of adoption, the adopting father and mother of a child;

(3) where custody of a child has been awarded in a court proceeding to someone other than the mother or father, the court appointed guardian or custodian of the child;

(4) where the child's parents are divorced, the parent to whom the divorce decree or modification awards physical custody or control of the child; or

(5) if the child's parents are living apart, the parent to whom physical custody or control of the child has been awarded by a court order.

(b) The term does not include a natural or adopting parent who has given written consent for the child to be adopted by another (if the child has been adopted by another), nor does the term include a child's parent who has lost custody of the child under subsection (a)(3), (a)(4), or (a)(5).

Sec. 140. "Partially emancipated minor", for purposes of IC 34-28-3, means a minor who has been given certain limited authority to contract under IC 34-28-3.

Sec. 141. (a) "Participant", for purposes of IC 34-31-5, means a person, whether an amateur or a professional, who engages in an equine activity, whether or not a fee is paid to participate in the

equine activity.

(b) "Participant", for purposes of IC 34-31-9, has the meaning set forth in 34-31-9-7.

Sec. 142. "Participate", for purposes of IC 34-28-3, means any action a person takes:

(1) according to license or authority of the entity that sanctions a professional automobile or motorcycle racing event; or

(2) by direction or authority of the race organizer of a sanctioned event;

including participation as a driver, mechanic, pit crew member, or unpaid volunteer in and around the pit and race track area.

Sec. 143. (a) "Participate in the illegal drug market", for purposes of IC 34-24-4, means to:

(1) distribute;

(2) possess with an intent to distribute;

(3) commit an act intended to facilitate the marketing or distribution of; or

(4) agree to distribute;

an illegal drug.

(b) The term does not include the purchase or receipt of an illegal drug for personal use only.

Sec. 144. "Patient", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-22.

Sec. 145. (a) "Peer review committee", for purposes of IC 34-30-15, means a committee that:

(1) has the responsibility of evaluation of:

(A) qualifications of professional health care providers;

(B) patient care rendered by professional health care providers; or

(C) the merits of a complaint against a professional health care provider that includes a determination or recommendation concerning the complaint, and the 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.

Sec. 155. "Political subdivision", for purposes of IC 34-12-3.5 and IC 34-13-3, means a:

(1) county;

(2) township;

(3) city;

(4) town;

(5) separate municipal corporation;

(6) special taxing district;

(7) state educational institution;

(8) city or county hospital;

(9) school corporation;

(10) board or commission of one (1) of the entities listed in subdivisions (1) through (9);

(11) drug enforcement task force operated jointly by political subdivisions;

(12) community correctional service program organized under IC 12-12-1; or

(13) solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal).

Sec. 156. "Position of the agency", for purposes of IC 34-52-2, means the litigation stance taken by the state in a civil action subject to IC 34-52-2.

Sec. 157. "Possessor of land", for purposes of IC 34-31-11, has the meaning set forth in IC 34-31-11-1.

Sec. 158. "Practitioner", for purposes of IC 34-30-14, means a person described in IC 16-42-19-5 who acts within the scope of the practitioner's practice.

Sec. 159. "Prejudgment interest", for purposes of IC 34-51-4, means interest on the amount of a judgment that is computed for a period preceding the date that the court returns a verdict or finding in the proceeding.

Sec. 160. "Premises", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-5.

Sec. 161. "Prior civil law and procedure", for purposes of IC 34-7, refers to the statutes that are repealed or amended in the recodification act of the 1998 regular session of the general assembly as the statutes existed before the effective date of the applicable or corresponding provision of the recodification act of the 1998 regular session of the general assembly.

Sec. 162. (a) "Product", for purposes of IC 34-20, means any item or good that is personalty at the time it is conveyed by the 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 IC 27-8-11);

(17) a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-34-4);

(18) a respiratory care practitioner licensed under IC 25-34.5;

(19) an occupational therapist licensed under IC 25-23.5;

(20) a state institution (as defined in IC 12-7-2-184);

(21) a clinical social worker who is licensed under

IC 25-23.6-5-2;

(22) a provider (as defined in IC 12-7-2-149.1(5));

(23) a nonprofit health care organization affiliated with a hospital that is owned or operated by a religious order, whose members are members of that religious order;

(24) a nonprofit health care organization with one (1) or more hospital affiliates;

(25) a health care organization that owns or controls, in whole or in part, one (1) or more entities described in subdivisions (1) through (24);

(26) a provider organization (as defined in IC 16-18-2-296);

(27) a paramedic licensed under IC 16-31;

(28) an emergency medical technician certified under IC 16-31;

(29) an emergency medical responder certified under IC 16-31; or

(30) an advanced emergency medical technician certified under IC 16-31.

Sec. 166. "Professional staff", for purposes of IC 34-30-15, means:

(1) all individual professional health care providers authorized to provide health care in a hospital or other health care facility; or

(2) the multidisciplinary staff of a community mental health center (as defined in IC 12-7-2-38).

Sec. 167. "Program", for purposes of IC 34-57-3, refers to the community dispute resolution centers program established under IC 34-57-3-2.

Sec. 168. (a) "Property", for purposes of IC 34-24-2, has the meaning set forth in IC 35-31.5-2-253.

(b) "Property", for purposes of IC 34-30-9, includes the following:

(1) Real property.

(2) Private ways.

(3) Waters.

(4) A structure located on property listed in subdivisions (1) through (3).

Sec. 169. "Protected person" means a petitioner or a family or household member of the petitioner who is protected by the terms of a civil protection order issued under IC 34-26-5.

Sec. 170. (a) "Protection order" or "order for protection", for purposes of sections 76, 169, and 182 of this chapter and

IC 34-26-5, means an injunction or other order issued by a tribunal of the issuing state or Indian tribe to prevent an individual from:

(1) engaging in violent or threatening acts against;

(2) engaging in harassment of;

(3) engaging in contact or communication with; or

(4) being in physical proximity to;

another person, including temporary and final orders issued by civil and criminal courts.

(b) The term does not include a support or child custody order issued under the dissolution and child custody laws of a state or Indian tribe, except to the extent that the order qualifies as a protection order under subsection (a) and is entitled to full faith and credit under a federal law other than 18 U.S.C. 2265.

(c) The term applies to an order regardless of whether the order is obtained by filing an independent action or as a pendente lite order in another proceeding if any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

Sec. 171. "Protection order records", for purposes of IC 34-26-7.5, has the meaning set forth in IC 34-26-7.5-2.

Sec. 172. "Psychiatric hospital", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-24.

Sec. 173. "Public employee", for purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4, has the meaning set forth in section 54 of this chapter.

Sec. 174. (a) "Public lawsuit", for purposes of IC 34-13-5, means:

(1) any action in which the validity, location, wisdom, feasibility, extent, or character of construction, financing, or leasing of a public improvement by a municipal corporation is questioned directly or indirectly, including but not limited to suits for declaratory judgments or injunctions to declare invalid or to enjoin the construction, financing, or leasing; 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 electromagnetic signal.

Sec. 199. "Tort", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-28.

Sec. 200. "Transfer", for purposes of IC 34-50-2, has the meaning set forth in IC 34-50-2-3.

Sec. 201. "Transferee", for purposes of IC 34-50-2, has the meaning set forth in IC 34-50-2-4.

Sec. 202. "Transferor corporation", for purposes of IC 34-31-8,

has the meaning set forth in IC 34-31-8-5.

Sec. 203. "Trespasser", for purposes of IC 34-31-11, has the meaning set forth in IC 34-31-11-2.

Sec. 204. "Trial", for purposes of IC 34-35-5, includes the impaneling of the jury, the actual trial, or other evidentiary hearing where witnesses are sworn and testify, hearings on motions for summary judgment, and entries of final disposition of a cause of action.

Sec. 205. "Tribunal", for purposes of sections 76 and 170 of this chapter and IC 34-26-5, means a court, an agency, or another entity authorized by law to issue or modify a protection order.

Sec. 206. "Uninsured motorist with a previous violation", for purposes of IC 34-30-29.2, has the meaning set forth in IC 27-7-5.1-4.

Sec. 207. "Unit", for purposes of IC 34-24-1 and IC 34-24-2, has the meaning specified in IC 36-1-2-23.

Sec. 208. "Unreasonably dangerous", for purposes of IC 34-20, refers to any situation in which the use of a product exposes the user or consumer to a risk of physical harm to an extent beyond that contemplated by the ordinary consumer who purchases the product with the ordinary knowledge about the product's characteristics common to the community of consumers.

Sec. 209. "User", for purposes of IC 34-20, has the same meaning as the term "consumer", which is set forth in section 35 of this chapter.

Sec. 210. "Vehicle", for purposes of IC 34-24-3, has the meaning set forth in IC 35-31.5-2-346.

Sec. 211. "Victim", for purposes of IC 34-60-1, has the meaning set forth in IC 34-60-1-1.

Sec. 212. "Victim advocate", for purposes of IC 34-60-1, has the meaning set forth in IC 34-60-1-2.

Sec. 213. "Victim notification capabilities" means, with respect to a GPS tracking device, the ability of the device to do the 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 acting within the scope of the employee's employment is not liable if a loss results from the following:

(1) The natural condition of unimproved property.

(2) The condition of a reservoir, dam, canal, conduit, drain, or similar structure when used by a person for a purpose that is not foreseeable.

(3) The temporary condition of a public thoroughfare or extreme sport area that results from weather.

(4) The condition of an unpaved road, trail, or footpath, the purpose of which is to provide access to a recreation or scenic area.

(5) The design, construction, control, operation, or normal condition of an extreme sport area, if all entrances to the extreme sport area are marked with:

(A) a set of rules governing the use of the extreme sport area;

(B) a warning concerning the hazards and dangers associated with the use of the extreme sport area; and

(C) a statement that the extreme sport area may be used only by persons operating extreme sport equipment.

This subdivision shall not be construed to relieve a governmental entity from liability for the continuing duty to maintain extreme sports areas in a reasonably safe condition.

(6) The initiation of a judicial or an administrative proceeding.

(7) The performance of a discretionary function; however, the provision of medical or optical care as provided in ~~IC 34-6-2-38~~ **IC 34-6-2.1-54** shall be considered as a ministerial act.

(8) The adoption and enforcement of or failure to adopt or enforce:

(A) a law (including rules and regulations); or

(B) in the case of a public school or charter school, a policy;

unless the act of enforcement constitutes false arrest or false imprisonment.

(9) An act or omission performed in good faith and without malice under the apparent authority of a statute which is invalid if the employee would not have been liable had the statute been valid.

(10) The act or omission of anyone other than the governmental entity or the governmental entity's employee.

(11) The issuance, denial, suspension, or revocation of, or failure or refusal to issue, deny, suspend, or revoke any permit, license, certificate, approval, order, or similar authorization, where the 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 SEA 26-2025, SECTION 1, 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).

(xi) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(xii) 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).

(B) Any stolen (IC 35-43-4-2 or IC 35-43-4-2.2) or converted property (IC 35-43-4-3) if the retail or repurchase value of that property is one hundred dollars ($100) or more.

(C) Any hazardous waste in violation of IC 13-30-10-1.5.

(D) A bomb (as defined in IC 35-31.5-2-31) or weapon of mass destruction (as defined in IC 35-31.5-2-354) used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism (as defined by IC 35-31.5-2-329).

(2) All money, negotiable instruments, securities, weapons, communications devices, or any property used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism or commonly used as consideration for a violation of IC 35-48-4 (other than items subject to forfeiture under IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):

(A) furnished or intended to be furnished by any person in exchange for an act that is in violation of a criminal statute;

(B) used to facilitate any violation of a criminal statute; or

(C) traceable as proceeds of the violation of a criminal statute.

(3) Any portion of real or personal property purchased with money that is traceable as a proceed of a violation of a criminal statute.

(4) A vehicle that is used by a person to:

(A) commit, attempt to commit, or conspire to commit;

(B) facilitate the commission of; or

(C) escape from the commission of;

murder (IC 35-42-1-1), dealing in a controlled substance resulting 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 person to facilitate a violation of IC 24-3-5.

(13) Property used by a person to commit counterfeiting or forgery in violation of IC 35-43-5-2.

(14) After December 31, 2005, if a person is convicted of an offense specified in IC 25-26-14-26(b) or IC 35-43-10, the following real or personal property:

(A) Property used or intended to be used to commit, facilitate, or promote the commission of the offense.

(B) Property constituting, derived from, or traceable to the gross proceeds that the person obtained directly or indirectly as a result of the offense.

(15) Except as provided in subsection (e), a vehicle used by a person who operates the vehicle:

(A) while intoxicated, in violation of IC 9-30-5-1 through IC 9-30-5-5, if in the previous five (5) years the person has two (2) or more prior unrelated convictions for operating a motor vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5; or

(B) on a highway while the person's driving privileges are suspended in violation of IC 9-24-19-2 through IC 9-24-19-3, if in the previous five (5) years the person has two (2) or more prior unrelated convictions for operating a vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5.

If a court orders the seizure of a vehicle under this subdivision, the court shall transmit an order to the bureau of motor vehicles recommending that the bureau not permit a vehicle to be registered in the name of the person whose vehicle was seized until the person possesses a current driving license (as defined in IC 9-13-2-41).

(16) The following real or personal property:

(A) Property used or intended to be used to commit, facilitate, or promote the commission of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(B) Property constituting, derived from, or traceable to the gross proceeds that a person obtains directly or indirectly as a result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(17) Real or personal property, including a vehicle, that is used by a person to:

(A) commit, attempt to commit, or conspire to commit;

(B) facilitate the commission of; or

(C) escape from the commission of;

a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking) or IC 35-45-4-4 (promoting prostitution).

(18) A signal jammer (as defined in IC 35-31.5-2-305.5) that is used by a person to commit unlawful use of a signal jammer under IC 35-45-2-6.

(b) A vehicle used by any person as a common or contract carrier in the transaction of business as a common or contract carrier is not

subject to seizure under this section, 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).

(c) Equipment under subsection (a)(10) may not be seized unless it can be proven by a preponderance of the evidence that the owner of the equipment knowingly permitted the equipment to be used to engage in conduct that subjects it to seizure under subsection (a)(10).

(d) Money, negotiable instruments, securities, weapons, communications devices, or any property commonly used as consideration for a violation of IC 35-48-4 found near or on a person who is committing, attempting to commit, or conspiring to commit any of the following offenses shall be admitted into evidence in an action under this chapter as prima facie evidence that the money, negotiable instrument, security, or other thing of value is property that has been used or was to have been used to facilitate the violation of a criminal statute or is the proceeds of the violation of a criminal statute:

(1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in death).

(2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a narcotic drug).

(3) IC 35-48-4-1.1 (dealing in methamphetamine).

(4) IC 35-48-4-1.2 (manufacturing methamphetamine).

(5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance).

(6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

(7) IC 35-48-4-4 (dealing in a schedule V controlled substance) as a Level 4 felony.

(8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a Level 3, Level 4, or Level 5 felony.

(9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level 3, Level 4, or Level 5 felony.

(10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or salvia) as a Level 5 felony.

(11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing in a synthetic drug or synthetic drug lookalike substance) as a 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 relocation to IC 34-6-2.1))** by P.L.144-1991 apply only to a gift of a food item made after June 30, 1991.

SECTION 188. IC 34-30-15-8, AS AMENDED BY P.L.79-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) Communications to, the records of, and

determinations of a peer review committee may only be disclosed to:

(1) the peer review committee of:

(A) a hospital;

(B) a nonprofit health care organization (described in ~~IC 34-6-2-117(23));~~ **IC 34-6-2.1-165(23));**

(C) a preferred provider organization (including a preferred provider arrangement or reimbursement agreement under IC 27-8-11);

(D) a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-34-4);

(E) a provider organization (as defined in IC 16-18-2-296) that is not owned by a hospital that includes the provider organization's provision of services as part of the hospital's peer review committee review;

(F) another health facility; or

(G) a medical school located in Indiana of which the professional health care provider who is the subject of the peer review is a faculty member;

(2) the disciplinary authority of the professional organization of which the professional health care provider under question is a member; or

(3) the appropriate state board of registration and licensure that the committee considers necessary for recommended disciplinary action;

and shall otherwise be kept confidential for use only within the scope of the committee's work, unless the professional health care provider has filed a prior written waiver of confidentiality with the peer review committee.

(b) However, if a conflict exists between this section and IC 27-13-31, the provisions of IC 27-13-31 control.

SECTION 189. IC 34-30-15-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. There is no liability on the part of, and no action of any nature shall arise against, the personnel of a peer review committee for any act, statement made in the confines of the committee, or proceeding of the committee made in good faith in regard to evaluation of patient care as that term is defined and limited in ~~IC 34-6-2-44.~~ **IC 34-6-2.1-60.**

SECTION 190. IC 34-30-15-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. The personnel of a peer review committee shall be immune from any civil action arising from any determination made in good faith in regard to evaluation of

patient care as that term is defined and limited in ~~IC 34-6-2-44.~~ **IC 34-6-2.1-60.**

SECTION 191. IC 34-30-15-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. No restraining order or injunction shall be issued against a peer review committee or any of the personnel thereof to interfere with the proper functions of the committee acting in good faith in regard to evaluation of patient care as that term is defined and limited in ~~IC 34-6-2-44.~~ **IC 34-6-2.1-60.**

SECTION 192. IC 34-43-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. When a:

(1) subpoena coupled with a request under Rule 34 of the Indiana Rules of Trial Procedure;

(2) subpoena coupled with a patient's written authorization under ~~IC 34-6-2-15(2)~~ **IC 34-6-2.1-20(2)** (or IC 34-3-15.5-4 before its repeal); or

(3) court order;

requiring the production of a hospital medical record is served upon any hospital employee, the hospital employee with custody of the original hospital medical record may elect, instead of personally appearing and producing the original hospital medical record, to furnish the requesting party or the party's attorney with a photostatic copy of the hospital medical record, certified in accordance with section 7 of this chapter.

SECTION 193. IC 34-51-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. This chapter does not impose liability for prejudgment interest on the state or any political subdivision (as those terms are defined in ~~IC 34-6-2-140~~ **IC 34-6-2.1-193** and ~~IC 34-6-2-110).~~ **IC 34-6-2.1-155).**

SECTION 194. IC 34-55-6-5, AS AMENDED BY P.L.94-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The auctioneer's fee shall be a reasonable amount stated in the court's order.

(b) This subsection does not apply to a partition action. If the sale by use of an auctioneer has not been agreed to by the creditors in the proceedings and the sale price is less than the sale price described in ~~IC 34-6-2-35,~~ **IC 34-6-2.1-51,** the auctioneer is entitled only to the 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 meaning set forth in ~~IC 35-48-1-13.~~ **IC 35-48-1.1-12.**

SECTION 204. IC 35-31.5-2-100, AS AMENDED BY P.L.49-2020, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 100. (a) "Distribute", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8.

(b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set forth in IC 35-46-1-10(f).

(c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning set forth in IC 35-46-1-10.2(g).

(d) "Distribute", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-6.

(e) "Distribute", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-14.~~ **IC 35-48-1.1-13.**

(f) "Distribute", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-2.

SECTION 205. IC 35-31.5-2-101, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 101. "Distributor", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-15.~~ **IC 35-48-1.1-14.**

SECTION 206. IC 35-31.5-2-104, AS AMENDED BY P.L.158-2013, SECTION 367, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 104. "Drug", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.~~ **IC 35-48-1.1-15.**

SECTION 207. IC 35-31.5-2-117.5, AS ADDED BY P.L.158-2013, SECTION 369, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 117.5. "Enhancing circumstance", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.5.~~ **IC 35-48-1.1-18.**

SECTION 208. IC 35-31.5-2-127.5, AS ADDED BY P.L.182-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 127.5. "Facility", for purposes of ~~IC 35-48-1-16.5,~~ **IC 35-48-1.1-18,** has the meaning set forth in ~~IC 35-48-1-16.5.~~ **IC 35-48-1.1-18.**

SECTION 209. IC 35-31.5-2-130.5, AS ADDED BY P.L.119-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 130.5. "Fentanyl related substance", for purposes of IC 35-48, has the meaning set forth in ~~IC 35-48-1-16.6.~~ **IC 35-48-1.1-20.**

SECTION 210. IC 35-31.5-2-130.6, AS ADDED BY P.L.48-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 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).

~~(H)~~ JWH-250 (1-pentyl-3-(2-methoxyphenylacetyl)indole).

~~(I)~~ JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole).

~~(J)~~ JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).

~~(K)~~ HU-210 ((6aR,10aR)- 9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)-

6a,7,10,10a-tetrahydrobenzo [c]chromen- 1-ol).
~~(L)~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)- 6,6-dimethyl-3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol).
~~(M)~~ HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan- 2-yl)phenyl]-
7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol).
~~(N)~~ HU-331 (3-hydroxy-2- [(1R,6R)-3-methyl-6-(1-methylethenyl)-2 -cyclohexen-1-yl]-5 -pentyl-2,5-cyclohexadiene-1,4-dione).
~~(O)~~ CP 55,940
(2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5- (2-methyloctan-2-yl)phenol).
~~(P)~~ CP 47,497 (2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol) and its homologues, or
2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol), where side chain n=5, and homologues where side chain n=4, 6, or 7.
~~(Q)~~ WIN 55212-2
((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo [1,2,3-de)- 1,4- benzoxazin-
6-yl]-1-napthalenylmethanone).
~~(R)~~ RCS-4 ((4-methoxyphenyl)
(1-pentyl-1H-indol-3-yl)methanone).
~~(S)~~ RCS-8 (1-(1-(2-cyclohexylethyl)-1H-
indol-3-yl)-2-(2-methoxyphenyl)ethanone).
~~(T)~~ 4-Methylmethcathinone. Other name: mephedrone.
~~(U)~~ 3,4-Methylenedioxymethcathinone. Other name: methylone.
~~(V)~~ Fluoromethcathinone.
~~(W)~~ 4-Methoxymethcathinone. Other name: methedrone.
~~(X)~~ 4-Ethylmethcathinone (4-EMC).
~~(Y)~~ Methylenedioxypyrovalerone. Other name: MDPV.
~~(Z)~~ JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole.
~~(AA)~~ JWH-098, or
1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole.
~~(BB)~~ JWH-164, or
1-pentyl-3-(7-methoxy-1-naphthoyl)indole.
~~(CC)~~ JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole.
~~(DD)~~ JWH-201, or
1-pentyl-3-(4-methoxyphenylacetyl)indole.
~~(EE)~~ JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole.

~~(FF)~~ AM-694, or
1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
~~(GG)~~ CP 50,556-1, or
[(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpe
ntan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1
-yl] acetate.
~~(HH)~~ Dimethylheptylpyran, or DMHP.
~~(II)~~ 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP.
~~(JJ)~~ 6-APB [6-(2-aminopropyl)benzofuran].
~~(LL)~~ 7-hydroxymitragynine.
~~(MM)~~ α-PPP [α-pyrrolidinopropiophenone].
~~(NN)~~ α-PVP (desmethylpyrovalerone).
~~(OO)~~ AM-251.
~~(PP)~~ AM-1241.
~~(QQ)~~ AM-2201.
~~(RR)~~ AM-2233.
~~(SS)~~ Buphedrone (α-methylamino-butyrophenone (MABP)).
~~(TT)~~ Butylone.
~~(UU)~~ CP-47,497-C7.
~~(VV)~~ CP-47,497-C8.
~~(WW)~~ Desoxypipradol.
~~(XX)~~ Ethylone.
~~(YY)~~ Eutylone.
~~(ZZ)~~ Flephedrone.
~~(AAA)~~ JWH-011.
~~(BBB)~~ JWH-020.
~~(CCC)~~ JWH-022.
~~(DDD)~~ JWH-030.
~~(EEE)~~ JWH-182.
~~(FFF)~~ JWH-302.
~~(GGG)~~ MDAI [5,6-methylenedioxy-2-aminoindane].
~~(HHH)~~ Mitragynine.
~~(III)~~ Naphyrone.
~~(JJJ)~~ Pentedrone.
~~(LLL)~~ Pentylone.
~~(MMM)~~ A796,260 [1-(2-morpholin-4-ylethyl)-1H-indol-3-yl]-
(2,2,3,3-tetramethylcyclopropyl)methanone].
~~(NNN)~~ AB-001[(1s,3s)-admantan-1-yl)
(1-pentyl-1H-indol-3-yl)methanone] or [1-Pentyl-3-
(1-adamantoyl)indole].
~~(OOO)~~ AM-356 [Methanandamide].
~~(PPP)~~ AM 1248 [1-[(1-methyl-2- piperidinyl) methyl]-

1H-indol-3-yl] tricyclo[3.3.1.13,7] dec-1-yl-methanone]or [(1-[(N-methylpiperindin-2-yl)
Methyl]-3-(Adamant-1-oyl)indole)].
~~(QQQ)~~ AM 2233 Azepane isomer [(2-iodophenyl) (1-(1-methylazepan-3-yl)- 1H-indol-3-yl)methanone].
~~(RRR)~~ CB-13 [1-Naphthalenyl
[4-(pentyoxy)- 1-naphthalenyl]methanone].
~~(SSS)~~ UR-144 [(1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)-methanone].
~~(TTT)~~ URB 597 [(3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-cyclohexylcarbamate].
~~(UUU)~~ URB602 [[1,1'-biphenyl]- 3-yl-carbamic acid, cyclohexyl ester].
~~(VVV)~~ URB 754 [6-methyl-2-[(4-methylphenyl) amino]-1-benzoxazin-4-one].
~~(WWW)~~ XLR-11 or 5-fluoro UR-144
(1-(5-fluoropentyl)-1H-indol-3-yl)
(2,2,3,3-tetramethylcyclopropyl)methanone].
~~(XXX)~~ AKB48 (Other names include: N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide; 1-pentyl-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indazole-3-carboxamide).
~~(YYY)~~ 25I-NBOMe (Other names include: 4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine);
2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine).
~~(ZZZ)~~ 2C-C-NBOMe (Other names include: 25C-NBOMe; 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl) methyl]ethanamine;
2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl) phenethylamine).
~~(AAAA)~~ 2NE-1 (Other names include: 1-Pentyl-3-(1-adamantylamido)indole).
~~(BBBB)~~ STS-135 (Other names include: N-Adamantyl-1-fluoropentylindole-3- carboxamide (1-5-fluoropentyl)-N-tricyclo[3.3.1.13.7]dec-1-yl-1H-indole-3-carboxamide).
~~(CCCC)~~ PB-22 (Other names include: 1-Pentyl-8-quinolinlyl ester-1H-indole-2-carboxylic acid).
~~(DDDD)~~ 5-Fluoro-PB-22 (Other names include: 1-(5-Fluropentyl)-8-quinolinyl ester1H-indole-3-carboxylic

acid).
~~(EEEE)~~ Benocyclidine (Other names include: BCP, BTCP, and Benzothiophenylcyclohexylpiperidine).
~~(FFFF)~~ 25B-NBOMe (Other names include: 2C-B-NBOMe and 4-Bromo-2,
5-dimenthoxy-N-[(2-Methozyphenyl)methyl]
benzeneethanamine).
~~(GGGG)~~ APB (Other names include: (2-Aminopropyl) Benzofuran).
~~(HHHH)~~ AB-PINACA
(N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide.
~~(IIII)~~ AB-FUBINACA
(N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).
~~(JJJJ)~~ ADB-PINACA
(N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indaole-3-carboxamide).
~~(KKKK)~~ Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-(fluoropentyl)-1H-indole-3-carboxamide).
~~(LLLL)~~ APDB (Other names include: -EMA, -Desoxy-MDA, and (2-Aminopropyl)-2,3-
dihydrobenzofuran).
~~(MMMM)~~ THJ-2201 (Other names include: AM2201 indazole analog, Fluoropentyl-JWH-018 indazole, and 5-Fluoro-THJ-018).
~~(NNNN)~~ AM 2201 benzimidazole analog (Other names include: FUBIMINA, FTHJ, and (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalene-1-yl)methanone).
~~(OOOO)~~ MN-25 (Other names include: 7-methoxy-1-[2-(4-morpholinyl)ethyl]-N-[1S, 2S, 4R)-1,3,3-trimethylbicyclo[2.2.1]hept-2-yl]-1H-indole-3-carboxamide and UR-12).
~~(PPPP)~~ FUB-PB-22 (Other names include: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).
~~(QQQQ)~~ FUD-PB-22 (Other names include: Naphthalen-1-yl-1-(4-fluorobenzyl)-1H-indole-3-carboxylate).
~~(RRRR)~~ 5-Fluoro-AB-PINACA (Other names include: AB-PINACA 5-fluoro analog and N-(1-amino-3-methyl1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxaminde).

~~(SSSS)~~ 4-MePPP (Other names include: 4-methyl-alpha-pyrrolidinopropiophenone).
~~(TTTT)~~ alpha-PBP (Other names include: Alpha-pyrrolidinobutiophenone).
~~(UUUU)~~ AB-CHMINACA (Other names include: (N-[1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide).
~~(VVVV)~~ Mexedrone
(3-methoxy-2-(methylamino)-1-(p-tolyl)propan-1-one).
~~(WWWW)~~ MT-45,
(1-cyclohexyl-4-(1,2-diphenylethyl)piperazine).
~~(XXXX)~~ methyl 2-(1-(5-fluoropentyl)- 1H-indazole-3-carboxamido) -3,3-dimethylbutanoate [5F-ADB; 5F-MDMB-PINACA].
~~(YYYY)~~ methyl 2-(1-(5-fluoropentyl)-1H- indazole-3-carboxamido)-3-methylbutanoate [5F-AMB].
~~(ZZZZ)~~ N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl) -1-(4-fluorobenzyl)- 1H-indazole-3-carboxamide [ADB-FUBINACA].
~~(AAAAA)~~ N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3- carboxamide [5F-APINACA, 5F-AKB48].
~~(BBBBB)~~ methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate [MDMB-CHMICA, MMB-CHMINACA].
~~(CCCCC)~~ methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)- 3,3-dimethylbutanoate [MDMB-FUBINACA].
~~(DDDDD)~~ N-(1-amino-3,3-dimethyl-1 -oxobutan-2-yl)-1-(cyclohexylmethyl)- 1H-indazole-3-carboxamide [MAB-CHMINACA and ADB-CHMINACA].
~~(EEEEE)~~ Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)- 3-methylbutanoate [FUB-AMB, MMB-FUBINACA, AMB-FUBINACA].
~~(FFFFF)~~ 3,4-dichloro-N-[(1dimethylamino)cyclohexylmethyl]benzamide) [AH7921].
~~(GGGGG)~~ Naphthalen-1-yl 1-(5-fluoropentyl)-1 H-indole-3-carboxylate (trivial name: NM2201; CBL2201)
~~(HHHHHH)~~ 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1 H-indazole-3-carboxamide (trivial name: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINA CA; 4-CN-CUMYL BINACA; CUMYL-4CN-BINACA; SGT-78).
~~(IIIII)~~ methyl 2-(1-(cyclohexylmethyl)-1

H-indole-3-carboxamido)-3-methylbutanoate (trivial names: MMB-CHMICA, AMB-CHMICA).

~~(JJJJJ)~~ 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-b]pyridine-3-carboxamide (trivial name: 5F-CUMYL-P7AICA).

~~(KKKKK)~~ N-1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-p entanone (N-ethylpentylone, ephylone).

~~(LLLLL)~~ Synthetic cathinone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)- pentan-1-one (N-ethylpentylone, ephylone) and its optical, positional, and geometric isomers, salts, and salts of isomers.

~~(MMMMM)~~ ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (trivial name: 5F-EDMB-PINACA).

~~(NNNNN)~~ methyl 2-(1-(5- fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (trivial name: 5F-MDMB-PICA).

~~(OOOOO)~~ N- (adamantan- 1-yl)- 1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N- (4-FLUOROBENZYL)).

~~(PPPPP)~~ 1-(5- fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (trivial names: 5F-CUMYL-PINACA; SGT-25).

~~(QQQQQ)~~ (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone (trivial name: FUB-144).

~~(RRRRR)~~ 4F-MDMB-BINACA.

~~(SSSSS)~~ N-ethylhexedrone (2-(ethylamino)-1-phenylhexan-1-one).

~~(TTTTT)~~ alpha-pyrrolidinohexanophenone (1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one.

~~(UUUUU)~~ alpha-pyrrolidinohexiophenone; trivial name: a-PHP.

~~(VVVVV)~~ 4'-methyl-alpha-pyrrolidinohexiophenone (1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one.

~~(WWWWW)~~ 4-methyl-alphaethylaminopentiophenone (2-(ethylamino)-1-(4-methylphenyl)pentan-1-one; trivial name: 4–MEAP.

~~(XXXXX)~~ 4'-methyl-alphapyrrolidinohexanophenone; trivial name: MPHP.

~~(YYYYY)~~ alphapyrrolidinoheptaphenone (1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one; trivial name: PV8.

~~(ZZZZZ)~~ 4'-chloro-alphapyrrolidinovalerophenone (1-(4-chlorophenyl)-2-(pyrrolidin-1- yl)pentan-1-one.

~~(AAAAAA)~~ 4'-chloro-alphapyrrolidinopentiophenone; trivial name: 4-chloro-a-PVP.

~~(BBBBBB)~~ MDMB-4en-PINACA; Methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1H[1]indazole-3-carboxamido)butanoate.

~~(CCCCCC)~~ 4F-MDMB-BICA; 4-fluoro MDMB-BICA; 4F-MDMB-BUTICA; Methyl 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3, 3-dimethyl-butanoate. Other name: 4-fluoro MDMB-BICA.

(2) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)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 naphthyl ring to any extent.

(3) Any compound structurally derived from 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)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 pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent.

(4) Any compound structurally derived from 1-(1-naphthylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)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 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-piperidinyl)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-piperidinyl)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-piperidinyl)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 court;

(13) a detainer or notice of action for the person issued by the United States Department of Homeland Security; or

(14) probable cause to believe that the person has been indicted for or convicted of one (1) or more aggravated felonies (as

defined in 8 U.S.C. 1101(a)(43)).

(b) A person who:

(1) is employed full time as a federal enforcement officer;

(2) is empowered to effect an arrest with or without warrant for a violation of the United States Code; and

(3) is authorized to carry firearms in the performance of the person's duties;

may act as an officer for the arrest of offenders against the laws of this state where the person reasonably believes that a felony has been or is about to be committed or attempted in the person's presence.

(c) A law enforcement officer who arrests a child or takes a child into custody as described in IC 31-37-4-3.5 shall make a reasonable attempt to notify:

(1) the child's parent, guardian, or custodian; or

(2) the emergency contact listed on the child's school record;

that the child has been arrested or taken into custody.

SECTION 229. IC 35-38-1-7.5, AS AMENDED BY P.L.142-2020, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) As used in this section, "sexually violent predator" means a person who suffers from a mental abnormality or personality disorder that makes the individual likely to repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The term includes a person convicted in another jurisdiction who is identified as a sexually violent predator under IC 11-8-8-20. The term does not include a person no longer considered a sexually violent predator under subsection (g).

(b) A person who:

(1) being at least eighteen (18) years of age, commits an offense described in:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3 as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(D) IC 35-42-4-5(a)(1);

(E) IC 35-42-4-5(a)(2);

(F) IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

(G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a crime committed before July 1, 2014) or Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(H) IC 35-42-4-5(b)(2); or

(I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(2) commits a sex offense (as defined in IC 11-8-8-5.2) while having a previous unrelated conviction for a sex offense for which the person is required to register as a sex or violent offender under IC 11-8-8;

(3) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if, after considering expert testimony, a court finds by clear and convincing evidence that the person is likely to commit an additional sex offense; or

(4) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if the person was required to register as a sex or violent offender under IC 11-8-8-5(b)(2);

is a sexually violent predator. Except as provided in subsection (g) or (h), a person is a sexually violent predator by operation of law if an offense committed by the person satisfies the conditions set forth in subdivision (1) or (2) and the person was released from incarceration, secure detention, probation, or parole for the offense after June 30, 1994.

(c) This section applies whenever a court sentences a person or a juvenile court issues a dispositional decree for a sex offense (as defined in IC 11-8-8-5.2) for which the person is required to register with the local law enforcement authority under IC 11-8-8.

(d) At the sentencing hearing, the court shall indicate on the record whether the person has been convicted of an offense that makes the person a sexually violent predator under subsection (b).

(e) If a person is not a sexually violent predator under subsection (b), the prosecuting attorney may request the court to conduct a hearing to determine whether the person (including a child adjudicated to be a delinquent child) is a sexually violent predator under subsection (a). If the court grants the motion, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person is a sexually violent predator under subsection (a). A hearing conducted under this subsection may be combined with the person's

sentencing hearing.

(f) If a person is a sexually violent predator:

(1) the person is required to register with the local law enforcement authority as provided in IC 11-8-8; and

(2) the court shall send notice to the department of correction.

(g) This subsection does not apply to a person who has two (2) or more unrelated convictions for an offense described in IC 11-8-8-4.5 for which the person is required to register under IC 11-8-8. A person who is a sexually violent predator may petition the court to consider whether the person should no longer be considered a sexually violent predator. The person may file a petition under this subsection not earlier than ten (10) years after:

(1) the sentencing court or juvenile court makes its determination under subsection (e); or

(2) the person is released from incarceration or secure detention.

A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered a sexually violent predator. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered a sexually violent predator under subsection (a). If a court finds that the person should no longer be considered a sexually violent predator, the court shall send notice to the department of correction that the person is no longer considered a sexually violent predator or an offender against children. Notwithstanding any other law, a condition imposed on a person due to the person's status as a sexually violent predator, including lifetime parole or GPS monitoring, does not apply to a person no longer considered a sexually violent predator.

(h) A person is not a sexually violent predator by operation of law under subsection (b)(1) if all of the following conditions are met:

(1) The victim was not less than twelve (12) years of age at the time the offense was committed.

(2) The person is not more than four (4) years older than the victim.

(3) 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.

(4) The offense committed by the person was not any of the following:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) An offense committed by using or threatening the use of deadly force or while armed with a deadly weapon.

(D) An offense that results in serious bodily injury.

(E) An offense that 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.

(5) 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.

(6) The person did not have a position of authority or substantial influence over the victim.

(7) The court finds that the person should not be considered a sexually violent predator.

SECTION 230. IC 35-38-1-10.5, AS AMENDED BY P.L.56-2023, SECTION 319, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.5. (a) The court:

(1) shall order that a person undergo a screening test for the human immunodeficiency virus (HIV) if the person is:

(A) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(B) convicted of an offense relating to controlled substances and the offense involved:

(i) the delivery by any person to another person; or

(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; and

(2) may order that a person undergo a screening test for a serious disease (as defined in IC 16-41-8-5) in accordance with IC 16-41-8-5.

(b) If the screening test required by this section indicates the

presence of antibodies to HIV, the court shall order the person to undergo a confirmatory test.

(c) If the confirmatory test confirms the presence of the HIV antibodies, the court shall report the results to the Indiana department of health and require a probation officer to conduct a presentence investigation to:

(1) obtain the medical record of the convicted person from the Indiana department of health under IC 16-41-8-1(b)(3); and

(2) determine whether the convicted person had received risk counseling that included information on the behavior that facilitates the transmission of HIV.

(d) A person who, in good faith:

(1) makes a report required to be made under this section; or

(2) testifies in a judicial proceeding on matters arising from the report;

is immune from both civil and criminal liability due to the offering of that report or testimony.

(e) The privileged communication between a husband and wife or between a health care provider and the health care provider's patient is not a ground for excluding information required under this section.

(f) A mental health service provider (as defined in ~~IC 34-6-2-80)~~ **IC 34-6-2.1-123)** who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality.

SECTION 231. IC 35-38-2-2.3, AS AMENDED BY HEA 1687-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.3. (a) As a condition of probation, the court may require a person to do a combination of the following:

(1) Work faithfully at suitable employment or faithfully pursue a course of study or career and technical education that will equip the person for suitable employment.

(2) Undergo available medical or psychiatric treatment and remain in a specified institution if required for that purpose.

(3) Attend or reside in a facility established for the instruction, recreation, or residence of persons on probation.

(4) Participate in a treatment program, educational class, or rehabilitative service provided by a probation department or by referral to an agency.

(5) Support the person's dependents and meet other family responsibilities.

(6) Make restitution or reparation to the victim of the crime for damage or injury that was sustained by the victim. When

restitution or reparation is a condition of probation, the court shall fix the amount, which may not exceed an amount the person can or will be able to pay, and shall fix the manner of performance.

(7) Execute a repayment agreement with the appropriate governmental entity to repay the full amount of public relief or assistance wrongfully received, and make repayments according to a repayment schedule set out in the agreement.

(8) Pay a fine authorized by IC 35-50.

(9) Refrain from possessing a firearm or other deadly weapon unless granted written permission by the court or the person's probation officer.

(10) Report to a probation officer at reasonable times as directed by the court or the probation officer.

(11) Permit the person's probation officer to visit the person at reasonable times at the person's home or elsewhere.

(12) Remain within the jurisdiction of the court, unless granted permission to leave by the court or by the person's probation officer.

(13) Answer all reasonable inquiries by the court or the person's probation officer and promptly notify the court or probation officer of any change in address or employment.

(14) Perform uncompensated work that benefits the community.

(15) Satisfy other conditions reasonably related to the person's rehabilitation.

(16) Undergo home detention under IC 35-38-2.5.

(17) Undergo a laboratory test or series of tests approved by the Indiana department of health to detect and confirm the presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV), if:

(A) the person had been convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(B) the person had been convicted of an offense relating to a controlled substance and the offense involved:

(i) the delivery by any person to another person; or

(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) Subject to subsection (i), 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:

(1) a person who is required to register as a sex or violent offender (as defined in IC 11-8-8-5); or

(2) 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.

(i) Supervision of a person who is required to register as a sex or violent offender (as defined in IC 11-8-8-5) may not be transferred under subsection (e) during the period in which the sex or violent offender is required to register unless, after considering the factors described in subsection (j):

(1) the supervising court in the receiving county issues an order approving the transfer; and

(2) the supervising court in the sending county issues an order authorizing the transfer.

(j) As used in this subsection, "family member" means a spouse, parent, grandparent, aunt, uncle, or adult child, including by adoption, half-blood, marriage, or remarriage. In determining whether to approve the transfer of a sex or violent offender under subsection (i), the courts shall consider whether the sex or violent offender has:

(1) a family member who resides in the receiving county;

(2) verified employment in the receiving county; and

(3) verified living arrangements, not including a communal housing arrangement for released prisoners, in the receiving county.

(k) The supervising court in the receiving county and the supervising court in the sending county shall each enter a written order either approving or denying the transfer. The order must include factual findings related to each of the factors described in subsection (j).

(l) An order denying the transfer is a final appealable order.

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 SEA 219-2025, SECTION 1, 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 having been denied entry by the other person, that person's agent, or a law enforcement officer acting on behalf of the other person or that person's agent;

(2) not having a contractual interest in the property, knowingly or intentionally refuses to leave the real property of another person after having been asked to leave by the other person, that person's agent, or a law enforcement officer acting on behalf of the other person or that person's agent;

(3) accompanies another person in a vehicle, with knowledge that the other person knowingly or intentionally is exerting unauthorized control over the vehicle;

(4) knowingly or intentionally interferes with the possession or use of the property of another person without the person's consent;

(5) not having a contractual interest in the property, knowingly or intentionally enters the:

(A) property of an agricultural operation that is used for the production, processing, propagation, packaging, cultivation, harvesting, care, management, or storage of an animal, plant, or other agricultural product, including any pasturage or land used for timber management, without the consent of the owner

of the agricultural operation or an authorized person; or

(B) dwelling of another person without the person's consent;

(6) knowingly or intentionally:

(A) travels by train without lawful authority or the railroad carrier's consent; and

(B) rides on the outside of a train or inside a passenger car, locomotive, or freight car, including a boxcar, flatbed, or container without lawful authority or the railroad carrier's consent;

(7) not having a contractual interest in the property, knowingly or intentionally enters or refuses to leave the property of another person after having been prohibited from entering or asked to leave the property by a law enforcement officer when the property is:

(A) vacant real property (as defined in IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6); or

(B) designated by a municipality or county enforcement authority to be:

(i) abandoned property or an abandoned structure (as defined in IC 36-7-36-1); or

(ii) an unsafe building or an unsafe premises (as described in IC 36-7-9);

(8) not having a contractual interest in the property, knowingly or 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 of property that is locked; or

(B) refuses to leave an area of a property that is otherwise not accessible to the public, after being asked to leave the area of a property by a law enforcement officer or an employee or agent of the owner or operator of the property;

commits criminal trespass, a Class A misdemeanor. However, the offense is a Level 6 felony if it is committed on a scientific research facility, on a facility belonging to a public utility (as defined in IC 32-24-1-5.9(a)), on school property, or on a school bus or the person has a prior unrelated conviction for an offense under this section concerning the same property. The offense is a Level 6 felony, for purposes of subdivision (8), if the property damage is more than seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000). The offense is a Level 5 felony, for purposes of subdivisions (8) and (9), if the property damage is at least fifty thousand dollars ($50,000).

(c) A person has been denied entry under subsection (b)(1) when the person has been denied entry by means of:

(1) personal communication, oral or written;

(2) posting or exhibiting a notice at the main entrance in a manner that is either prescribed by law or likely to come to the attention of the public;

(3) a hearing authority or court order under IC 32-30-6, IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36; or

(4) posting the property by placing identifying purple marks on trees or posts around the area where entry is denied.

(d) For the purposes of subsection (c)(4):

(1) each purple mark must be readily visible to any person approaching the property and must be placed:

(A) on a tree:

(i) as a vertical line of at least eight (8) inches in length and with the bottom of the mark at least three (3) feet and not more than five (5) feet from the ground; and

(ii) not more than one hundred (100) feet from the nearest other marked tree; or

(B) on a post:

(i) with the mark covering at least the top two (2) inches of the post, and with the bottom of the mark at least three (3) feet and not more than five (5) feet six (6) inches from the ground; and

(ii) not more than thirty-six (36) feet from the nearest other 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).
(11) Carjacking (IC 35-42-5-2) (before its repeal).
(12) Arson (IC 35-43-1-1).
(13) Burglary (IC 35-43-2-1).
(14) Theft (IC 35-43-4-2).
(15) Receiving stolen property (IC 35-43-4-2) (before its amendment on July 1, 2018).
(16) Forgery (IC 35-43-5-2).
(17) An offense under IC 35-43-5.
(18) Bribery (IC 35-44.1-1-2).
(19) Official misconduct (IC 35-44.1-1-1).
(20) Conflict of interest (IC 35-44.1-1-4).
(21) Perjury (IC 35-44.1-2-1).
(22) Obstruction of justice (IC 35-44.1-2-2).
(23) Intimidation (IC 35-45-2-1).
(24) Promoting prostitution (IC 35-45-4-4).
(25) Professional gambling (IC 35-45-5-3).
(26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).

(27) Promoting professional gambling (IC 35-45-5-4).

(28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(29) Dealing in methamphetamine (IC 35-48-4-1.1).

(30) Manufacturing methamphetamine (IC 35-48-4-1.2).

(31) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(32) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(33) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(34) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(35) Money laundering (IC 35-45-15-5).

(36) A violation of IC 35-47.5-5.

(37) A violation of any of the following:

(A) IC 23-14-48-9.

(B) IC 30-2-9-7(b).

(C) IC 30-2-10-9(b).

(D) IC 30-2-13-38(f).

(38) Practice of law by a person who is not an attorney (IC 33-43-2-1).

(39) An offense listed in 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).

(40) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(41) Organized retail theft (IC 35-43-4-2.2).

SECTION 241. IC 35-45-21-5, AS ADDED BY P.L.158-2013, SECTION 547, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The following definitions apply throughout this section:

(1) "Health care provider" refers to a health care provider (as defined in IC 16-18-2-163(a), IC 16-18-2-163(b), or IC 16-18-2-163(c)) or a qualified medication aide as described in IC 16-28-1-11.

(2) "Licensed health professional" has the meaning set forth in IC 25-23-1-27.1.

(3) "Practitioner" has the meaning set forth in IC 16-42-19-5. However, the term does not include a veterinarian.

(4) "Prescription drug" has the meaning set forth in ~~IC 35-48-1-25.~~ **IC 35-48-1.1-35.**

(b) A person who knowingly or intentionally physically interrupts, obstructs, or alters the delivery or administration of a prescription drug:

(1) prescribed or ordered by a practitioner for a person who is a patient of the practitioner; and

(2) without the prescription or order of a practitioner;

commits interference with medical services, a Class A misdemeanor, except as provided in subsection (c).

(c) An offense described in subsection (b) is:

(1) a Level 6 felony if the offense results in bodily injury;

(2) a Level 5 felony if it is committed by a person who is a licensed health care provider or licensed health professional;

(3) a Level 4 felony if it results in serious bodily injury to the patient; and

(4) a Level 2 felony if it results in the death of the patient.

(d) A person is justified in engaging in conduct otherwise prohibited under this section if the conduct is performed by:

(1) a health care provider or licensed health professional who acts in good faith within the scope of the person's practice or employment; or

(2) a person who is rendering emergency care at the scene of an emergency or accident in a good faith attempt to avoid or minimize serious bodily injury to the patient.

SECTION 242. IC 35-46-1-8, AS AMENDED BY P.L.252-2017, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a child to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor, except as provided in subsections (b) through (e).

(b) If the delinquent act described in subsection (a) would be a felony if committed by an adult, the offense described in subsection (a) is a felony of the same level as the delinquent act would be if committed by an adult.

(c) The offense described in subsection (a) is a Level 5 felony if:

(1) the person committing the offense is at least twenty-one (21) years of age and knowingly or intentionally furnishes:

(A) an alcoholic beverage to a child in violation of IC 7.1-5-7-8 when the person committing the offense knew or

reasonably should have known that the person furnished the alcoholic beverage was a child; or

(B) a controlled substance (as defined in ~~IC 35-48-1-9)~~ **IC 35-48-1.1-7)** or a drug (as defined in IC 9-13-2-49.1) in violation of Indiana law; and

(2) the consumption, ingestion, or use of the alcoholic beverage, controlled substance, or drug is the proximate cause of the death of any person.

(d) Except as provided in subsection (c), the offense described in subsection (a) is a Level 6 felony if:

(1) the person committing the offense is at least twenty-one (21) years of age;

(2) the child who commits the delinquent act is less than sixteen (16) years of age; and

(3) the act would be a misdemeanor if committed by an adult.

(e) If the person who commits the offense described in subsection (a) is at least twenty-one (21) years of age, and the child who commits the delinquent act is less than sixteen (16) years of age, the offense is:

(1) a Level 5 felony if the delinquent act would be a Level 6 felony if committed by an adult;

(2) a Level 4 felony if the delinquent act would be a Level 5 felony if committed by an adult;

(3) a Level 3 felony if the delinquent act would be a Level 4 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 treatment in a drug abuse facility within five (5) years prior to the date of application.

SECTION 246. IC 35-47-11.1-1, AS ADDED BY P.L.152-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies to a political subdivision (as defined in ~~IC 3-5-2-38).~~ **IC 3-5-2.1-79).**

SECTION 247. IC 35-47-16-1, AS ADDED BY P.L.147-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. A judicial officer:

(1) may possess and use a firearm in the same locations that a law enforcement officer who is authorized to carry a firearm under IC 5-2-1 may possess a firearm while the law enforcement officer is engaged in the execution of the law enforcement officer's official duties; and

(2) may not be prohibited from possessing a firearm on land or in buildings and other structures owned or leased by:

(A) the state or any agency of state government; or

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

IC 3-5-2.1-79).

SECTION 248. IC 35-48-1 IS REPEALED [EFFECTIVE JULY 1, 2025]. (Definitions for Controlled Substances Law).

SECTION 249. IC 35-48-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 1.1. Definitions

Sec. 1. Section 8 of this chapter (formerly IC 35-48-1-9.3, as added by P.L.225-2003) applies only to a controlled substance offense under IC 35-48-4 that occurs after June 30, 2003.

Sec. 2. The definitions in this chapter apply throughout this article.

Sec. 3. "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(1) a practitioner or by the practitioner's authorized agent; or

(2) the patient or research subject at the direction and in the presence of the practitioner.

Sec. 4. "Agent" means an authorized person who acts on behalf of, or at the direction of, a manufacturer, distributor, or dispenser, but it does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

Sec. 5. "Board" refers to the Indiana state board of pharmacy.

Sec. 6. "Cocaine" includes coca leaves and any salt, compound, or derivative of coca leaves, and any salt, compound, isomer, derivative, or preparation which is chemically equivalent or identical to any of these substances. However, decocainized coca leaves or extraction of coca leaves that do not contain cocaine or ecgonine are not included.

Sec. 7. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:

(1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or

(2) a rule adopted by the board, if IC 35-48-2-14 applies.

The term does not include low THC hemp extract.

Sec. 8. (a) "Controlled substance analog" means a substance that, due to its chemical structure and potential for abuse or misuse, meets the following criteria:

(1) The substance is substantially similar to a controlled substance classified under IC 35-48-2.

(2) The substance has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system or is

represented or intended to have a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than that of a controlled substance classified under IC 35-48-2.

(b) The definition set forth in subsection (a) does not include:

(1) a controlled substance;

(2) a legend drug;

(3) a substance for which there is an approved new drug application;

(4) any compound, mixture, or preparation that contains any controlled substance, that is not for administration to a human being or an animal, and that is packaged in a form or concentration, or with adulterants or denaturants, such that as packaged it does not present any significant potential for abuse;

(5) a substance to which an investigational exemption applies under Section 505 of the federal Food, Drug and Cosmetic Act (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the extent that conduct with respect to the substance is pursuant to the exemption; or

(6) low THC hemp extract.

(c) For purposes of subsection (a), "substantially similar", as it applies to the chemical structure of a substance, means that the chemical structure of the substance, when compared to the structure of a controlled substance, has a single difference in the structural formula that substitutes one (1) atom or functional group for another, including:

(1) one (1) halogen for another halogen;

(2) one (1) hydrogen for a halogen;

(3) one (1) halogen for a hydrogen; or

(4) an alkyl group added or deleted:

(A) as a side chain to or from a molecule; or

(B) from a side chain of a molecule.

Sec. 9. "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

Sec. 10. "Delivery" means:

(1) an actual or constructive transfer from one (1) person to another of a controlled substance, whether or not there is an

agency relationship; or

(2) the organizing or supervising of an activity described in subdivision (1).

Sec. 11. "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner and includes the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

Sec. 12. "Dispenser" means a practitioner who dispenses.

Sec. 13. "Distribute" means to deliver other than by administering or dispensing a controlled substance.

Sec. 14. "Distributor" means a person who distributes.

Sec. 15. (a) Except as provided in subsection (b), "drug" has the meaning set forth in IC 16-42-19-2. It does not include devices or their components, parts, or accessories, nor does it include food.

(b) For purposes of IC 35-48-4, "drug":

(1) has the meaning set forth in subsection (a); and

(2) includes a controlled substance (as defined in section 7 of this chapter) and a controlled substance analog (as defined in section 8 of this chapter).

Sec. 16. "Drug offense" means a felony or misdemeanor involving the production, delivery, sale, or possession of a controlled substance.

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-fluoroisobutyryl fentanyl.

(2) Acetyl fentanyl (Other names include: N-(1-phenethylpiperidin-4-yl)- N- phenylacetamide).

(3) Cyclopentyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide.

(4) Fentanyl related substances.

(5) Furanyl fentanyl.

(6) Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N- phenylisobutyramide.

(7) Methoxyacetyl fentanyl. Other name: 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide.

(8) 3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-piperidyl] - N-phenyl-propanimide] (9813).

(9) 3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9833).

(10) N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide (para-chloroisobutyryl fentanyl).

(11) N-(2-fluorophenyl)-2-methoxy-

N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil).

(12) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide (para-fluorobutyryl fentanyl).

(13) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl).

(14) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl).

(15) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide (para-methoxybutyryl fentanyl).

(16) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834).

(17) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl).

(18) N-(1-phenethylpiperidin-4-yl)-Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl).

(19) Para-chloroisobutyryl fentanyl. Other name: N-(4-chlorophenyl)- N-(1-phenethylpiperidin- 4-yl) isobutyramide.

(20) Para-fluorobutyryl fentanyl. Other name: N-(4-fluorophenyl)-N- (1-phenethylpiperidin- 4-yl)butyramide.

(21) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(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-carb oxamide.

(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 which is an immediate chemical intermediate used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

Sec. 26. (a) Except as provided in subsections (b) and (c), "isomer" means an optical isomer.

(b) "Isomer", as used in IC 35-48-2-4(d), means an optical, positional, or geometric isomer.

(c) "Isomer", as used in section 6 of this chapter, means an optical or geometric isomer.

Sec. 27. (a) "Low THC hemp extract" means a substance or compound that:

(1) is derived from or contains any part of the plant Cannabis sativa L. that meets the definition of hemp under IC 15-15-13-6;

(2) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight; and

(3) contains no other controlled substances.

(b) The term does not include:

(1) the harvested reproductive organ, whether immature or mature, of the female hemp plant; or

(2) smokable hemp.

Sec. 28. "Manufacture" means the following:

(1) For offenses not involving marijuana, hashish, or hash oil:

(A) the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, 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 substance or labeling or relabeling of its container. It does not include the preparation, compounding, packaging, or labeling of a controlled substance:

(i) by a practitioner as an incident to administering or dispensing of a controlled substance 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).

(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 HEA 1056-2025, SECTION 1, 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-fluoroisobutyryl fentanyl.

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-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-piperidinyl]-N-phenylpropanamide) (9832).

Alphacetylmethadol (9603).

Alphameprodine (9604).

Alphamethadol (9605).

Alpha'-Methyl butyryl 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-piperidinyl]-N-phenylpropanamide.

Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide) (9830).

Betacetylmethadol (9607).

Betameprodine (9608).

Betamethadol (9609).

Betaprodine (9611).

Brorphine (9098). Other name: 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one.

2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1yl)-N,N-diethylethan-1-amine (butonitazene); other name: butoxynitazene (9751).

Clonitazene (9612).

Cyclopentyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide.

Dextromoramide (9613).

Diampromide (9615).
Diethylthiambutene (9616).
N,N-diethyl-2-(2-(4-flourobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (flunitazene) (9756).
N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (metodesnitazene) (9764).
N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (metonitazene).
N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine (protonitazene); other name: pronitazene.
Difenoxin (9168).
Dimenoxadol (9617).
Dimepheptanol (9618).
2',5'-Dimethoxyfentanyl (N-(1- (2,5-dimethoxyphenethyl) piperidin-4-yl)- N-phenylpropionamide) (9861).
Dimethylthiambutene (9619).
Dioxaphetyl butyrate (9621).
Dipipanone (9622).
2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1yl)-N,N-diethylethan-1-amine (etodesnitazene; etazene).
2-(4-ethnoxybenzyl)5-nitro-1(2-(pyrorolidin-1-yl)ethyl)-1H-benzimidazol (N-pyrrolidino etonizatene; etonitazepyne).
Ethylmethylthiambutene (9623).
Etonitazene (9624).
Etoxeridine (9625).
Fentanyl related substances.
Furanyl fentanyl (N-(1-phenethylpiperidin- 4-yl)- N-phenylfuran-2-carboxamide) (9834).
3-Furanyl fentanyl (N-(1-phenethylpiperidin- 4-yl)- N-phenylfuran- 3- carboxamide) (9860).
Furethidine (9626).
Hydroxypethidine (9627).
Isobutyryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide.
Isotonitazene. Other name: N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine).
Isovaleryl fentanyl (3-methyl- N-(1-phenethylpiperidin-4-yl)- N-phenylbutanamide) (9862).
Ketobemidone (9628).
Levomoramide (9629).
Levophenacylmorphan (9631).

Meta-Fluorofentanyl (N-(3- fluorophenyl)- N-(1-phenethylpiperidin-4-yl) propionamide) (9857).
Meta-Fluoroisobutyryl fentanyl (N-(3-fluorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide) (9858).
Methoxyacetyl fentanyl. Other name: 2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide.
2-Methyl AP-237
(1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one) (9664).
3-Methylfentanyl [N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenyl-propanimide](9813).
3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide) (9833).
Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine) (9757).
MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) (9961).
Morpheridine (9632).
N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), including any isomers, salts, or salts of isomers (9818).
N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl] 25 piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl] -4- piperidinyl]- N-phenylpropanamide, (beta-hydroxythiofentanyl).
N-(4-chlorophenyl)- N-(1-phenethylpiperidin-4-yl) isobutyramide (para-chloroisobutyryl fentanyl).
N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide (ocfentanil).
N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4 -yl) butyramide (para-fluorobutyryl fentanyl).
N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide, (butyryl fentanyl).
N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl).
N-(4-methoxyphenyl)-N-(1-phenethylpiperidin -4-yl) butyramide (para-methoxybutyryl fentanyl).
N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), including any isomers, salts, or salts of isomers (9834).
N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl).

N-(1-phenethylpiperidin-4-yl)- Nphenylcyclopentanecarboxamide (cyclopentyl fentanyl).
Noracymethadol (9633).
Norlevorphanol (9634).
Normethadone (9635).
Norpipanone (9636).
Ocfentanil. Other name: N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl) acetamide.
Ortho-fluorofentanyl or 2-fluorofentanyl. Other name: N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide.
Ortho-Fluorofuranyl fentanyl (N-(2-fluorophenyl)- N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide) (9863).
Para-chloroisobutyryl fentanyl. Other name: N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide.
Para-fluorobutyryl fentanyl. Other name: N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide.
Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl] propanamide (9812).
Para-methoxybutyryl fentanyl. Other name: N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide.
Para-Methoxyfuranyl fentanyl (N-(4-methoxyphenyl)- N-(1-phenethylpiperidin-4-yl) furan-2-carboxamide (9859).
Para-Methylcyclopropyl fentanyl (N-(4-methylphenyl)- N-(1-phenethylpiperidin- 4-yl)cyclopropanecarboxamide) (9865).
Phenadoxone (9637).
Phenampromide (9638).
Phenomorphan (9647).
Phenoperidine (9641).
PEPAP [1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine] (9663).
Piritramide (9642).
Proheptazine (9643).
Properidine (9644).
Propiram (9649).
Racemoramide (9645).
Tetrahydrofuranyl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carb oxamide.
Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide) (9835).
Tianeptine (7-[(3-chloro-6-methyl-5,5-dioxo-11H-benzo[c] [2,1]benzothiazepin-11-yl)amino]heptanoic acid).

Tilidine (9750).
Trimeperidine (9646).
U47700 (3,4-dichloro- N- [2-dimethylamino)cyclohexyl]- N-methyl- benzamide).
Valeryl fentanyl. Other name: N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide.
Zipeprol (1-methoxy-3- [4-(2-methoxy-2-phenylethyl) piperazin-1-yl]- 1- phenylpropan- 2-ol) (9873).

(c) Opium derivatives. Any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted by rule of the board or unless listed in another schedule, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine (9319).
Acetyldihydrocodeine (9051).
Benzylmorphine (9052).
Codeine methylbromide (9070).
Codeine-N-Oxide (9053).
Cyprenorphine (9054).
Desomorphine (9055).
Dihydromorphine (9145).
Drotebanol (9335).
Etorphine (except hydrochloride salt) (9056).
Heroin (9200).
Hydromorphinol (9301).
Methyldesorphine (9302).
Methyldihydromorphine (9304).
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-[1-(2-thienyl)cyclohexyl]pyrrolidine (7473). Other name: TCPy.

~~(2)~~ 4-Bromo-2, 5-Dimethoxyamphetamine (7391). Some trade or other names: 4-Bromo-2, 5-Dimethoxy-a-methylphenethylamine; 4-Bromo-2, 5-DMA.

~~(3)~~ 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.

~~(4)~~ 2, 5-Dimethoxy-4-ethylamphet-amine (7399). Other name: DOET.

~~(5)~~ 2, 5-Dimethoxy-4-(n)-propylthiophenethylamine (7348). Other name: 2C-T-7.

~~(6)~~ 2, 5-Dimethoxyamphetamine (7396). Some trade or other names: 2, 5-Dimethoxy-a-methylphenethylamine; 2, 5-DMA.

~~(7)~~ 4-Methoxyamphetamine (7411). Some trade or other names: 4-Methoxy-a-methylphenethylamine; Paramethoxyamphetamine; PMA.

~~(8)~~ 5-Methoxy-3, 4-methylenedioxy amphetamine (7401). Other Name: MMDA.

~~(9)~~ 5-Methoxy-N, N-diisopropyltryptamine, including any isomers, salts, or salts of isomers (7439). Other name: 5-MeO-DIPT.

~~(10)~~ 4-methyl-2, 5-dimethoxyamphetamine (7395). Some trade and other names: 4-methyl-2,
5-dimethoxy-a-methylphenethylamine; DOM; and STP.

~~(11)~~ 3, 4-methylenedioxy amphetamine (7400). Other name: MDA.

~~(12)~~ 3,4-methylenedioxy-N-ethylamphetamine (7404). Other names: N-ethyl-alpha-methyl-3,4(methylenedioxy) phenethylamine; N-ethyl MDA; MDE; and MDEA.

~~(13)~~ 3, 4-methylenedioxymethamphetamine (MDMA) (7405).

~~(14)~~ 3, 4, 5-trimethoxy amphetamine (7390). Other name: TMA.

~~(15)~~ Alpha-ethyltryptamine (7249). Some trade and other names: Etryptamine; Monase; [alpha]-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; [alpha]-ET; and AET.

~~(16)~~ Alpha-methyltryptamine (7432). Other name: AMT.

~~(17)~~ Bufotenine (7433). Some trade and other names: 3-(B-Dimethylaminoethyl)-5-hydroxyindole;
3-(2-dimethylaminonethyl)-5-indolol; N, N-dimethylserotonin;

5-hydroxy-N, N-dimethyltryptamine; mappine.

~~(18)~~ Diethyltryptamine (7434). Some trade or other names: N, N-Diethyltryptamine; DET.

~~(19)~~ Dimethyltryptamine (7435). Some trade or other names: DMT.

~~(20)~~ Ibogaine (7260). Some trade and other names: 7-Ethyl-6, 6b, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1', 2': 1, 2, azepino 4, 5-b) indole; tabernanthe iboga.

~~(21)~~ Lysergic acid diethylamide (7315). Other name: LSD.

~~(22)~~ Marijuana (7360).

~~(23)~~ Mescaline (7381).

~~(24)~~ Methoxetamine[2-(ethylamino)-2-(3-methoxyphenyl) cyclohexan-1-one or 2-(3-methoxyphenyl)-2-(ethylamino)-cyclohexanone].

~~(25)~~ Parahexyl (7374). Some trade or other names: 3-Hexyl-1-hydroxy-7, 8, 9, 10-Tetrahydro-6, 6, 9-trimethyl-6H-dibenzo (b,d) pyran; Snyhexyl.

~~(26)~~ Peyote (7415), including:

(A) all parts of the plant that are classified botanically as lophophora williamsii lemaire, whether growing or not;

(B) the seeds thereof;

(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.

~~(27)~~ N-ethyl-3-piperidyl benzilate (7482). Other name: DMZ.

~~(28)~~ N-hydroxy-3,4-methylenedioxyamphetamine (7402). Other names: N-hydroxy-alpha-methyl-3,4 (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) $\pi^{3,}{}_{4}$ 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).

~~(43)~~ 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl] ethanamine (2C-T-4).

~~(44)~~ 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H).

~~(45)~~ 2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N).

~~(46)~~ 2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).

~~(47)~~ Deschloroketamine (2-Phenyl-2-(methylamino)cyclohexanone).

~~(48)~~ 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).

~~(49)~~ N-methyltryptamine (1H-Indole-3-ethanamine, N-methyl-).

~~(50)~~ 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (other names: eutylone; bk-EBDB (7549)).

~~(51)~~ N-(1-amino- 3,3-dimethyl-1- oxobutan-2-yl)-1-butyl-1H-indazole-3- carboxamide (other name:

ADB–BUTINACA) (7027).

~~(52)~~ 4-methyl-1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one (other names: α-PiHP; alpha-PiHP) (7551).

~~(53)~~ 2-(methylamino)-1-(3-methylphenyl)propan-1-one (other names: 3–MMC; 3-methylmethcathinone) (1259).

(e) Depressants. Unless specifically excepted in a rule adopted by the board or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Etizolam (4-(2- chlorophenyl)-2- ethyl-9- methyl- 6H-thieno[3,2-f] [1,2,4] triazolo[4,3-a] [1,4diazepine) (other names include: Etilaam, Etizest, Depas, Etizola, Sedekopan, and Pasaden).

Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine).

Gamma-hydroxybutyric acid (other names include GHB; gamma-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) (2010).

Mecloqualone (2572).

Methaqualone (2565).

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

([+/-]) cis-4-methylaminorex (([+/-])cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) (1590).

Amineptine (7-[(10,11-dihydro-5H- dibenzo[a,d]cyclohepten- 5-yl)amino] heptanoic acid) (1219).

Aminorex (1585). Other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; or 4,5-dihydro-5-phenyl-2-oxazolamine.

4,4'-Dimethylaminorex (4,4'-DMAR; 4,5-dihydro- 4-methyl-5-(4-methylphenyl)- 2- oxazolamine; 4-methyl-5- (4-methylphenyl)-4,5-dihydro-1,3-oxazol- 2-amine).

Benzylone, 1-(1,3-benzodioxol-5-yl)-2-(benzylamino)propan -1-one. Synonyms: BMDP, N-benzyl methylone, 3,4-Methylenedioxy-Nbenzylcathinone, N-benzyl-3,4-methylenedioxycathinone.

Cathinone (1235). Some trade or other names: 2-amino-1-phenyl-1-propanone; alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone.

Ethylphenidate (ethyl 2-phenyl-2-(piperidin-2-yl)acetate) (1727).

Fenethylline (1503).

N-Benzylpiperazine (7493). Other names: BZP; and 1-benzylpiperazine.

N-ethylamphetamine (1475).

Mesocarb (N-phenyl-N-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3- ium-5yl)carbamimidate) (1227).

Methcathinone (1237). Some other trade names: 2-Methylamino-1-Phenylpropan-I-one; Ephedrone; Monomethylpropion; UR 1431.

N, N-dimethylamphetamine (1480). Other names: N, N-alpha-trimethyl-benzeneethanamine; and N, N-alpha-trimethylphenethylamine.

Methiopropamine (N-methyl-1- (thiophen-2-yl) propan-2- amine) (1478).

(g) Synthetic drugs as defined in IC 35-31.5-2-321.

SECTION 251. IC 35-48-4-14.5, AS AMENDED BY P.L.252-2017, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14.5. (a) As used in this section, "chemical reagents or precursors" refers to one (1) or more of the following:

(1) Ephedrine.

(2) Pseudoephedrine.

(3) Phenylpropanolamine.

(4) The salts, isomers, and salts of isomers of a substance identified in subdivisions (1) through (3).

(5) Anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1).

(6) Organic solvents.

(7) Hydrochloric acid.

(8) Lithium metal.

(9) Sodium metal.

(10) Ether.

(11) Sulfuric acid.

(12) Red phosphorous.

(13) Iodine.

(14) Sodium hydroxide (lye).

(15) Potassium dichromate.

(16) Sodium dichromate.

(17) Potassium permanganate.
(18) Chromium trioxide.
(19) Benzyl cyanide.
(20) Phenylacetic acid and its esters or salts.
(21) Piperidine and its salts.
(22) Methylamine and its salts.
(23) Isosafrole.
(24) Safrole.
(25) Piperonal.
(26) Hydriodic acid.
(27) Benzaldehyde.
(28) Nitroethane.
(29) Gamma-butyrolactone.
(30) White phosphorus.
(31) Hypophosphorous acid and its salts.
(32) Acetic anhydride.
(33) Benzyl chloride.
(34) Ammonium nitrate.
(35) Ammonium sulfate.
(36) Hydrogen peroxide.
(37) Thionyl chloride.
(38) Ethyl acetate.
(39) Pseudoephedrine hydrochloride.

(b) A person who possesses more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed:

(1) a firearm while possessing more than ten (10) grams of 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 AMENDED BY HEA 1679-2025, SECTION 38, 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),** an absentee voter board, an absentee ballot counter, a provisional ballot counter, or an absentee ballot courier 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 shall be paid a fee of at least fifty dollars ($50) from the county treasury.

(f) If:

(1) at the request of:

(A) the decedent's spouse;

(B) a child of the decedent, if the decedent does not have a spouse;

(C) a parent of the decedent, if the decedent does not have a spouse or children;

(D) a brother or sister of the decedent, if the decedent does not have a spouse, children, or parents; or

(E) a grandparent of the decedent, if the decedent does not have a spouse, children, parents, brothers, or sisters;

(2) in any death, two (2) or more witnesses who corroborate the circumstances surrounding death are present; and

(3) two (2) physicians who are licensed to practice medicine in the state and who have made separate examinations of the decedent certify the same cause of death in an affidavit within twenty-four (24) hours after death;

an autopsy need not be performed. The affidavits shall be filed with the circuit court clerk.

(g) A county coroner may not certify the cause of death in the case of the sudden and unexpected death of a child who is less than three (3) years old unless an autopsy is performed at county expense. However, a coroner may certify the cause of death of a child described in this subsection without the performance of an autopsy if subsection (f) applies to the death of the child.

(h) After consultation with the law enforcement agency investigating the death of a decedent, the coroner shall do the following:

(1) Inform a crematory authority if a person is barred under IC 23-14-31-26(c) from serving as the authorizing agent with respect to the cremation of the decedent's body because the coroner made the determination under IC 23-14-31-26(c)(2) in connection with the death of the decedent.

(2) Inform a cemetery owner if a person is barred under IC 23-14-55-2(c) from authorizing the disposition of the body or cremated remains of the decedent because the coroner made the determination under IC 23-14-55-2(c)(2) in connection with the death of the decedent.

(3) Inform a seller of prepaid services or merchandise if a person's 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 contained in the report beyond that information that may otherwise be disclosed by a coroner under this section. This prohibition does not apply to information disclosed in communications in conjunction with the investigation, settlement, or payment of the claim.

(d) 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:

(1) the director of the division of disability and rehabilitative services established by IC 12-9-1-1;

(2) the director of the division of mental health and addiction

established by IC 12-21-1-1; or

(3) the director of the division of aging established by IC 12-9.1-1-1;

in connection with a division's review of the circumstances surrounding the death of an individual who received services from a division or through a division at the time of the individual's death.

(e) Notwithstanding any other provision of this section, a coroner shall make available, upon written request, a full copy of an autopsy report, including a photograph, a video recording, or an audio recording of the autopsy, to:

(1) the department of child services established by IC 31-25-1-1, including an office of the department located in the county where the death occurred;

(2) the statewide child fatality review committee established by IC 16-49-4; or

(3) a county child fatality review team or regional child fatality review team established under IC 16-49-2 for the area where the death occurred;

for purposes of an entity described in subdivisions (1) through (3) conducting a review or an investigation of the circumstances surrounding the death of a child (as defined in IC 16-49-1-2) and making a determination as to whether the death of the child was a result of abuse, abandonment, or neglect. An autopsy report made available under this subsection is confidential and shall not be disclosed to another individual or agency, unless otherwise authorized or required by law.

(f) Notwithstanding any other provision of this section, a coroner shall make available, upon written request, a full copy of an autopsy report, including a photograph, a video recording, or an audio recording of the autopsy, to the local fetal-infant mortality review team established under IC 16-49-6 for purposes of the local fetal-infant mortality review team conducting a review or an investigation of the circumstances surrounding a fetal death or an infant death (as defined in IC 16-49-6). An autopsy report made available under this subsection is confidential and shall not be disclosed to another individual or agency, unless otherwise authorized or required by law.

(g) Notwithstanding any other provision of this section, a coroner shall make available, upon written request, a full copy of an autopsy report, including a photograph, a video recording, or an audio recording of the autopsy, to the statewide maternity mortality review committee established under IC 16-50-1.

(h) Notwithstanding any other provision of this section, and except

as otherwise provided in this subsection, a coroner may make available, upon written request, a full copy of an autopsy report to the peer review committee (as defined in ~~IC 34-6-2-99)~~ **IC 34-6-2.1-145)** of a hospital at which the decedent was treated immediately before death for purposes of the hospital's peer review activities. An autopsy report made available under this subsection:

(1) may not include:

(A) a photograph;

(B) a video recording; or

(C) an audio recording;

of the autopsy; and

(2) is confidential and may not be disclosed to another individual or agency, unless otherwise authorized or required by law.

However, if immediately making available an autopsy report under this subsection will interfere with the coroner's investigation or other legal proceedings related to the decedent's death, the coroner may delay making available the requested autopsy related information until the investigation or other legal proceedings are concluded.

(i) Except as provided in subsection (j), the information required to be available under subsection (a) must be completed not later than fourteen (14) days after the completion of:

(1) the autopsy report; or

(2) if applicable, any other report, including a toxicology report, requested by the coroner as part of the coroner's investigation;

whichever is completed last.

(j) The prosecuting attorney may petition a circuit or superior court for an order prohibiting the coroner from publicly disclosing the information required in subsection (a). The prosecuting attorney shall serve a copy of the petition on the coroner.

(k) Upon receipt of a copy of the petition described in subsection (j), the coroner shall keep the information confidential until the court rules on the petition.

(l) The court shall grant a petition filed under subsection (j) if the prosecuting attorney proves by a preponderance of the evidence that public access or dissemination of the information specified in subsection (a) would create a significant risk of harm to the criminal investigation of the death. The court shall state in the order the reasons for granting or denying the petition. An order issued under this subsection must use the least restrictive means and duration possible when restricting access to the information. Information to which access is restricted under this subsection is confidential.

(m) Any person may petition the court to modify or terminate an

order issued under subsection (l). The petition for modification or termination must allege facts demonstrating that:

(1) the public interest will be served by allowing access; and

(2) access to the information specified in subsection (a) would not create a significant risk to the criminal investigation of the death.

The person petitioning the court for modification or termination shall serve a copy of the petition on the prosecuting attorney and the coroner.

(n) Upon receipt of a petition for modification or termination filed under subsection (m), the court may:

(1) summarily grant, modify, or dismiss the petition; or

(2) set the matter for hearing.

If the court sets the matter for hearing, upon the motion of any party or upon the court's own motion, the court may close the hearing to the public.

(o) If the person filing the petition for modification or termination proves by a preponderance of the evidence that:

(1) the public interest will be served by allowing access; and

(2) access to the information specified in subsection (a) would not create a significant risk to the criminal investigation of the death;

the court shall modify or terminate its order restricting access to the information. In ruling on a request under this subsection, the court shall state the court's reasons for granting or denying the request.

SECTION 256. IC 36-7-4-216, AS AMENDED BY P.L.126-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 216. (a) Each citizen member shall be appointed because of the member's knowledge and experience in community affairs, the member's awareness of the social, economic, agricultural, and industrial problems of the area, and the member's interest in the development and integration of the area.

(b) A citizen member may not hold:

(1) an elected office (as defined in ~~IC 3-5-2-17);~~ **IC 3-5-2.1-34);** or

(2) any other appointed office in municipal, county, or state government;

except for membership on the board of zoning appeals as required by section 902 of this chapter and, in the case of an area plan commission, membership on the body from which the member must be appointed under this series.

(c) Subject to subsection (d), a citizen member must meet one (1) of the following requirements:

(1) The member must be a resident of the jurisdictional area of the plan commission. The member may also be required by statute to

reside within an unincorporated area of the jurisdictional area of the plan commission.

(2) The member must be a resident of the county and also an owner of real property located in whole or in part in the jurisdictional area of the plan commission. The member may also be required by statute to own real property within an unincorporated area of the jurisdictional area of the plan commission.

(d) At least a majority of the total number of citizen members appointed to a plan commission must be residents of the jurisdictional area of the plan commission. The commission shall determine whether a citizen member meets all applicable residency requirements for appointment in accordance with uniform rules prescribed by the commission.

SECTION 257. IC 36-7-4-905, AS AMENDED BY P.L.126-2011, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 905. (a) None of the members of a board of zoning appeals may hold:

(1) an elected office (as defined in ~~IC 3-5-2-17);~~ **IC 3-5-2.1-34);** or

(2) any other appointed office, except as permitted by section 902 of this chapter, in municipal, county, or state government.

(b) A member of the board of zoning appeals must meet one (1) of the following requirements:

(1) The member must be a resident of the jurisdictional area of the board.

(2) The member must be a resident of the county and also an owner of real property located in whole or in part in the jurisdictional area of the board.

However, at least a majority of the total number of citizen members 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 IC 36-8-13-4(a)(2)(A); or

(3) to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.

(c) Any administrative fees charged by a fire department's agent must be paid only from fees that are collected and allowed by Indiana law and the fire marshal's schedule of fees.

(d) An agent who processes fees on behalf of a fire department shall send all bills, notices, and other related materials to both the fire department and the person being billed for services.

(e) All fees allowed by Indiana law and the fire marshal's fee schedule must be itemized separately from any other charges.

(f) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in ~~IC 34-6-2-110),~~ **IC 34-6-2.1-155),** the legislative body of a contracting political subdivision must approve the schedule of service charges established under subsection (a) before the schedule of service charges is initiated in that political subdivision.

(g) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) charges for services under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of service charges collected during the previous calendar year and how those funds have been expended.

(h) The state fire marshal shall annually prepare and publish a recommended schedule of service charges for fire protection services.

(i) The volunteer fire department or its agent may maintain a civil action to recover an unpaid service charge under this section and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 259. IC 36-8-12-17, AS AMENDED BY P.L.236-2023, SECTION 202, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17. (a) If a political subdivision has not imposed its own false alarm fee or service charge, a volunteer fire department that provides service within the jurisdiction may establish a service charge for responding to false alarms. The volunteer fire department may collect the false alarm service charge from the owner of the property if the volunteer fire department dispatches firefighting apparatus or personnel to a building or premises in the township in response to:

(1) an alarm caused by improper installation or improper maintenance; or

(2) a drill or test, if the fire department is not previously notified that the alarm is a drill or test.

However, if the owner of property that constitutes the owner's residence establishes that the alarm is under a maintenance contract with an alarm company and that the alarm company has been notified of the improper installation or maintenance of the alarm, the alarm company

is liable for the payment of the fee or service charge.

(b) Before establishing a false alarm service charge, the volunteer fire department must provide notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the false alarm service charge. The notice required by this subsection must be given:

(1) before the false alarm service charge is initiated; and

(2) before a change in the amount of the false alarm service charge.

(c) A volunteer fire department may not collect a false alarm service charge from a property owner or alarm company unless the department's bill for payment of the service charge:

(1) is submitted to the property owner in writing within thirty (30) days after the false alarm; and

(2) includes a copy of a fire incident report in the form prescribed by the state fire marshal.

(d) A volunteer fire department shall use the money collected from the false alarm service charge imposed under this section:

(1) for the purchase of equipment, buildings, and property for fire fighting, 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 IC 36-8-13-4(a)(2)(A); or

(3) to pay principal and interest on a loan made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.

(e) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in ~~IC 34-6-2-110),~~ **IC 34-6-2.1-155),** the legislative body of a contracting political subdivision must approve the false alarm service charge established under subsection (a) before the service charge is initiated in that political subdivision.

(f) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) imposes a false alarm service charge under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of false alarm

charges collected during the previous calendar year and how those funds have been expended.

(g) The volunteer fire department may maintain a civil action to recover unpaid false alarm service charges imposed under this section and may, if it prevails, recover all costs of the action, including reasonable attorney's fees.

SECTION 260. IC 3-5-2-15, AS AMENDED BY HEA 1467-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 15. (a) "Contribution" means a donation (whether 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:~~

~~(1) funds are transferred from one (1) committee to another; or~~

~~(2) a donation of funds to influence an election on a public question is accepted as a contribution;~~

~~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) This subsection does not apply to a contribution described in IC 3-9-2-11.5. 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) This subsection does not apply to a contribution described in IC 3-9-2-11.5. 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.~~

SECTION 261. IC 3-5-2-15, AS AMENDED BY HEA 1680-2025, SECTION 2, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 15. (a) "Contribution" means a donation (whether 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 (1) 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) The term defined in subsection (a) includes a donation of property (as defined in IC 35-31.5-2-253):~~

~~(1) that satisfies subsection (a)(1) and (a)(2); and~~

~~(2) through a payment platform that acts as a conduit.~~

~~(e) 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.~~

~~(f) 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.

SECTION 262. IC 3-5-2-25.5, AS ADDED BY HEA 1467-2025, SECTION 2, IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 25.5. For purposes of IC 3-9-2-11.5, "foreign national" has the meaning set forth in 52 U.S.C. 30121(b).

SECTION 263. IC 3-5-2-27.1, AS ADDED BY HEA 1467-2025, SECTION 3, IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 27.1. "Independent expenditure" means an expenditure by a person expressly advocating the approval or rejection of a public question.

SECTION 264. IC 3-5-2-40.2, AS ADDED BY HEA 1467-2025, SECTION 4, IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 40.2. For purposes of IC 3-9-2-11.5, "preliminary activity" includes conducting a poll, drafting language for a public question, the planning and use of a focus group, a telephone call, or engaging in travel.

SECTION 265. IC 3-5-2-40.4, AS ADDED BY HEA 1467-2025, SECTION 5, IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 40.4. "Prohibited source" is a foreign national.

SECTION 266. IC 3-5-2-40.5, AS AMENDED BY SEA 10-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 40.5. (a) Except as provided in subsection (b), "proof of identification" refers to a document that satisfies all the following:

(1) The document shows the name of the individual to whom the document was issued, and the name conforms to the name in the individual's voter registration record.

(2) The document shows a photograph of the individual to whom the document was issued.

(3) The document includes an expiration date, and the document:

(A) is not expired; or

(B) expired after the date of the most recent general election.

(4) The document was issued by the United States or the state of Indiana.

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

~~by the United States government that:~~

~~(1) otherwise complies with the requirements of subsection (a); and~~

~~(2) has no expiration date or states that the document has an indefinite expiration date;~~

~~is sufficient proof of identification for purposes of this title.~~

~~(c) The term does not include a document issued by an educational institution.~~

SECTION 267. IC 3-5-2-48, AS AMENDED BY SEA 221-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 48. "State office" refers to the governor, lieutenant governor, secretary of state, state comptroller (referred to as "auditor of state" in the Constitution of the State of Indiana), treasurer of state, attorney general, justice of the supreme court, judge of the court of appeals, and judge of the tax court.~~

SECTION 268. IC 25-1-9.5-3.5, AS AMENDED BY SEA 462-2025, SECTION 1, AND AS AMENDED BY HEA 1572-2025, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) As used in this chapter, "practitioner" means an individual who holds an unlimited license to practice as any of the following in Indiana:

(1) An athletic trainer licensed under IC 25-5.1.

(2) A chiropractor licensed under IC 25-10.

(3) A dental hygienist licensed under IC 25-13.

(4) The following:

(A) A dentist licensed under IC 25-14.

(B) An individual who holds a dental residency permit issued under IC 25-14-1-5.

(C) An individual who holds a dental faculty license under IC 25-14-1-5.5.

(5) A diabetes educator licensed under IC 25-14.3.

(6) A dietitian licensed under IC 25-14.5.

(7) A genetic counselor licensed under IC 25-17.3.

(8) The following:

(A) A physician licensed under IC 25-22.5.

(B) An individual who holds a temporary permit under IC 25-22.5-5-4.

(9) A nurse licensed under IC 25-23.

(10) The following:

(A) An occupational therapist licensed under IC 25-23.5.

(B) An occupational therapy assistant licensed under IC 25-23.5.

(11) Any behavioral health and human services professional licensed under IC 25-23.6.

(12) An optometrist licensed under IC 25-24.

(13) A pharmacist licensed under IC 25-26.

(14) A physical therapist licensed under IC 25-27.

(15) A physician assistant licensed under IC 25-27.5.

(16) A podiatrist licensed under IC 25-29.

(17) A psychologist licensed under IC 25-33.

(18) A respiratory care practitioner licensed under IC 25-34.5.

(19) A speech-language pathologist or audiologist licensed under IC 25-35.6.

(20) A veterinarian licensed under IC 25-38.1.

(21) A behavior analyst licensed under IC 25-8.5.

(22) A school psychologist licensed by the department of education.

(b) The term includes the following:

(1) A developmental therapist enrolled by the bureau of child development services to provide special instruction, as defined in 34 CFR 303.13(b)(14), to infants and toddlers receiving early intervention services.

(2) A peer as defined in IC 12-21-8-5 and certified by the division of mental health and addiction.

(3) A speech-language pathology assistant (IC 25-35.6-1-2(g)(3)).

~~(3)~~ *(4)* A clinical fellow in speech language pathology.

~~(4)~~ *(5)* A student who:

(A) is pursuing a course of study in, or is a graduate from, a program in a profession specified in subsection (a)(1) through (a)(22); and

(B) is providing services directed by an individual who holds a license in Indiana for that profession.

~~(5)~~ *(6)* The following providers within a community mental health center:

(A) A qualified behavioral health professional.

(B) Other behavioral health professional.

~~(6)~~ *(7)* A physical therapist assistant certified under IC 25-27-1-6.3.

(c) The term includes a behavior analyst during the time in which the professional licensing agency is preparing to implement licensure of behavioral analysts under IC 25-8.5. This subsection expires June 30, 2026.

SECTION 269. IC 6-3.5-5-1, AS AMENDED BY SEA 80-2025,

SECTION 68, AND AS AMENDED BY SEA 1-2025, SECTION 89, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Adopting entity" means ~~*either the county council or the local income tax council established by IC 6-3.6-3-1 for the county, whichever adopts an ordinance to impose a wheel tax first.*~~ *the adopting body specified in IC 6-3.6-3-1(a).*

(2) "Bus" has the meaning set forth in IC 9-13-2-17.

(3) "Commercial vehicle" has the meaning set forth in IC 6-6-5.5-1(b).

(4) "County council" includes the city-county council of a county that contains a consolidated city of the first class.

(5) "In-state miles" has the meaning set forth in IC 6-6-5.5-1(b).

(6) "Political subdivision" has the meaning set forth in ~~*IC 34-6-2-110.*~~ *IC 34-6-2.1-155.*

(7) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(8) "School bus" has the meaning set forth in IC 9-13-2-161(a).

(9) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

(10) "State agency" has the meaning set forth in ~~*IC 34-6-2-141.*~~ *IC 34-6-2.1-194.*

(11) "Tractor" has the meaning set forth in IC 9-13-2-180.

(12) "Trailer" has the meaning set forth in IC 9-13-2-184(a).

(13) "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.

(14) "Truck" has the meaning set forth in IC 9-13-2-188(a).

(15) "Wheel tax" means the tax imposed under this chapter.

SECTION 270. IC 2-5-1.3-13, AS AMENDED BY HEA 1272-2025, SECTION 2, AND AS AMENDED BY HEA 1273-2025, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as

defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

(1) identify particular needs of the criminal justice system that can be addressed by legislation; and

(2) prepare legislation to address the particular needs found by the committee.

(d) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review, consider, and make recommendations concerning all requests for new courts, new judicial officers, and changes in jurisdiction of existing courts. A request under this subsection must include at least the following information to receive full consideration by the committee:

(1) The level of community support for the change, including support from the local fiscal body.

(2) The results of a survey that shall be conducted by the county requesting the change, sampling members of the bar, members of the judiciary, and local officials to determine needs and concerns of existing courts.

(3) Whether the county is already using a judge or magistrate from an overserved area of the judicial district.

(4) The relative severity of need based on the most recent weighted caseload measurement system report published by the office of judicial administration.

(5) Whether the county is using any problem solving court as described in IC 33-23-16-11, and, if so, the list of problem solving courts established in the county, and any evaluation of the impact of the problem solving courts on the overall judicial caseload.

(6) A description of the:

(A) county's population growth in the ten (10) years before the date of the request; and

(B) projected population growth in the county for the ten (10) years after the date of the request, to the extent available;

and any documentation to support the information provided under this subdivision.

(7) A description of the county's use of pre-incarceration diversion services and post-incarceration reentry services in an effort to decrease recidivism.

(8) If the request is a request for a new court or new courts, an acknowledgment from the county fiscal body (as defined in IC 36-1-2-6) with the funding sources and estimated costs the county intends to pay toward the county's part of the operating costs associated with the new court or new courts.

The office of judicial administration shall post the list of required information provided under this subsection on its website.

(e) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review the most recent weighted caseload measurement system report published by the office of judicial administration and do the following:

(1) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.

(2) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.

(3) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased.

The office of judicial administration shall post a list of the number of courts or judicial officers used in each county for each report year, and the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county, on its website.

(f) In addition to studying the issues assigned under subsection (a), the interim study committee on child services shall:

(1) review the annual reports submitted by:

(A) each local child fatality review team under IC 16-49-3-7;

(B) the statewide child fatality review committee under IC 16-49-4-11; and

(C) the department of child services under IC 31-25-2-24;

during the immediately preceding twelve (12) month period, and may make recommendations regarding changes in policies or statutes to improve child safety; and

(2) report to the legislative council before November 1 of each interim, in an electronic format under IC 5-14-6, the results of:

(A) the committee's review under subdivision (1); and

(B) the committee's study of any issue assigned to the committee under subsection (a).

(g) In each even-numbered year, in addition to the issues assigned

under subsection (a), the interim study committee on government shall do the following:

(1) Determine whether a group has met in the immediately preceding two (2) years.

(2) Review reports submitted to the committee in accordance with IC 1-1-15.5-4.

~~(2)~~ *(3)* Identify all interstate compacts that have been fully operational for at least two (2) years to which the state is a party.

~~(3)~~ *(4)* Consider whether to:

(A) remain a party to; or

(B) withdraw from;

each interstate compact.

~~(4)~~ *(5)* If the committee determines that the state should withdraw from an interstate compact, identify the steps needed to withdraw.

~~(5)~~ *(6)* Report before November 1 to the legislative council, in an electronic format under IC 5-14-6 the committee's:

(A) recommendations for proposed legislation to repeal groups:

(i) that have not met during the immediately preceding two (2) years; and

(*ii) after reviewing a group's report under subdivision (2); and*

(B) findings and recommendations regarding the interstate compacts.

As used in this subsection, "group" refers to an authority, a board, a commission, a committee, a council, a delegate, a foundation, a panel, or a task force that is established by statute, has at least one (1) legislator assigned to it, and is not staffed by the legislative services agency.

(h) In 2026 and 2027, in addition to the issues assigned under subsections (a) and (f), the interim study committee on child services shall review the report submitted by the child welfare task force under IC 2-5-55.7-8. This subsection expires December 31, 2027.

SECTION 271. IC 31-9-2-14, AS AMENDED BY SEA 143-2025, SECTION 2, AND AS AMENDED BY HEA 1412-2025, SECTION 3, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) "Child abuse or neglect", for purposes of IC 31-32-11-1, IC 31-33, IC 31-34-7-4, and IC 31-39-8-4, refers to:

(1) a child described in IC 31-34-1-1 through IC 31-34-1-5 and IC 31-34-1-8 through IC 31-34-1-11, regardless of whether the child needs care, treatment, rehabilitation, or the coercive

intervention of a court; or

(2) an individual who:

(A) is at least eighteen (18) years of age but less than twenty-one (21) years of age;

(B) resides, or has previously resided, at a residential facility licensed by the department; and

(C) is harmed or threatened with harm as a result of:

(i) a battery offense included in IC 35-42-2; or

(ii) sexual activity (as defined in IC 35-42-4-13(b));

committed by a member of the staff at the residential facility.

(b) For purposes of subsection (a), the term under subsection (a) does not refer to a child who is alleged to be a victim of a sexual offense under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3 involves the fondling or touching of the buttocks, genitals, or female breasts, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(c) "Child abuse or neglect", for purposes of IC 31-34-2.3 *and IC 31-42,* refers to acts or omissions by a person against a child as described in IC 31-34-1-1 through IC 31-34-1-11, regardless of whether the child needs care, treatment, rehabilitation, or the coercive intervention of a court.

(d) "Child abuse or neglect" does not include raising or referring to a child in a manner consistent with the child's biological sex.

SECTION 272. IC 4-32.3-3-3, AS AMENDED BY SEA 108-2025, SECTION 2, AND AS AMENDED BY SEA 209-2025, SECTION 10, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. The commission shall adopt rules under IC 4-22-2 for the following purposes:

(1) Administering this article.

(2) Establishing the conditions under which charity gaming in Indiana may be conducted, including the manner in which a qualified organization may supervise a qualified card game conducted under IC 4-32.3-5-11(b).

(3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of charity gaming.

(4) Establishing rules concerning inspection of qualified organizations and the review of the licenses necessary to conduct charity gaming.

(5) Imposing penalties for noncriminal violations of this article.

(6) Establishing standards for independent audits conducted under IC 4-32.3-5-5(d).

(7) Establishing standards to receive commission approval of an electronic raffle software system, web application, method, or process.

(8) Requiring the operator or payment processor of an electronic raffle software system, web application, method, or process to submit to:

(A) certification by an independent gaming testing laboratory or other testing process that the electronic raffle software system, web application, method, or process meets the standards for required technical specifications adopted by the commission;

(B) age and identity verification requirements; and

(C) geolocation requirements.

~~*(7)*~~ **(9)** *Establishing standards:*

(A) for the licensing of manufacturers of;

(B) for required technical specifications for; and

(C) to receive commission approval of;

electronic pull tab systems.

~~*(8)*~~ **(10)** *Requiring that:*

(A) the manufacturer of an electronic pull tab system submit, at the manufacturer's own expense, the manufacturer's electronic pull tab system to an independent gaming testing laboratory for testing and certification as meeting the standards for required technical specifications adopted by the commission; and

(B) an electronic pull tab system be approved by the commission before the electronic pull tab system may be used by a qualified organization under this article.

SECTION 273. IC 34-6-2-55, AS AMENDED BY SEA 473-2025, SECTION 50, IS REPEALED [EFFECTIVE SEPTEMBER 1, 2025].

~~Sec. 55. (a) "Health care services":~~

~~(1) except as provided in subdivision (2), for purposes of IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a); and~~

~~(2) for purposes of IC 34-30-13-1.2, means only noninvasive examinations, treatments, and procedures and the following invasive procedures:~~

~~(A) Routine dental services.~~

~~(B) Injections.~~

~~(C) Suturing of minor lacerations.~~

~~(D) Incisions of boils or superficial abscesses.~~

~~The term does not include performance of an abortion, including abortion by surgical means, by use of an abortion inducing drug,~~

or by prescribing a controlled substance or scheduled drug under IC 35-48.

(b) "Health care services", for purposes of IC 34-30-13.5, means:

(1) any services provided by an individual licensed under:

(A) IC 25-2.5;

(B) IC 25-10;

(C) IC 25-13;

(D) IC 25-14;

(E) IC 25-19;

(F) IC 25-22.5;

(G) IC 25-23;

(H) IC 25-23.5;

(I) IC 25-23.6;

(J) IC 25-24;

(K) IC 25-26;

(L) IC 25-27;

(M) IC 25-27.5;

(N) IC 25-29;

(O) IC 25-33;

(P) IC 25-34.5; or

(Q) IC 25-35.6;

(2) services provided as the result of hospitalization, to an individual admitted to a health facility licensed under IC 16-28, or to a person residing in a housing with services establishment (as defined by IC 12-10-15-3);

(3) services incidental to the furnishing of services described in subdivisions (1) or (2);

(4) any services by individuals:

(A) licensed as paramedics;

(B) certified as advanced emergency medical technicians; or

(C) certified as emergency medical technicians under IC 16-31;

(5) any services provided by individuals certified as emergency medical responders under IC 16-31;

(6) any services provided by certified health care professionals who are registered with the Indiana department of health and the certified health care professions commission, including:

(A) certified nurse aides certified under IC 16-27.5-3;

(B) qualified medication aides certified under IC 16-27.5-4; and

(C) home health aides registered under rules adopted under IC 16-27.5-5;

~~(7) any services provided by unlicensed health care professionals who have successfully completed any applicable training required by the Indiana department of health;~~

~~(8) any services provided by health care volunteers who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19;~~

~~(9) any services provided by individuals with provisional or temporary licenses who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19; or~~

~~(10) any other services or goods furnished for the purpose of preventing, alleviating, curing, or healing human illness, physical disability, or injury.~~

SECTION 274. IC 34-6-2.1-84, AS ADDED BY SEA 80-2025, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE SEPTEMBER 1, 2025]: Sec. 84. (a) "Health care services":

(1) except as provided in subdivision (2), for purposes of IC 34-30-13, has the meaning set forth in IC 27-13-1-18(a); and

(2) for purposes of IC 34-30-13-1.2, means only noninvasive examinations, treatments, and procedures and the following invasive procedures:

(A) Routine dental services.

(B) Injections.

(C) Suturing of minor lacerations.

(D) Incisions of boils or superficial abscesses.

The term does not include performance of an abortion, including abortion by surgical means, by use of an abortion inducing drug, or by prescribing a controlled substance or scheduled drug under IC 35-48.

(b) "Health care services", for purposes of IC 34-30-13.5, means:

(1) any services provided by an individual licensed under:

(A) IC 25-2.5;

(B) IC 25-10;

(C) IC 25-13;

(D) IC 25-14;

(E) IC 25-19;

(F) IC 25-22.5;

(G) IC 25-23;

(H) IC 25-23.5;

(I) IC 25-23.6;

(J) IC 25-24;

(K) IC 25-26;
(L) IC 25-27;
(M) IC 25-27.5;
(N) IC 25-29;
(O) IC 25-33;
(P) IC 25-34.5; or
(Q) IC 25-35.6;

(2) services provided as the result of hospitalization, to an individual admitted to a health facility licensed under IC 16-28, or to a person residing in a housing with services establishment (as defined by IC 12-10-15-3);

(3) services incidental to the furnishing of services described in subdivisions (1) or (2);

(4) any services by individuals:

(A) licensed as paramedics;
(B) certified as advanced emergency medical technicians; or
(C) certified as emergency medical technicians under IC 16-31;

(5) any services provided by individuals certified as emergency medical responders under IC 16-31;

(6) any services provided by certified health care professionals who are registered with the Indiana department of health **and the certified health care professions commission,** including:

(A) certified nurse aides certified under ~~IC 16-28-1-11;~~ **IC 16-27.5-3;**
(B) qualified medication aides certified under ~~IC 16-28-1-11;~~ **IC 16-27.5-4;** and
(C) home health aides registered under rules adopted under ~~IC 16-27-1-7;~~ **IC 16-27.5-5;**

(7) any services provided by unlicensed health care professionals who have successfully completed any applicable training required by the Indiana department of health;

(8) any services provided by health care volunteers who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19;

(9) any services provided by individuals with provisional or temporary licenses who are permitted to practice during an event that is declared a disaster emergency under IC 10-14-3-12 to respond to COVID-19; or

(10) any other services or goods furnished for the purpose of preventing, alleviating, curing, or healing human illness, physical disability, or injury.

SECTION 275. IC 35-45-21-5, AS AMENDED BY SEA 80-2025, SECTION 241, AND AS AMENDED BY SEA 473-2025, SECTION 53, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE SEPTEMBER 1, 2025]: Sec. 5. (a) The following definitions apply throughout this section:

(1) "Health care provider" refers to a health care provider (as defined in IC 16-18-2-163(a), IC 16-18-2-163(b), or IC 16-18-2-163(c)) or a qualified medication aide as described in ~~*IC 16-28-1-11.*~~ *IC 16-27.5-4.*

(2) "Licensed health professional" has the meaning set forth in IC 25-23-1-27.1.

(3) "Practitioner" has the meaning set forth in IC 16-42-19-5. However, the term does not include a veterinarian.

(4) "Prescription drug" has the meaning set forth in ~~*IC 35-48-1-25.*~~ *IC 35-48-1.1-35.*

(b) A person who knowingly or intentionally physically interrupts, obstructs, or alters the delivery or administration of a prescription drug:

(1) prescribed or ordered by a practitioner for a person who is a patient of the practitioner; and

(2) without the prescription or order of a practitioner;

commits interference with medical services, a Class A misdemeanor, except as provided in subsection (c).

(c) An offense described in subsection (b) is:

(1) a Level 6 felony if the offense results in bodily injury;

(2) a Level 5 felony if it is committed by a person who is a licensed health care provider or licensed health professional;

(3) a Level 4 felony if it results in serious bodily injury to the patient; and

(4) a Level 2 felony if it results in the death of the patient.

(d) A person is justified in engaging in conduct otherwise prohibited under this section if the conduct is performed by:

(1) a health care provider or licensed health professional who acts in good faith within the scope of the person's practice or employment; or

(2) a person who is rendering emergency care at the scene of an emergency or accident in a good faith attempt to avoid or minimize serious bodily injury to the patient.

SECTION 276. IC 7.1-3-2-7, AS AMENDED BY HEA 1275-2025, SECTION 12, AND AS AMENDED BY HEA 1276-2025, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. The holder of a brewer's permit or an out-of-state brewer holding either a primary source of supply

permit or an out-of-state brewer's permit may do the following:

(1) Manufacture beer.

(2) Place beer in containers or bottles.

(3) Transport beer.

(4) Sell and deliver beer to a person holding a beer wholesaler's permit issued under IC 7.1-3-3.

(5) If the brewer manufactures, at all of the brewer's breweries, an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may do the following:

(A) Sell and deliver a total of not more than thirty thousand (30,000) barrels of beer in a calendar year to a person holding a retailer or a dealer permit under this title. The total number of barrels of beer that the permit holder may sell and deliver under this clause in a calendar year may not exceed thirty thousand (30,000) barrels of beer.

(B) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2.

(C) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant established under clause (B).

(D) Transfer beer directly from the brewery to the restaurant by means of:

(i) bulk containers; or

(ii) a continuous flow system.

(E) Install a window between the brewery and an adjacent restaurant that allows the public and the permittee to view both premises.

(F) Install a doorway or other opening between the brewery and an adjacent restaurant that provides the public and the permittee with access to both premises.

(G) Sell the brewery's beer by the glass for consumption on the premises. Brewers permitted to sell beer by the glass under this clause must make food available for consumption on the premises. A brewer may comply with the requirements of this clause by doing any of the following:

(i) Allowing a vehicle of transportation that is a food establishment (as defined in IC 16-18-2-137) to serve food near the brewer's licensed premises.

(ii) Placing menus in the brewer's premises of restaurants that will deliver food to the brewery.

(iii) Providing food prepared at the brewery.

(H) Sell and deliver beer to a consumer at the licensed premises of the brewer or at the residence of the consumer. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the brewery parking lot or an area adjacent to the brewery that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 10 of this chapter, and may not be used for point of sale purposes or any other purpose. The delivery to a consumer may be made only in a quantity at any one (1) time of not more than one-half (1/2) barrel, but the beer may be contained in bottles or other permissible containers.

(I) Sell the brewery's beer as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than five hundred seventy-six (576) ounces. A brewer's beer may be sold under this clause at any address for which the brewer holds a brewer's permit issued under this chapter if the address is located within the same city boundaries in which the beer was manufactured.

(J) With the approval of the commission, participate:

(i) individually; or

(ii) with other permit holders under this chapter, holders of artisan distiller's permits, holders of farm winery permits, or any combination of holders described in this item;

in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this clause to participate in a trade show or exposition for more than ~~*forty-five (45)*~~ *seventy-five (75)* days in a calendar year.

(K) Store or condition beer in a secure building that is:

(i) separate from the brewery; and

(ii) owned or leased by the permit holder.

(L) Transfer beer from a building described in clause (K) back to the brewery.

(M) Sell or transfer beer directly to a beer wholesaler from a building described in clause (K), but may not sell or transfer beer from the building to any other permittee or a consumer. The brewer shall maintain an adequate written record of the beer transferred:

(i) between the brewery and the separate building; and

(ii) from the separate building to the wholesaler.

(N) Sell the brewery's beer to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the brewery as approved by the commission.

(O) Receive liquor from the holder of a distiller's permit issued under IC 7.1-3-7 or the holder of an artisan distiller's permit under IC 7.1-3-27 that is located in the same county as the brewery for the purpose of carbonating and canning the liquor. Upon the completion of canning of the liquor, the product must be returned to the original production facility within forty-eight (48) hours. The activity under this clause is not an interest under IC 7.1-5-9.

(P) Receive beer from another permit holder under this subdivision for the purpose of bottling and packaging the beer. Upon completion of bottling and packaging the beer, the product must be returned to the original permit holder who manufactured the beer. The number of barrels of beer that a permit holder receives, bottles, and packages under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year. The activity under this clause is not an interest under IC 7.1-5-9.

(Q) Sell or transfer beer directly to a food manufacturer located in Indiana that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe.

(R) Manufacture beer for another permit holder under this subdivision. Upon completion of manufacturing the beer, the product must be transported to the permit holder for which the beer was manufactured. To qualify under this clause:

(i) the permit holder for which the beer is manufactured must have manufactured not less than forty (40) barrels of beer produced from raw materials at the licensed premises of the permit holder in the previous calendar year; and

(ii) the number of barrels of beer that a permit holder manufactures under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year.

All records required by the federal Alcohol and Tobacco Tax and Trade Bureau regarding the number of barrels of beer produced from raw materials at the licensed premises of a permit holder must be made available to the commission upon request. The activity under this clause is not an interest under IC 7.1-5-9.

(S) Sell, donate, transport, and deliver beer to a qualified organization for:

(i) an allowable event under IC 7.1-3-6.1;

(ii) a charity auction under IC 7.1-3-6.2; or

(iii) an event under IC 7.1-3-6.3.

~~*(S)*~~ **(T)** *With the approval of the commission under clause (J), participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The permit holder may:*

(i) provide samples of the brewery's beer for consumption on the premises, subject to a limit of three (3) samples of not more than six (6) ounces per person; and

(ii) sell six (6), twelve (12), and twenty-four (24) packs of twelve (12) ounce or sixteen (16) ounce cans of the brewery's beer in qualified containers for consumption off the premises.

(6) If the brewer's brewery manufactures more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may own a portion of the corporate stock of another brewery that:

(A) is located in the same county as the brewer's brewery;

(B) manufactures less than ninety thousand (90,000) barrels of beer in a calendar year; and

(C) is the proprietor of a restaurant that operates under subdivision (5).

(7) Provide complimentary samples of beer that are:

(A) produced by the brewer; and

(B) offered to consumers for consumption on the brewer's premises.

(8) Own a portion of the corporate stock of a sports corporation that:

(A) manages a minor league baseball stadium located in the same county as the brewer's brewery; and

(B) holds a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant located in that stadium.

(9) For beer described in IC 7.1-1-2-3(a)(4):

(A) may allow transportation to and consumption of the beer on the licensed premises; and

(B) may not sell, offer to sell, or allow sale of the beer on the licensed premises.

(10) Sell, donate, transport, and deliver beer to a qualified organization for:

(A) an allowable event under IC 7.1-3-6.1;

(B) a charity auction under IC 7.1-3-6.2; or

(C) an event under IC 7.1-3-6.3.

SECTION 277. IC 7.1-3-12-5, AS AMENDED BY HEA 1275-2025, SECTION 33, AND AS AMENDED BY HEA 1276-2025, SECTION 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) The following apply to the holder of a farm winery permit:

(1) A holder is entitled to manufacture wine and to place wine produced by the permit holder's farm winery in bottles or other permissible containers.

(2) A holder is entitled to serve complimentary samples of the winery's wine on the licensed premises or an outside area that is contiguous to the licensed premises, as approved by the commission if each employee who serves wine on the licensed premises:

(A) holds an employee's permit under IC 7.1-3-18-9; and

(B) completes a server training program approved by the commission.

(3) A holder is entitled to sell the winery's wine on the licensed premises to consumers either by:

(A) the glass;

(B) the bottle;

(C) a box that contains a bag designed for storing and dispensing wine;

(D) any combination of receptacles listed in clauses (A) through (C); or

(E) any other container permissible under federal law.

Notwithstanding IC 7.1-1-3-20, the licensed premises may include the farm winery parking lot or an area adjacent to the farm winery. The parking lot or an adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 5.5 of this chapter, and may not be used for point of sale purposes or any other purpose.

~~(4) A holder is entitled to sell the winery's wine to consumers by~~

~~*the bottle at a farmers' market that is operated on a nonprofit basis.*~~

~~*(5)*~~ *(4)* A holder is entitled to sell wine by:

(A) the bottle;

(B) the can;

(C) a box that contains a bag designed for storing and dispensing wine;

(D) bulk container;

(E) the case; or

(F) any combination of receptacles listed in clauses (A) through (E);

to a person who is the holder of a permit to sell wine at wholesale.

~~*(6)*~~ *(5)* A holder is exempt from the provisions of IC 7.1-3-14.

~~*(7)*~~ *(6)* A holder is entitled to advertise the name and address of any retailer or dealer who sells wine produced by the permit holder's winery.

~~*(8)*~~ *(7)* A holder for wine described in IC 7.1-1-2-3(a)(4):

(A) may allow transportation to and consumption of the wine on the licensed premises; and

(B) may not sell, offer to sell, or allow the sale of the wine on the licensed premises.

~~*(9)*~~ *(8)* A holder is entitled to purchase and sell bulk wine as set forth in this chapter.

~~*(10)*~~ *(9)* A holder is entitled to sell wine as authorized by this section for carryout on Sunday.

~~*(11)*~~ *(10)* A holder is entitled to sell and ship the farm winery's wine to a person located in another state in accordance with the laws of the other state.

~~*(12)*~~ *(11)* A holder is entitled to sell the farm winery's wine to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the farm winery as approved by the commission.

~~*(13)*~~ *(12)* A holder is entitled to be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5. A holder is entitled to conduct the following activities:

(A) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant.

(B) Transfer wine directly from the farm winery to a restaurant

that the farm winery has an interest in by means of:

(i) bottles or cans;

(ii) bulk containers; or

(iii) a continuous flow system.

(C) Install a window between the farm winery and an adjacent restaurant that allows the public and the holder of the permit to view both premises.

(D) Install a doorway or other opening between the farm winery and an adjacent restaurant that provides the public and the holder of the permit with access to both the farm winery and restaurant.

~~*(14)*~~ *(13)* A holder that does not distribute through an Indiana wine wholesaler is entitled under the farm winery permit to sell and deliver to a person holding a wine retailer or wine dealer permit under this title a total of not more than three thousand (3,000) gallons of the farm winery's wine in a calendar year, if the farm winery has not sold in Indiana more than fifteen thousand (15,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.

~~*(14) A holder must annually submit to the commission copies of its Indiana and federal excise tax returns.*~~

~~*(15)*~~ **(14)** *A holder may sell, donate, transport, and deliver wine to a qualified organization conducting any of the following:*

(A) An allowable event under IC 7.1-3-6.1.

(B) A charity auction under IC 7.1-3-6.2.

(C) An event under IC 7.1-3-6.3.

(b) With the approval of the commission, a holder of a permit under this chapter may conduct business at not more than three (3) additional locations that are separate from the winery. At the additional locations, the holder of a permit may conduct any business that is authorized at the first location, except for manufacturing wine or placing wine in bottles or containers.

(c) A farm winery may transfer wine from a storage facility or an additional location described in subsection (b). A farm winery may sell or transfer wine directly to a wine wholesaler from a storage facility separate from the farm winery or an additional location described in subsection (b). A farm winery may not sell or transfer wine from a storage facility to any other permittee or a consumer. The farm winery shall maintain an adequate written record of wine transferred:

(1) between the farm winery and the storage facility; and

(2) from the storage facility to the wholesaler.

(d) With the approval of the commission, a holder of a permit under this chapter may:

(1) individually; or

(2) with other permit holders under this chapter, holders of artisan distiller's permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this subdivision;

participate in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant approval under this subsection to a holder of a permit under this chapter for more than ~~*forty-five (45)*~~ *seventy-five (75)* days in a calendar year.

(e) With the approval of the commission under subsection (d), a holder of a permit may participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The permit holder may:

(1) provide samples of the permit holder's wine for consumption on the premises, subject to a limit of three (3) samples of not more than one (1) ounce per person; and

(2) sell the permit holder's wine in a qualified container for consumption off the premises.

SECTION 278. IC 16-18-2-294.5, AS AMENDED BY HEA 1065-2025, SECTION 3, AND AS AMENDED BY HEA 1453-2025, SECTION 3, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 294.5. (a) "Program", for purposes of IC 16-40-4, has the meaning set forth in IC 16-40-4-3.

(b) "Program", for purposes of IC 16-41-7.5, has the meaning set forth in IC 16-41-7.5-2.

(c) "Program", for purposes of IC 16-46-7.6, has the meaning set forth in IC 16-46-7.6-3.

~~*(c)*~~ **(d)** *"Program", for purposes of IC 16-46-18, has the meaning set forth in IC 16-46-18-3.*

~~(d)~~ **(e)** "Program", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-3.

SECTION 279. IC 16-28-13-3, AS AMENDED BY HEA 1385-2025, SECTION 1, AND AS AMENDED BY HEA 1457-2025, SECTION 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A health care facility or an entity in the business of contracting to provide nurse aides or other unlicensed employees for a health care facility may not

knowingly employ a person as a nurse aide or other unlicensed employee if one (1) or more of the following conditions exist:

(1) The person has been convicted of any of the following:

(A) A sex crime (IC 35-42-4).

(B) Exploitation of an endangered adult (IC 35-46-1-12).

(C) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).

(D) *A felony offense relating to* theft, *conversion, or receiving stolen property* (IC 35-43-4), if the person's conviction for theft, *conversion, or receiving stolen property* occurred less than five (5) years before the individual's employment application date. ~~*except as provided in IC 16-27-2-5(a)(5).*~~

(E) Identity deception (IC 35-43-5-3.5), if the conviction is a felony conviction that occurred less than five (5) years before the person's employment application date.

(F) Fraud (IC 35-43-5-4), if the conviction is a felony conviction that occurred less than five (5) years before the person's employment application date.

~~*(E)*~~ *(G)* Murder (IC 35-42-1-1).

~~*(F)*~~ *(H)* Voluntary manslaughter (IC 35-42-1-3).

~~*(G) Involuntary manslaughter (IC 35-42-1-4) within the previous five (5) years.*~~ *(I) Except as otherwise specified in this section, a crime of violence (as defined in IC 35-50-1-2), if the person's conviction occurred less than ten (10) years before the person's employment application date.*

~~*(H)*~~ *(J)* Felony battery within the previous five (5) years.

~~*(I)*~~ *(K)* A felony offense relating to controlled substances within the previous five (5) years, *unless:*

(i) the person is certified as a peer recovery coach through a credential recognized by the division of mental health and addiction;

(ii) the person has not been convicted of a felony offense relating to controlled substances after the issuance of a peer recovery coach credential; and

(iii) there are no felony charges relating to controlled substances pending against the person.

(2) The person:

(A) has abused, neglected, or mistreated a patient or misappropriated a patient's property; and

(B) had a finding entered into the state nurse aide registry *under IC 25-23-2.*

(b) A person who knowingly or intentionally applies for a job as a

nurse aide or other unlicensed employee at:

(1) a health care facility; or

(2) an entity in the business of contracting to provide nurse aides or other unlicensed employees for a health care facility;

after a conviction of one (1) or more of the offenses listed in subsection (a)(1) commits a Class A infraction.

SECTION 280. IC 5-14-1.5-6.1, AS AMENDED BY HEA 1134-2025, SECTION 1, AND AS AMENDED BY HEA 1641-2025, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.1. (a) As used in this section, "public official" means a person:

(1) who is a member of a governing body of a public agency; or

(2) whose tenure and compensation are fixed by law and who executes an oath.

(b) Executive sessions may be held only in the following instances:

(1) Where authorized by federal or state statute.

(2) For discussion of strategy with respect to any of the following:

(A) Collective bargaining, which does not include a discussion or meeting under IC 20-29-6-7.

(B) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, "litigation" includes any judicial action or administrative law proceeding under federal or state law.

(C) The implementation of security systems.

(D) A real property transaction including:

(i) a purchase;

(ii) a lease as lessor;

(iii) a lease as lessee;

(iv) a transfer;

(v) an exchange; or

(vi) a sale;

by the governing body up to the time a contract or option is executed by the parties. This clause does not affect a political subdivision's duty to comply with any other statute that governs the conduct of the real property transaction, including IC 36-1-10 or IC 36-1-11.

(E) School consolidation.

However, all such strategy discussions must be necessary for competitive or bargaining reasons and may not include competitive or bargaining adversaries.

(3) For discussion of the assessment, design, and implementation of school safety and security measures, plans, and systems.

(4) Interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by:

(A) the Indiana economic development corporation;

(B) the office of tourism development (before July 1, 2020) or the Indiana destination development corporation (after June 30, 2020);

(C) the Indiana finance authority;

(D) the ports of Indiana;

(E) an economic development commission;

(F) the Indiana state department of agriculture;

(G) the Indiana White River state park development commission;

(H) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or

(I) a governing body of a political subdivision.

However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(5) To receive information about and interview prospective employees.

(6) With respect to any individual over whom the governing body has jurisdiction:

(A) to receive information concerning the individual's alleged misconduct; and

(B) to discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is:

(i) a physician; or

(ii) a school bus driver.

(7) For discussion of records classified as confidential by state or federal statute.

(8) To discuss before a placement decision an individual student's abilities, past performance, behavior, and needs.

(9) To discuss a job performance evaluation, *employee specific compensation, or employment matters* of individual employees. This subdivision does not apply to a *general* discussion of the salary, compensation, or benefits of employees during a budget process.

(10) When considering the appointment of a public official, to do the following:

(A) Develop a list of prospective appointees.

(B) Consider applications.

(C) Make one (1) initial exclusion of prospective appointees from further consideration.

Notwithstanding IC 5-14-3-4(b)(12), a governing body may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three (3) unless there are fewer than three (3) prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(11) To train school board members with an outside consultant about the performance of the role of the members as public officials.

(12) To prepare or score examinations used in issuing licenses, certificates, permits, or registrations under IC 25.

(13) To discuss information and intelligence intended to prevent, mitigate, or respond to the threat of terrorism.

(14) To train members of a board of aviation commissioners appointed under IC 8-22-2 or members of an airport authority board appointed under IC 8-22-3 with an outside consultant about the performance of the role of the members as public officials. A board may hold not more than one (1) executive session per calendar year under this subdivision.

(15) For discussion by the governing body of a state educational institution of:

(A) the assessment of; or

(B) negotiation with another entity concerning;

the establishment of a collaborative relationship or venture to advance the research, engagement, or education mission of the state educational institution. However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(16) To discuss either of the following:

(A) Employee health care options with respect to special exceptions for coverage.

(B) Employee handbook changes.

(17) To review negotiations on the performance of publicly bid contracts when public knowledge regarding the review would cause a likelihood of increased costs.

(18) To discuss soliciting proposals for the purpose of awarding contracts for goods or services, when:

(A) proprietary data, trade secrets, or other information is contained in the bidder's proposal relating to the bidder's unique methods of:

(i) conducting business; or

(ii) determining prices or premium rates to be charged for services under the terms of the proposal; and

(B) public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of the information described in clause (A).

~~*(16)*~~ **(19)** *To have communications with an attorney that are subject to the attorney client privilege.*

(c) A final action must be taken at a meeting open to the public.

(d) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under subsection (b). The requirements stated in section 4 of this chapter for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The governing body shall certify by a statement in the memoranda and minutes of the governing body that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(e) A governing body may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this subsection.

SECTION 281. IC 36-7-14-39, AS AMENDED BY HEA 1641-2025, SECTION 20, AND AS AMENDED BY SEA 1-2025, SECTION 234, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2027]: Sec. 39. (a) As used in this section:

"Allocation area" means that part of a redevelopment project area to which an allocation provision of a declaratory resolution adopted under section 15 of this chapter refers for purposes of distribution and allocation of property taxes.

"Base assessed value" means, subject to subsection (j), the

following:

(1) If an allocation provision is adopted after June 30, 1995, in a declaratory resolution or an amendment to a declaratory resolution establishing an economic development area:

(A) the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision of the declaratory resolution, as adjusted under subsection (h); plus

(B) to the extent that it is not included in clause (A), the net assessed value of property that is assessed as residential property under the rules of the department of local government finance, within the allocation area, as finally determined for the current assessment date.

(2) If an allocation provision is adopted after June 30, 1997, in a declaratory resolution or an amendment to a declaratory resolution establishing a redevelopment project area:

(A) the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision of the declaratory resolution, as adjusted under subsection (h); plus

(B) to the extent that it is not included in clause (A), the net assessed value of property that is assessed as residential property under the rules of the department of local government finance, as finally determined for the current assessment date.

(3) If:

(A) an allocation provision adopted before June 30, 1995, in a declaratory resolution or an amendment to a declaratory resolution establishing a redevelopment project area expires after June 30, 1997; and

(B) after June 30, 1997, a new allocation provision is included in an amendment to the declaratory resolution;

the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision adopted after June 30, 1997, as adjusted under subsection (h).

(4) Except as provided in subdivision (5), for all other allocation areas, the net assessed value of all the property as finally determined for the assessment date immediately preceding the effective date of the allocation provision of the declaratory resolution, as adjusted under subsection (h).

(5) If an allocation area established in an economic development area before July 1, 1995, is expanded after June 30, 1995, the

definition in subdivision (1) applies to the expanded part of the area added after June 30, 1995.

(6) If an allocation area established in a redevelopment project area before July 1, 1997, is expanded after June 30, 1997, the definition in subdivision (2) applies to the expanded part of the area added after June 30, 1997.

Except as provided in section 39.3 of this chapter, "property taxes" means taxes imposed under IC 6-1.1 on real property. However, upon approval by a resolution of the redevelopment commission adopted before June 1, 1987, "property taxes" also includes taxes imposed under IC 6-1.1 on depreciable personal property. If a redevelopment commission adopted before June 1, 1987, a resolution to include within the definition of property taxes, taxes imposed under IC 6-1.1 on depreciable personal property that has a useful life in excess of eight (8) years, the commission may by resolution determine the percentage of taxes imposed under IC 6-1.1 on all depreciable personal property that will be included within the definition of property taxes. However, the percentage included must not exceed twenty-five percent (25%) of the taxes imposed under IC 6-1.1 on all depreciable personal property.

(b) A declaratory resolution adopted under section 15 of this chapter on or before the allocation deadline determined under subsection (i) may include a provision with respect to the allocation and distribution of property taxes for the purposes and in the manner provided in this section. A declaratory resolution previously adopted may include an allocation provision by the amendment of that declaratory resolution on or before the allocation deadline determined under subsection (i) in accordance with the procedures required for its original adoption. A declaratory resolution or amendment that establishes an allocation provision must include a specific finding of fact, supported by evidence, that the adoption of the allocation provision will result in new property taxes in the area that would not have been generated but for the adoption of the allocation provision. For an allocation area established before July 1, 1995, the expiration date of any allocation provisions for the allocation area is June 30, 2025, or the last date of any obligations that are outstanding on July 1, 2015, whichever is later. A declaratory resolution or an amendment that establishes an allocation provision after June 30, 1995, must specify an expiration date for the allocation provision. For an allocation area established before July 1, 2008, the expiration date may not be more than thirty (30) years after the date on which the allocation provision is established. For an allocation area established after June 30, 2008, the expiration date may not be more than twenty-five (25) years after the date on which the first

obligation was incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues. However, with respect to bonds or other obligations that were issued before July 1, 2008, if any of the bonds or other obligations that were scheduled when issued to mature before the specified expiration date and that are payable only from allocated tax proceeds with respect to the allocation area remain outstanding as of the expiration date, the allocation provision does not expire until all of the bonds or other obligations are no longer outstanding. Notwithstanding any other law, in the case of an allocation area that is established after June 30, 2019, and that is located in a redevelopment project area described in section 25.1(c)(3)(C) of this chapter, an economic development area described in section 25.1(c)(3)(C) of this chapter, or an urban renewal project area described in section 25.1(c)(3)(C) of this chapter, the expiration date of the allocation provision may not be more than thirty-five (35) years after the date on which the allocation provision is established. The allocation provision may apply to all or part of the redevelopment project area. The allocation provision must require that any property taxes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the allocation area be allocated and distributed as follows:

(1) Except as otherwise provided in this section, the proceeds of the taxes attributable to the lesser of:

(A) the assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or

(B) the base assessed value;

shall be allocated to and, when collected, paid into the funds of the respective taxing units.

(2) This subdivision applies to a fire protection territory established after December 31, 2022. If a unit becomes a participating unit of a fire protection territory that is established after a declaratory resolution is adopted under section 15 of this chapter, the excess of the proceeds of the property taxes attributable to an increase in the property tax rate for the participating unit of a fire protection territory:

(A) except as otherwise provided by this subdivision, shall be determined as follows:

STEP ONE: Divide the unit's tax rate for fire protection for the year before the establishment of the fire protection territory by the participating unit's tax rate as part of the fire protection territory.

STEP TWO: Subtract the STEP ONE amount from one (1).
STEP THREE: Multiply the STEP TWO amount by the allocated property tax attributable to the participating unit of the fire protection territory; and

(B) to the extent not otherwise included in subdivisions (1) and (3), the amount determined under STEP THREE of clause (A) shall be allocated to and distributed in the form of an allocated property tax revenue pass back to the participating unit of the fire protection territory for the assessment date with respect to which the allocation is made.

However, if the redevelopment commission determines that it is unable to meet its debt service obligations with regards to the allocation area without all or part of the allocated property tax revenue pass back to the participating unit of a fire protection area under this subdivision, then the allocated property tax revenue pass back under this subdivision shall be reduced by the amount necessary for the redevelopment commission to meet its debt service obligations of the allocation area. The calculation under this subdivision must be made by the redevelopment commission in collaboration with the county auditor and the applicable fire protection territory. Any calculation determined according to clause (A) must be submitted to the department of local government finance in the manner prescribed by the department of local government finance. The department of local government finance shall verify the accuracy of each calculation.

(3) The excess of the proceeds of the property taxes imposed for the assessment date with respect to which the allocation and distribution is made that are attributable to taxes imposed after being approved by the voters in a referendum or local public question conducted after April 30, 2010, not otherwise included in subdivisions (1) and (2) shall be allocated to and, when collected, paid into the funds of the taxing unit for which the referendum or local public question was conducted.

(4) Except as otherwise provided in this section, property tax proceeds in excess of those described in subdivisions (1), (2), and (3) shall be allocated to the redevelopment district and, when collected, paid into an allocation fund for that allocation area that may be used by the redevelopment district only to do one (1) or more of the following:

(A) Pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the redevelopment district for the purpose of financing or

refinancing the redevelopment of that allocation area.

(B) Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in that allocation area.

(C) Pay the principal of and interest on bonds payable from allocated tax proceeds in that allocation area and from the special tax levied under section 27 of this chapter.

(D) Pay the principal of and interest on bonds issued by the unit to pay for local public improvements that are physically located in or physically connected to that allocation area.

(E) Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in that allocation area.

(F) Make payments on leases payable from allocated tax proceeds in that allocation area under section 25.2 of this chapter.

(G) Reimburse the unit for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in section 25.1(a) of this chapter) that are physically located in or physically connected to that allocation area.

(H) Reimburse the unit for rentals paid by it for a building or parking facility that is physically located in or physically connected to that allocation area under any lease entered into under IC 36-1-10.

(I) For property taxes first due and payable before January 1, 2009, pay all or a part of a property tax replacement credit to taxpayers in an allocation area as determined by the redevelopment commission. This credit equals the amount determined under the following STEPS for each taxpayer in a taxing district (as defined in IC 6-1.1-1-20) that contains all or part of the allocation area:

STEP ONE: Determine that part of the sum of the amounts under IC 6-1.1-21-2(g)(1)(A), IC 6-1.1-21-2(g)(2), IC 6-1.1-21-2(g)(3), IC 6-1.1-21-2(g)(4), and IC 6-1.1-21-2(g)(5) (before their repeal) that is attributable to the taxing district.

STEP TWO: Divide:

(i) that part of each county's eligible property tax replacement amount (as defined in IC 6-1.1-21-2 (before its repeal)) for that year as determined under IC 6-1.1-21-4 (before its repeal) that is attributable to the taxing district;

by

(ii) the STEP ONE sum.

STEP THREE: Multiply:

(i) the STEP TWO quotient; times

(ii) the total amount of the taxpayer's taxes (as defined in IC 6-1.1-21-2 (before its repeal)) levied in the taxing district that have been allocated during that year to an allocation fund under this section.

If not all the taxpayers in an allocation area receive the credit in full, each taxpayer in the allocation area is entitled to receive the same proportion of the credit. A taxpayer may not receive a credit under this section and a credit under section 39.5 of this chapter (before its repeal) in the same year.

(J) Pay expenses incurred by the redevelopment commission for local public improvements that are in the allocation area or serving the allocation area. Public improvements include buildings, parking facilities, and other items described in section 25.1(a) of this chapter.

(K) Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located:

(i) in the allocation area; and

(ii) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance.

However, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this clause. The reimbursements under this clause must be made within three (3) years after the date on which the investments that are the basis for the increment financing are made.

(L) Pay the costs of carrying out an eligible efficiency project (as defined in IC 36-9-41-1.5) within the unit that established the redevelopment commission. However, property tax proceeds may be used under this clause to pay the costs of carrying out an eligible efficiency project only if those property tax proceeds exceed the amount necessary to do the following:

(i) Make, when due, any payments required under clauses (A) through (K), including any payments of principal and interest on bonds and other obligations payable under this

subdivision, any payments of premiums under this subdivision on the redemption before maturity of bonds, and any payments on leases payable under this subdivision.

(ii) Make any reimbursements required under this subdivision.

(iii) Pay any expenses required under this subdivision.

(iv) Establish, augment, or restore any debt service reserve under this subdivision.

(M) Expend money and provide financial assistance as authorized in section 12.2(a)(27) of this chapter.

(N) Expend revenues that are allocated for police and fire services on both capital expenditures and operating expenses as authorized in section 12.2(a)(28) of this chapter.

The allocation fund may not be used for operating expenses of the commission.

(5) Except as provided in subsection (g), before June 15 of each year, the commission shall do the following:

(A) Determine the amount, if any, by which the assessed value of the taxable property in the allocation area for the most recent assessment date minus the base assessed value, when multiplied by the estimated tax rate of the allocation area, will exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds described in subdivision (4), plus the amount necessary for other purposes described in subdivision (4).

(B) Provide a written notice to the county auditor, the fiscal body of the county or municipality that established the department of redevelopment, and the officers who are authorized to fix budgets, tax rates, and tax levies under IC 6-1.1-17-5 for each of the other taxing units that is wholly or partly located within the allocation area. The county auditor, upon receiving the notice, shall forward this notice (in an electronic format) to the department of local government finance not later than June 15 of each year. The notice must:

(i) state the amount, if any, of excess assessed value that the commission has determined may be allocated to the respective taxing units in the manner prescribed in subdivision (1); or

(ii) state that the commission has determined that there is no excess assessed value that may be allocated to the respective taxing units in the manner prescribed in subdivision (1).

The county auditor shall allocate to the respective taxing units the amount, if any, of excess assessed value determined by the commission. The commission may not authorize an allocation of assessed value to the respective taxing units under this subdivision if to do so would endanger the interests of the holders of bonds described in subdivision (4) or lessors under section 25.3 of this chapter.

(C) If:

(i) the amount of excess assessed value determined by the commission is expected to generate more than two hundred percent (200%) of the amount of allocated tax proceeds necessary to make, when due, principal and interest payments on bonds described in subdivision (4); plus

(ii) the amount necessary for other purposes described in subdivision (4);

the commission shall submit to the legislative body of the unit its determination of the excess assessed value that the commission proposes to allocate to the respective taxing units in the manner prescribed in subdivision (1). The legislative body of the unit may approve the commission's determination or modify the amount of the excess assessed value that will be allocated to the respective taxing units in the manner prescribed in subdivision (1).

(6) Notwithstanding subdivision (5), in the case of an allocation area that is established after June 30, 2019, and that is located in a redevelopment project area described in section 25.1(c)(3)(C) of this chapter, an economic development area described in section 25.1(c)(3)(C) of this chapter, or an urban renewal project area described in section 25.1(c)(3)(C) of this chapter, for each year the allocation provision is in effect, if the amount of excess assessed value determined by the commission under subdivision (5)(A) is expected to generate more than two hundred percent (200%) of:

(A) the amount of allocated tax proceeds necessary to make, when due, principal and interest payments on bonds described in subdivision (4) for the project; plus

(B) the amount necessary for other purposes described in subdivision (4) for the project;

the amount of the excess assessed value that generates more than two hundred percent (200%) of the amounts described in clauses (A) and (B) shall be allocated to the respective taxing units in the manner prescribed by subdivision (1).

(c) For the purpose of allocating taxes levied by or for any taxing unit or units, the assessed value of taxable property in a territory in the allocation area that is annexed by any taxing unit after the effective date of the allocation provision of the declaratory resolution is the lesser of:

(1) the assessed value of the property for the assessment date with respect to which the allocation and distribution is made; or

(2) the base assessed value.

(d) Property tax proceeds allocable to the redevelopment district under subsection (b)(4) may, subject to subsection (b)(5), be irrevocably pledged by the redevelopment district for payment as set forth in subsection (b)(4).

(e) Notwithstanding any other law, each assessor shall, upon petition of the redevelopment commission, reassess the taxable property situated upon or in, or added to, the allocation area, effective on the next assessment date after the petition.

(f) Notwithstanding any other law, the assessed value of all taxable property in the allocation area, for purposes of tax limitation, property tax replacement, and formulation of the budget, tax rate, and tax levy for each political subdivision in which the property is located is the lesser of:

(1) the assessed value of the property as valued without regard to this section; or

(2) the base assessed value.

(g) If any part of the allocation area is located in an enterprise zone created under IC 5-28-15, the unit that designated the allocation area shall create funds as specified in this subsection. A unit that has obligations, bonds, or leases payable from allocated tax proceeds under subsection (b)(4) shall establish an allocation fund for the purposes specified in subsection (b)(4) and a special zone fund. Such a unit shall, until the end of the enterprise zone phase out period, deposit each year in the special zone fund any amount in the allocation fund derived from property tax proceeds in excess of those described in subsection (b)(1), (b)(2), and (b)(3) from property located in the enterprise zone that exceeds the amount sufficient for the purposes specified in subsection (b)(4) for the year. The amount sufficient for purposes specified in subsection (b)(4) for the year shall be determined based on the pro rata portion of such current property tax proceeds from the part of the enterprise zone that is within the allocation area as compared to all such current property tax proceeds derived from the allocation area. A unit that has no obligations, bonds, or leases payable from allocated tax proceeds under subsection (b)(4) shall establish a special zone fund

and deposit all the property tax proceeds in excess of those described in subsection (b)(1), (b)(2), and (b)(3) in the fund derived from property tax proceeds in excess of those described in subsection (b)(1), (b)(2), and (b)(3) from property located in the enterprise zone. The unit that creates the special zone fund shall use the fund (based on the recommendations of the urban enterprise association) for programs in job training, job enrichment, and basic skill development that are designed to benefit residents and employers in the enterprise zone or other purposes specified in subsection (b)(4), except that where reference is made in subsection (b)(4) to allocation area it shall refer for purposes of payments from the special zone fund only to that part of the allocation area that is also located in the enterprise zone. Those programs shall reserve at least one-half (1/2) of their enrollment in any session for residents of the enterprise zone.

(h) The state board of accounts and department of local government finance shall make the rules and prescribe the forms and procedures that they consider expedient for the implementation of this chapter. After each reassessment in an area under a reassessment plan prepared under IC 6-1.1-4-4.2, the department of local government finance shall adjust the base assessed value one (1) time to neutralize any effect of the reassessment of the real property in the area on the property tax proceeds allocated to the redevelopment district under this section. After each annual adjustment under IC 6-1.1-4-4.5, the department of local government finance shall adjust the base assessed value one (1) time to neutralize any effect of the annual adjustment on the property tax proceeds allocated to the redevelopment district under this section. However, the adjustments under this subsection:

(1) may not include the effect of phasing in assessed value due to property tax abatements under IC 6-1.1-12.1;

(2) may not produce less property tax proceeds allocable to the redevelopment district under subsection (b)(4) than would otherwise have been received if the reassessment under the reassessment plan or the annual adjustment had not occurred; and

(3) may decrease base assessed value only to the extent that assessed values in the allocation area have been decreased due to annual adjustments or the reassessment under the reassessment plan.

Assessed value increases attributable to the application of an abatement schedule under IC 6-1.1-12.1 may not be included in the base assessed value of an allocation area. The department of local government finance may prescribe procedures for county and township officials to follow to assist the department in making the adjustments.

(i) The allocation deadline referred to in subsection (b) is determined in the following manner:

(1) The initial allocation deadline is December 31, 2011.

(2) Subject to subdivision (3), the initial allocation deadline and subsequent allocation deadlines are automatically extended in increments of five (5) years, so that allocation deadlines subsequent to the initial allocation deadline fall on December 31, 2016, and December 31 of each fifth year thereafter.

(3) At least one (1) year before the date of an allocation deadline determined under subdivision (2), the general assembly may enact a law that:

(A) terminates the automatic extension of allocation deadlines under subdivision (2); and

(B) specifically designates a particular date as the final allocation deadline.

(j) If a redevelopment commission adopts a declaratory resolution or an amendment to a declaratory resolution that contains an allocation provision and the redevelopment commission makes either of the filings required under section 17(e) of this chapter after the first anniversary of the effective date of the allocation provision, the auditor of the county in which the unit is located shall compute the base assessed value for the allocation area using the assessment date immediately preceding the later of:

(1) the date on which the documents are filed with the county auditor; or

(2) the date on which the documents are filed with the department of local government finance.

(k) For an allocation area established after June 30, 2025, "residential property" refers to the assessed value of property that is allocated to the one percent (1%) homestead land and improvement categories in the county tax and billing software system. ~~*along with the residential assessed value as defined for purposes of calculating the rate for the local income tax property tax relief credit designated for residential property under IC 6-3.6-5-6(d)(3). (before its expiration).*~~

SECTION 282. IC 12-17.2-3.5-8, AS AMENDED BY SEA 463-2025, SECTION 2, AND AS AMENDED BY SEA 486-2025, SECTION 13, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) At least one (1) adult individual who maintains certification in a course of *pediatric* cardiopulmonary resuscitation applicable to all age groups of children cared for by a provider shall be present at all times when a child is in the care of the provider.

(b) *Except as provided in subsection (c),* the following apply to an individual who is employed or volunteers as a caregiver at a facility where a provider operates a child care program:

(1) The individual shall maintain current certification in *pediatric* first aid applicable to all age groups of children cared for by the provider.

(2) If the individual is:

(A) at least eighteen (18) years of age, the individual may act as a caregiver without supervision of another caregiver; or

(B) less than eighteen (18) years of age, the individual may act as a caregiver only if the individual:

(i) is at least fourteen (14) years of age; and

(ii) is, at all times when child care is provided, directly supervised by a caregiver who is at least eighteen (18) years of age.

(3) Before beginning employment or volunteer duties, the individual must receive a formal orientation to the facility and the child care program.

(4) Beginning July 1, 2015, unless the provider is a parent, stepparent, guardian, custodian, or other relative to each child in the care of the provider, the individual annually must receive at least twelve (12) hours of continuing education approved by the division and related to the age appropriate educational development, care, and safety of children. The hours of continuing education required by this subdivision may include the training described in this chapter concerning child abuse detection and prevention, first aid, cardiopulmonary resuscitation, and safe sleeping practices.

(5) Not more than three (3) months after the individual begins employment or volunteer duties, the individual must receive training approved by the division concerning child abuse detection and prevention.

(6) Not more than ninety (90) days after the individual begins employment or volunteer duties, the individual must be trained in pediatric cardiopulmonary resuscitation applicable to all age groups of children cared for by the child care provider.

(c) An individual who is at least fifteen (15) years of age and is a student at a school corporation that operates a child care program may volunteer as a caregiver for the child care program before completing the requirements under subsection (b) if the individual:

(1) is supervised by an adult who is authorized under this article to provide child care services; and

(2) completes the requirements under subsection (b) not later than three (3) months after the individual begins volunteering at the facility.

~~(c)~~ *(d)* A provider shall:

(1) maintain at the facility where the provider operates a child care program documentation of all training and completion of continuing education required by this section; and

(2) make the documentation available to the division upon request.

SECTION 283. IC 4-13.1-2-9, AS AMENDED BY SEA 459-2025, SECTION 1, AND AS AMENDED BY SEA 472-2025, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. *(a) This section does not apply to an entity subject to IC 13-18-16.5.*

~~(a)~~ *(b)* A state agency (as defined in IC 4-1-10-2) other than *a* state educational ~~*institutions;*~~ *institution,* and a political subdivision (as defined in IC 36-1-2-13), *other than a political subdivision established under IC 8-1-11.1,* shall:

(1) report any cybersecurity incident using their best professional judgment to the office without unreasonable delay and not later than two (2) business days after discovery of the cybersecurity incident in a format prescribed by the chief information officer; and

(2) provide the office with the name and contact information of any individual who will act as the primary reporter of a cybersecurity incident described in subdivision (1) before September 1, 2021, and before September 1 of every year thereafter.

Nothing in this section shall be construed to require reporting that conflicts with federal privacy laws or is prohibited due to an ongoing law enforcement investigation.

SECTION 284. IC 7.1-3-15-3, AS AMENDED BY HEA 1053-2025, SECTION 18, AND AS AMENDED BY HEA 1275-2025, SECTION 37, AND AS AMENDED BY HEA 1276-2025, SECTION 8, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) The holder of a wine dealer's permit shall be entitled to purchase wine only from a permittee who is authorized to sell to a wine dealer under this title. A wine dealer shall be entitled to sell wine for consumption off the licensed premises only and not by the drink.

(b) A wine dealer shall be entitled to sell wine in permissible containers. ~~*in a quantity of not more than three (3) standard cases, as*~~

~~*determined under the rules of the commission, in a single transaction.*~~ However, a wine dealer who is licensed under IC 7.1-3-10-4 may possess wine and sell it at retail in its original package to a customer only for consumption off the licensed premises.

(c) Unless a wine dealer is a grocery store or drug store, a wine dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. A wine dealer that is a grocery store or drug store may sell any item except alcoholic beverages through a window in the licensed premises to a person who is outside the licensed premises.

(d) ~~*However,*~~ *A wine dealer may deliver wine as follows:*

(1) Except as provided in subdivision (2), only in permissible containers to a customer's:

(A) residence; or

(B) office.

(2) In the case of a wine dealer who is licensed under IC 7.1-3-10-4, ~~*may deliver wine*~~ only in permissible containers to a customer's:

(A) residence;

(B) office; or

(C) designated location.

~~*This*~~ *A wine* delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold.

(e) The holder of a wine dealer's permit may sell, donate, transport, and deliver wine to a qualified organization for:

(1) an allowable event under IC 7.1-3-6.1;

(2) a charity auction under IC 7.1-3-6.2; or

(3) an event under IC 7.1-3-6.3.

SECTION 285. IC 7.1-3-27-8, AS AMENDED BY HEA 1053-2025, SECTION 23, AND AS AMENDED BY HEA 1275-2025, SECTION 43, AND AS AMENDED BY HEA 1276-2025, SECTION 13, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) The holder of an artisan distiller's permit may do only the following:

(1) Manufacture liquor, including blending liquor purchased from another manufacturer with liquor the artisan distiller manufactures under section 11 of this chapter.

(2) Bottle liquor manufactured by the artisan distiller.

(3) Insert liquor manufactured by the artisan distiller into a

container.

(4) Store liquor manufactured by the artisan distiller, including at a facility located within ten (10) miles of the artisan distiller's distillery.

(5) Transport, sell, and deliver liquor manufactured by the artisan distiller to:

(A) places outside Indiana; or

(B) the holder of a liquor wholesaler's permit under IC 7.1-3-8.

(6) Sell liquor manufactured by the artisan distiller to consumers by the drink, bottle, container, or case from the licensed premises of the distillery where the liquor was manufactured. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the distillery parking lot or an area adjacent to the artisan distillery. The parking lot or adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 8.1 of this chapter and may not be used for point of sale purposes or any other purpose.

(7) Serve complimentary samples of the liquor manufactured by the artisan distiller to consumers on the premises of the distillery where the liquor was manufactured.

(8) Sell liquor as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than four and five-tenths (4.5) liters.

(9) With the approval of the commission, participate:

(A) individually; or

(B) with other permit holders under this chapter, holders of farm winery permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this clause;

in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this subdivision to participate in a trade show or exposition for more than ~~*forty-five (45)*~~ *seventy-five (75)* days in a calendar year.

(10) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5. A holder is entitled to conduct the following activities:

(A) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant.

(B) Transfer liquor directly from the artisan distillery to a restaurant that the artisan distiller has an interest in by means of:

(i) bottles;

(ii) bulk containers; or

(iii) a continuous flow system.

(C) Install a window between the artisan distillery and an adjacent restaurant that allows the public and the holder of the permit to view both premises.

(D) Install a doorway or other opening between the artisan distillery and an adjacent restaurant that provides the public and the holder of the permit with access to both the artisan distillery and restaurant.

(11) A holder that does not distribute through an Indiana liquor wholesaler is entitled under the artisan distiller's permit to sell and deliver to a person holding a liquor retailer or liquor dealer permit under this title a total of not more than ~~*one thousand (1,000)*~~ *two thousand (2,000)* gallons of the artisan distillery's liquor in a calendar year, if the artisan distiller has not sold in Indiana more than ~~*nine thousand (9,000)*~~ *ten thousand (10,000)* gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.

~~*(12) A holder must annually submit to the commission copies of its Indiana and federal excise tax returns.*~~

(12) Sell, donate, transport, and deliver liquor manufactured by the artisan distiller to a qualified organization for:

(A) an allowable event under IC 7.1-3-6.1;

(B) a charity auction under IC 7.1-3-6.2; or

(C) an event under IC 7.1-3-6.3.

(13) With the approval of the commission under subdivision (9), the holder of a permit may participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The holder of a permit:

(A) may not offer samples of liquor for consumption on the premises; and

(B) may sell its liquor in qualified containers for consumption off the premises.

~~*(13)*~~ **(14)** *Manufacture liquor at the licensed premises for another*

holder of an artisan distiller's permit. Upon completion of the manufacturing of the liquor for another permit holder under this subdivision, the product must be transported to the permit holder for which the liquor was manufactured. To qualify under this subdivision:

(A) the permit holder for which the liquor is manufactured must have manufactured not less than forty (40) gallons of liquor produced from raw materials at the permit holder's licensed premises in the previous calendar year; and

(B) the total number of gallons of liquor that a permit holder manufactures under this subdivision may not exceed the number of gallons of liquor the permit holder produced from raw materials at the permit holder's licensed premises in the same calendar year.

All records required by the federal Alcohol and Tobacco Tax and Trade Bureau regarding the number of gallons of liquor produced from raw materials at the licensed premises of a permit holder must be available to the commission upon request. The activity under this subdivision is not an interest under IC 7.1-5-9.

(b) The holder of an artisan distiller's permit who provides samples or sells liquor by the glass must furnish the minimum food requirements prescribed by the commission.

(c) A storage facility used by an artisan distiller under subsection (a)(4) must conform with federal laws, rules, and regulations. An artisan distiller may transfer liquor from a separate storage facility back to the artisan distillery. An artisan distiller may sell or transfer liquor directly to a liquor wholesaler from a storage facility that is separate from the artisan distillery. An artisan distiller may not sell or transfer liquor from a storage facility to any other permittee or a consumer. The artisan distiller shall maintain an adequate written record of the liquor transferred:

(1) between the artisan distillery and the storage facility; and

(2) from the storage facility to the liquor wholesaler.

(d) The holder of an artisan distiller's permit may transport liquor to and from a brewery located within the same county for the purposes of carbonating and canning by the brewery. The activity under this subsection is not an interest under IC 7.1-5-9.

(e) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 286. IC 3-5-2-2.5, AS AMENDED BY HEA 1680-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 2.5. "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 expenditure of ten thousand dollars ($10,000) 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.~~

SECTION 287. IC 3-9-5-14, AS AMENDED BY HEA 1467-2025, SECTION 11, AND AS AMENDED BY HEA 1680-2025, SECTION 16, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. (a) As used in this section, "threshold contribution amount" refers to the following:

(1) For contributions made to a candidate's committee, a legislative caucus committee, or a political action committee, one hundred dollars ($100).

(2) For contributions made to a regular party committee, two hundred dollars ($200).

(b) The report of each committee's treasurer must disclose the following:

(1) The amount of cash on hand and the value of any investments made by the committee at the beginning of the reporting period.

(2) The total sum of individual contributions including transfers-in, accepted by the committee during its reporting period.

(3) The following information regarding each person who has made one (1) or more contributions within the year, in an aggregate amount that exceeds the threshold contribution amount in actual value to or for the committee, including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events:

(A) The full name of the person.

(B) The full mailing address of the person making the contribution.

(C) The person's occupation, if the person is an individual who has made contributions to the committee of at least one thousand dollars ($1,000) during the calendar year.

(D) The date and amount of each contribution.

(4) The name and address of each committee from which the

reporting committee received, or to which that committee made, a transfer of funds, together with the amounts and dates of all transfers.

(5) If the reporting committee is a candidate's committee, the following information about each other committee that has reported expenditures to the reporting candidate's committee under section 15 of this chapter:

(A) The name and address of the other committee.

(B) The amount of expenditures reported by the other committee.

(C) The date of the expenditures reported by the other committee.

(D) The purpose of the expenditures reported by the other committee.

(6) Each loan to or from a person within the reporting period together with the following information:

(A) The full names and mailing addresses of the lender and endorsers, if any.

(B) The person's occupation, if the person is an individual who has made loans of at least one thousand dollars ($1,000) to the committee during the calendar year.

(C) The date and amount of the loans.

(7) The total sum of all receipts of the committee during the reporting period.

(8) The full name, mailing address, occupation, and principal place of business, if any, of each person other than a committee to whom an expenditure was made by the committee or on behalf of the committee within the year in an aggregate amount that:

(A) exceeds one hundred dollars ($100), in the case of a candidate's committee, legislative caucus committee, or political action committee; or

(B) exceeds two hundred dollars ($200), in the case of a regular party committee.

(9) The name, address, and office sought by each candidate for whom any expenditure was made or a statement identifying the public question for which any expenditure was made, including the amount, date, and purpose of each expenditure.

(10) The full name, mailing address, occupation, and principal place of business, if any, of each person to whom an expenditure for personal services, salaries, or reimbursed expenses was made within the year in an aggregate amount that:

(A) exceeds one hundred dollars ($100), in the case of a

candidate's committee, legislative caucus committee, or political action committee; or

(B) exceeds two hundred dollars ($200), in the case of a regular party committee;

and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

(11) The total sum of expenditures made by the committee during the reporting period.

(12) The amount and nature of debts owed by or to the committee, and a continuous reporting of the debts after the election at the times required under this article until the debts are extinguished.

(c) If a committee:

(1) obtains a contribution;

(2) determines that the contribution should not be accepted by the committee; and

(3) does not receive and accept the contribution under IC 3-9-1-25(b);

the committee must return the contribution to the person who made the contribution. A returned contribution is not required to be listed on the report of the committee's treasurer. However, if the committee receives and deposits the contribution under IC 3-9-1-25(b) and subsequently determines that the contribution should be refunded, the receipt and refund of the contribution must be listed on the report of the committee's treasurer.

(d) A report filed by the treasurer of a political action committee under subsection (b) must include an affirmation by the treasurer that the person making a contribution of any amount:

(1) is not a foreign national; and

(2) has not knowingly or willfully received, solicited, or accepted, whether directly or indirectly, contributions or expenditures:

(A) from prohibited sources;

(B) that exceed, in the aggregate, fifty thousand dollars ($50,000); and

(C) within the four (4) years immediately preceding the date the contribution is made.

~~*(d)*~~ **(e)** *This subsection applies to a contribution made through a payment platform that acts as a conduit. The information disclosed under subsection (b) must include the total amount of the contribution made through the payment platform, before any fees or charges are applied by the payment platform. The committee must also report as expenditures under subsection (b) any fees or charges assessed by the payment platform to the committee to use the platform, accept*

contributions, or transfer contributions to the committee's bank account.

SECTION 288. IC 3-5-2-44, AS AMENDED BY SEA 287-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 44. "School board" means the governing body of a school corporation (as defined in IC 20-18-2-5).~~

SECTION 289. IC 3-5-2-42.7, AS ADDED BY SEA 526-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 42.7. "Retraction", with respect to a ballot, means:~~

~~(1) the removal of votes on the ballot from the memory or the document onto which the votes were recorded; or~~

~~(2) the exclusion or subtraction of votes on the ballot from the final total from the memory or tabulation system on the document on which the votes were recorded.~~

SECTION 290. IC 3-5-2-48.2, AS ADDED BY SEA 526-2025, SECTION 2, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 48.2. "Tabulated" means, with respect to ballots, the process of cumulating into totals the votes on the ballots in a precinct, a county, or the election district for each office and each public question on the ballot in the precinct, county, or election district after accounting for ballots that must be retracted.~~

SECTION 291. IC 20-32-8.5-2, AS AMENDED BY SEA 358-2025, SECTION 2, AND AS AMENDED BY HEA 1499-2025, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b), the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) A method for making determinant evaluations by grade 3 that remedial action is required for a student, including:

(A) *except as provided in subsections (c) and (g),* beginning with evaluations administered during the 2024-2025 school year, ~~*and except as provided in subsection (c),*~~ retention of the student in grade 3 if the student has not achieved a passing score on the determinant evaluation of reading skills approved by the state board after the student has had an opportunity to retake the determinant evaluation *at least twice* in the summer; and

(B) the use of curricular materials and supplemental materials aligned to the science of reading that are designed to address deficiencies in reading;

after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.

(3) A requirement that schools notify a student's parent of the following:

(A) The student's assessment results regarding skill level in:

(i) phonemic awareness;

(ii) phonics;

(iii) fluency;

(iv) vocabulary; and

(v) comprehension.

(B) The student's assessment results on the determinant evaluation of reading skills approved by the state board.

(C) Any intervention provided to the student or any remedial action taken.

(4) A requirement that schools monitor the progress of students who failed to achieve a valid passing score on the:

(A) determinant evaluation of reading skills approved by the state board; or

(B) statewide assessment program test.

(5) A requirement that schools provide reading instruction that includes a core reading program aligned with the science of reading to all students in kindergarten through grade 8.

(6) A requirement for the administration of the determinant evaluation of reading skills approved by the state board to students in grade 2.

(7) A requirement that all students take the determinant evaluation of reading skills approved by the state board until the student:

(A) receives a passing score, regardless of the student's grade level; or

(B) enters grade 7.

(8) A requirement that a school report the following to the department:

(A) The literacy interventions that will be used for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.

(B) The literacy interventions in use before the adoption of the plan for students in grade 2 who are at risk of not being reading proficient and students in grade 3 who do not achieve

a valid passing score on the determinant evaluation of reading skills approved by the state board.

(C) The literacy interventions in use before the adoption of the plan for students who do not achieve a valid passing score on the determinant evaluation of reading skills approved by the state board.

(D) The number of students being served by the interventions described in clauses (B) and (C).

(E) The cost of providing the interventions described in clauses (B) and (C).

(F) Any other information requested by the department.

(9) Requirements for a school in which fewer than seventy percent (70%) of students of the school achieved a valid passing score on the determinant evaluation of reading skills approved by the state board that must include the following:

(A) Use of curriculum that is:

(i) based on the science of reading; ~~*and*~~

(ii) age appropriate; and

~~*(ii)*~~ *(iii)* approved by the department.

(B) Employment of the following:

(i) Before July 1, 2025, an instructional coach who is trained in the science of reading, as determined by the department. This item expires January 1, 2026.

(ii) After June 30, 2025, an instructional coach with a literacy related endorsement who is trained in the science of reading.

(C) Use of only benchmark, formative, interim, or similar assessments that:

(i) show alignment with Indiana's academic standards; and

(ii) are approved by the department.

(D) Use of a screener procured under IC 20-32-5.1-17(j).

(10) The fiscal impact of each component of the plan, if any. In determining whether a component has a fiscal impact, consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.

(b) A school may receive a waiver of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative reading plan provided by the school.

(c) *Except as approved by the department under subsection (g),* a student who would otherwise be subject to retention in grade 3 under the plan is not subject to the retention requirement only if the student

meets one (1) of the following criteria:

(1) The student was subject to retention and has been retained in grade 3 for one (1) school year.

(2) The student has an intellectual disability or the student's individualized education program specifies that retention is not appropriate, and the student's case conference committee has determined that promotion to another grade is appropriate.

(3) The student is an English learner who has received services for fewer than two (2) years and a committee consisting of:

(A) the student's parent;

(B) a building level administrator or designee;

(C) a classroom teacher of service;

(D) an English learner teacher of record, if one exists; and

(E) an English learner district administrator, if one exists;

determines that promotion is appropriate based on the implementation of research based instructional practices outlined in the student's individual learning plan.

(4) The student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment.

(5) The student:

(A) has received intensive intervention as determined by the department in reading for two (2) or more years; and

(B) was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

(d) A student who is not subject to the retention requirement as provided under subsection (c) must be provided with additional reading instruction that is aligned with the science of reading until the student achieves a passing score on the determinant evaluation of reading skills approved by the state board.

(e) ~~*This subsection applies after June 30, 2024.*~~ Before October 1 of each school year, the department shall:

(1) identify each incoming student (as defined in section 0.7 of this chapter) enrolled in kindergarten in a school in Indiana; and

(2) notify the parent or guardian of the student of the retention requirement under this chapter for grade 3 students who do not achieve a passing score on the Indiana reading evaluation and determination (IRead3).

(f) The department shall establish a standard reporting process and reporting window for schools to report students who qualify for an exemption under subsection (c).

(g) The department shall establish a registration process for schools to exempt an English language learner who:

(1) does not achieve a passing score on the determinant evaluation of reading skills approved by the state board; and

(2) attends a school that has a student population comprised of at least fifty percent (50%) of English language learners in grade 3, as determined by the department;

from compliance with the requirements under subsection (a)(2)(A) until the beginning of the 2027-2028 school year. This subsection expires July 1, 2028.

SECTION 292. IC 6-1.1-12-43, AS AMENDED BY SEA 1-2025, SECTION 49, AND AS AMENDED BY HEA 1587-2025, SECTION 4, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 43. (a) For purposes of this section:

(1) "benefit" refers to a deduction under section 9 *(before its expiration),* 11 *(before its expiration),* 13 *(before its expiration),* 14 *(before its expiration),* 16 *(before its expiration),* 17.4 (before its expiration), 26 *(before its expiration),* 29 *(before its expiration),* 33 *(before its expiration),* 34 *(before its expiration),* 37, or 37.5 of this chapter;

(2) "closing agent" means a person that closes a transaction;

(3) "customer" means an individual who obtains a loan in a transaction; and

(4) "transaction" means a single family residential:

(A) first lien purchase money mortgage transaction; or

(B) refinancing transaction.

(b) Before closing a transaction after December 31, 2004, a closing agent must provide to the customer the form referred to in subsection (c).

(c) Before June 1, 2004, the department of local government finance shall prescribe the form to be provided by closing agents to customers under subsection (b). The department shall make the form available to closing agents, county assessors, county auditors, and county treasurers in hard copy and electronic form. County assessors, county auditors, and county treasurers shall make the form available to the general public. The form must:

(1) on one (1) side:

(A) list each benefit; and

(B) list the eligibility criteria for each benefit;

(2) on the other side indicate:

(A) each action by and each type of documentation from the customer required to file for each benefit; and

(B) sufficient instructions and information to permit a party to terminate a standard deduction under section 37 of this chapter

on any property on which the party or the spouse of the party will no longer be eligible for the standard deduction under section 37 of this chapter after the party or the party's spouse begins to reside at the property that is the subject of the closing, including an explanation of the tax consequences and applicable penalties, if a party unlawfully claims a standard deduction under section 37 of this chapter; and

(3) be printed in one (1) of two (2) or more colors prescribed by the department of local government finance that distinguish the form from other documents typically used in a closing referred to in subsection (b).

(d) A closing agent:

(1) may reproduce the form referred to in subsection (c);

(2) in reproducing the form, must use a print color prescribed by the department of local government finance; and

(3) is not responsible for the content of the form referred to in subsection (c) and shall be held harmless by the department of local government finance from any liability for the content of the form.

~~*(e) This subsection applies to a transaction that is closed after December 31, 2009. In addition to providing the customer the form described in subsection (c) before closing the transaction, a closing agent shall do the following as soon as possible after the closing, and within the time prescribed by the department of insurance under IC 27-7-3-15.5:*~~

~~*(1) To the extent determinable, input the information described in IC 27-7-3-15.5(c)(2) into the system maintained by the department of insurance under IC 27-7-3-15.5.*~~

~~*(2) Submit the form described in IC 27-7-3-15.5(c) to the data base described in IC 27-7-3-15.5(c)(2)(D).*~~

~~*(f) A closing agent to which this section applies shall document the closing agent's compliance with this section with respect to each transaction in the form of verification of compliance signed by the customer.*~~

~~*(g) Subject to IC 27-7-3-15.5(d), a closing agent is subject to a civil penalty of twenty-five dollars ($25) for each instance in which the closing agent fails to comply with this section with respect to a customer. The penalty:*~~

~~*(1) may be enforced by the state agency that has administrative jurisdiction over the closing agent in the same manner that the agency enforces the payment of fees or other penalties payable to the agency; and*~~

~~(2) shall be paid into:~~

~~(A) the state general fund, if the closing agent fails to comply with subsection (b);~~ or

~~(B) the home ownership education account established by IC 5-20-1-27, if the closing agent fails to comply with subsection (e) in a transaction that is closed after December 31, 2009.~~

~~(h) A closing agent is not liable for any other damages claimed by a customer because of:~~

~~(1) the closing agent's mere failure to provide the appropriate document to the customer under subsection (b);~~ or

~~(2) with respect to a transaction that is closed after December 31, 2009, the closing agent's failure to input the information or submit the form described in subsection (e).~~

~~(i) The state agency that has administrative jurisdiction over a closing agent shall:~~

~~(1) examine the closing agent to determine compliance with this section; and~~

~~(2) impose and collect penalties under subsection (g).~~

SECTION 293. IC 3-5-2-6, AS AMENDED BY HEA 1679-2025, SECTION 1, IS REPEALED [EFFECTIVE JULY 1, 2025]. ~~Sec. 6. (a) Except as provided in subsections (b) and (c), "candidate" means an individual who:~~

~~(1) has taken the action necessary to qualify under Indiana law for listing on the ballot at an election or to become a write-in candidate;~~

~~(2) has publicly announced or declared candidacy for an elected office; or~~

~~(3) otherwise seeks nomination for or election to an elected office, regardless of whether the individual wins election to the office.~~

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

~~(1) receives more than one hundred dollars ($100) in contributions;~~

~~(2) makes more than one hundred dollars ($100) in expenditures;~~

~~(3) is required to file a written instrument designating a principal committee under IC 3-9-1-5.5 or IC 3-9-5-1;~~

~~(4) is subject to campaign contribution limits under IC 3-9-2;~~

~~(5) is subject to campaign expense restrictions under IC 3-9-3; or~~

~~(6) is subject to requirements for campaign communications including fabricated media under IC 3-9-8.~~

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

~~(1) the individual; or~~

~~(2) another person under IC 3-13-1 or IC 3-13-2;~~

~~is void or invalid.~~

~~(d) As used in IC 3-14-3-18, "candidate" includes an individual described in IC 3-14-3-18(a).~~

SECTION 294. IC 27-1-24.5-25, AS AMENDED BY HEA 1004-2025, SECTION 40, AND AS AMENDED BY HEA 1003-2025, SECTION 47, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 25. (a) A contract holder may, one (1) time in a calendar year and not earlier than six (6) months following a previously requested audit, request an audit of compliance with the contract. If requested by the contract holder, the audit shall include full disclosure of the following data specific to the contract holder:

(1) Rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a pharmaceutical manufacturer. The information provided under this subdivision must identify the prescription drugs by therapeutic category.

(2) Pharmaceutical and device claims received by the pharmacy benefit manager on any of the following:

(A) The CMS-1500 form or its successor form.

(B) The HCFA-1500 form or its successor form.

(C) The HIPAA X12 837P electronic claims transaction for professional services, or its successor transaction.

(D) The HIPAA X12 837I institutional form or its successor form.

(E) The CMS-1450 form or its successor form.

(F) The UB-04 form or its successor form.

The forms or transaction may be modified as necessary to comply with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191). ~~*or to redact a trade secret (as defined in IC 24-2-3-2).*~~

(3) Pharmaceutical and device claims payments or electronic funds transfer or remittance advice notices provided by the pharmacy benefit manager as ASC X12N 835 files or a successor format. The files may be modified as necessary to comply with

the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191). ~~*or to redact a trade secret (as defined in IC 24-2-3-2).*~~ In the event that paper claims are provided, the pharmacy benefit manager shall convert the paper claims to the ASC X12N 835 electronic format or a successor format.

(4) Any other revenue and fees derived by the pharmacy benefit manager from the contract, including all direct and indirect remuneration from pharmaceutical manufacturers regardless of whether the remuneration is classified as a rebate, fee, or another term.

(b) A pharmacy benefit manager may not impose the following:

(1) Fees for:

(A) requesting an audit under this section; or

(B) selecting an auditor other than an auditor designated by the pharmacy benefit manager.

(2) Conditions that would restrict a contract holder's right to conduct an audit under this section, including restrictions on the:

(A) time period of the audit;

(B) number of claims analyzed;

(C) type of analysis conducted;

(D) data elements used in the analysis; or

(E) selection of an auditor as long as the auditor:

(i) does not have a conflict of interest;

(ii) meets a threshold for liability insurance specified in the contract between the parties;

(iii) does not work on a contingent fee basis; and

(iv) does not have a history of breaching nondisclosure agreements.

(c) A pharmacy benefit manager shall disclose, upon request from a contract holder, to the contract holder the actual amounts directly or indirectly paid by the pharmacy benefit manager to the pharmacist or pharmacy for the drug and for pharmacist services related to the drug.

(d) A pharmacy benefit manager shall provide notice to a contract holder contracting with the pharmacy benefit manager of any consideration, including direct or indirect remuneration, that the pharmacy benefit manager receives from a pharmaceutical manufacturer or group purchasing organization for formulary placement or any other reason.

(e) The commissioner may establish a procedure to release information from an audit performed by the department to a contract holder that has requested an audit under this section in a manner that does not violate confidential or proprietary information laws.

(f) A contract that is entered into, issued, amended, or renewed after June 30, 2024, may not contain a provision that violates this section.

(g) A pharmacy benefit manager shall:

(1) obtain any information requested in an audit under this section from a group purchasing organization or other partner entity of the pharmacy benefit manager; and

(2) ~~*confirm receipt of a request for an audit under this section*~~ *provide claims data* to the contract holder not later than ~~*ten (10)*~~ *fifteen (15)* business days after the information *or claims data* is requested.

(h) Information provided in an audit under this section must be provided in accordance with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).

SECTION 295. IC 27-2-25.5-4, AS AMENDED BY HEA 1004-2025, SECTION 49, AND AS AMENDED BY HEA 1003-2025, SECTION 62, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) A plan sponsor that contracts with a third party administrator, the office of the secretary of family and social services that contracts with a managed care organization (as defined in IC 12-7-2-126.9) to provide services to a Medicaid recipient, or the state personnel department that contracts with a prepaid health care delivery plan under IC 5-10-8-7(c) to provide group health coverage for state employees may, one (1) time in a calendar year and not earlier than six (6) months following a previously requested audit, request an audit of compliance with the contract. If requested by the plan sponsor, office of the secretary of family and social services, or state personnel department, the audit shall include full disclosure of the following concerning data specific to the plan sponsor, office of the secretary, or state personnel department:

(1) Claims data described in section 1 of this chapter.

(2) Claims received by the third party administrator, managed care organization, or prepaid health care delivery plan on any of the following:

(A) The CMS-1500 form or its successor form.

(B) The HCFA-1500 form or its successor form.

(C) The HIPAA X12 837P electronic claims transaction for professional services, or its successor transaction.

(D) The HIPAA X12 837I institutional form or its successor form.

(E) The CMS-1450 form or its successor form.

(F) The UB-04 form or its successor form.

The forms or transaction may be modified as necessary to comply with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191). ~~*or to redact a trade secret (as defined in IC 24-2-3-2).*~~

(3) Claims payments, electronic funds transfer, or remittance advice notices provided by the third party administrator, managed care organization, or prepaid health care delivery plan as ASC X12N 835 files or a successor format. The files may be modified only as necessary to comply with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191). ~~*or to redact a trade secret (as defined in IC 24-2-3-2).*~~ In the event that paper claims are provided, the third party administrator, managed care organization, or prepaid health care delivery plan shall convert the paper claims to the ASC X12N 835 electronic format or a successor format.

(4) Any fees charged to the plan sponsor, office of the secretary of family and social services, or state personnel department related to plan administration and claims processing, including renegotiation fees, access fees, repricing fees, or enhanced review fees.

(b) A third party administrator, managed care organization, or prepaid health care delivery plan may not impose:

(1) fees for:

(A) requesting an audit under this section; or

(B) selecting an auditor other than an auditor designated by the third party administrator, managed care organization, or prepaid health care delivery plan; or

(2) conditions that would restrict a party's right to conduct an audit under this section, including restrictions on the:

(A) time period of the audit;

(B) number of claims analyzed;

(C) type of analysis conducted;

(D) data elements used in the analysis; or

(E) selection of an auditor as long as the auditor:

(i) does not have a conflict of interest;

(ii) meets a threshold for liability insurance specified in the contract between the parties;

(iii) does not work on a contingent fee basis; and

(iv) does not have a history of breaching nondisclosure agreements.

(c) A third party administrator, managed care organization, or prepaid health care delivery plan shall ~~*confirm receipt of a request for*~~

~~*an audit under this section to the plan sponsor; office of the secretary of family and social services, or state personnel department*~~ *provide claims data to the contract holder* not later than ~~*ten (10)*~~ *fifteen (15)* business days after the ~~*information*~~ *claims data* is requested.

(d) Information provided in an audit under this section must be provided in accordance with the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).

(e) A contract that is entered into, issued, amended, or renewed after June 30, 2024, may not contain a provision that violates this section.

(f) A violation of this section is an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

(g) The department may also adopt rules under IC 4-22-2 to set forth fines for a violation under this section.

President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____