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- HB1006** **MENTAL HEALTH PROGRAMS (STEUERWALD G)** Specifies the circumstances under which a person may be involuntarily committed to a facility for mental health services and specifies that these services are medically necessary. Establishes a local mental health referral program to provide mental health treatment for certain persons who have been arrested. Repeals obsolete provisions.
Current Status: 1/12/2023 - Referred to House Courts and Criminal Code
State Bill Page: [HB1006](#)
- HB1016** **POLICE AND FIRE MERIT SYSTEMS (PRESSEL J)** Allows a fire protection district or fire protection territory to establish a merit system. Provides that unless a resolution or ordinance to establish a merit system is rejected not later than July 1, 2024, a merit system is established on January 1, 2025, for eligible: (1) city and town police and fire departments and township fire departments; and (2) fire protection districts and fire protection territories. Provides that the merit system may be dissolved after January 1, 2025. Repeals a provision containing definitions and moves the definitions to another location.
Current Status: 1/23/2023 - House Bills on Second Reading
State Bill Page: [HB1016](#)
- HB1025** **FIREFIGHTER DISCIPLINE (TORR J)** Provides that a fire department of a fire protection district or fire protection territory is subject to certain disciplinary and due process requirements.
Current Status: 1/23/2023 - House Bills on Second Reading
State Bill Page: [HB1025](#)
- HB1032** **CREDIT TIME ASSIGNMENTS (FRYE R)** Provides that a person who is imprisoned for a crime or imprisoned awaiting trial or sentencing for a crime that resulted in death or serious bodily injury to a public safety official, for a crime

committed after June 30, 2023, is initially assigned to Class D and may not be assigned or reassigned to any other credit time class.

Current Status: 1/18/2023 - House Courts and Criminal Code, (Bill Scheduled for Hearing)

State Bill Page: [HB1032](#)

HB1034 INCOME TAX EXEMPTION FOR MILITARY PAY (FRYE R) Exempts military pay for drills, training, or state active duty for members of a reserve component of the armed forces of the United States or national guard from the individual income tax. (Current law provides an individual income tax exemption for members of a reserve component of the armed forces of the United States or national guard for the period the member is mobilized and deployed.) Exempts military pay earned by members of an active component of the armed forces of the United States from the individual income tax. Phases in the exemption over four years beginning in taxable year 2024. (Current law exempts from the individual income tax the military pay earned by members of the National Guard and reserve components of the armed forces of the United States while serving on active duty.)

Current Status: 1/19/2023 - added as coauthor Representative Haggard C

State Bill Page: [HB1034](#)

HB1042 CITIZEN'S ARRESTS (HARRIS JR. E) Prohibits citizen's arrests. Makes conforming amendments.

Current Status: 1/17/2023 - added as coauthor Representative Hatcher

State Bill Page: [HB1042](#)

HB1053 DISCRIMINATORY PROFILING AND PRETEXTUAL STOPS (PRYOR C) Honors the memory of Byron Ratcliffe Sr. by doing the following: (1) Prohibits discriminatory profiling and pretextual stops (discriminatory profiling and stops) by law enforcement based on perceived age, gender, race, or ethnicity. (2) Requires law enforcement agencies to: (A) adopt policies regarding discriminatory profiling and stops; (B) submit discriminatory profiling and stops data to the attorney general for inclusion in an annual report to the legislative council; and (C) establish standards for the use of vehicle and body cameras. (3) Establishes law enforcement officer training regarding discriminatory profiling and stops. (4) Establishes the discriminatory profiling review commission to review complaints. (5) Provides for a civil action based on discriminatory profiling and stops. Makes technical corrections.

Current Status: 1/9/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1053](#)

HB1055 PUBLIC SAFETY MATTERS (FRYE R) Increases the number of deputies, from two to six, that a town marshal may have to participate in the town marshal training program (Tier II training program) established by the law enforcement training board. Makes changes to the jurisdiction of a hospital police department. Makes

changes to certain definitions of "law enforcement officer" to include officers employed by a hospital police department. Provides that a member of a city police or fire department is not subject to residency requirements. Eliminates a provision that provides that a city with a population of less than 7,500 may adopt an ordinance that requires a member of a city police or fire department to reside within the county in which the city is located. Provides that members of the police and fire departments of a town or special service district are not subject to residency requirements but must: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department. Provides that members of the fire department of a township, fire protection district, or fire protection territory are not subject to residency requirements but must: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department. Repeals provisions: (1) relating to the establishment of residency requirements for a police or fire department of a town with a population of less than 7,500; (2) relating to the establishment of residency requirements for a township fire department of a township with a population of less than 7,500; and (3) that exempt a member of a town police or fire department or a township fire department from residency requirements under certain circumstances. Repeals a provision relating to the jurisdiction of hospital police departments.

Current Status: 1/9/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1055](#)

HB1102 REPEAL OF RIGHT TO WORK LAW (GORE M) Repeals the chapter prohibiting an employer from requiring: (1) labor organization membership; (2) payment of dues or fees to a labor organization; or (3) payment to a charity or other third party an amount equivalent to fees required by a labor organization; as a condition of employment.

Current Status: 1/10/2023 - Referred to House Employment, Labor and Pensions

State Bill Page: [HB1102](#)

HB1136 MENTAL HEALTH CARE FOR FIRST RESPONDERS (JACKSON C) Establishes the Indiana first responders mental health wellness fund and program. Provides that the division of mental health and addiction of the office of the secretary of family and social services shall administer the program and fund. Provides that a first responder who meets certain requirements may apply to the division for: (1) costs associated with the first responder's active participation in a mental health treatment plan as determined by a psychologist or physician treating the first responder; and (2) compensation if the first responder is unable to work. Establishes requirements for obtaining compensation. Makes a continuous appropriation.

Current Status: 1/12/2023 - added as coauthor Representative Pressel

State Bill Page: [HB1136](#)

HB1142 **LAW ENFORCEMENT RECORDINGS** (PRESCOTT J) Provides that the direct cost that a state or local agency may charge for providing a copy of a law enforcement recording (recording) includes labor costs incurred to: (1) obscure nondisclosable information in the recording; and (2) perform an administrative review of the recording to determine if all nondisclosable information has been obscured. Provides that if a court issues an order for disclosure of a law enforcement recording, any copy of the recording must be made by the public agency.

Current Status: 1/12/2023 - added as coauthor Representative Bartels

State Bill Page: [HB1142](#)

HB1166 **LAW ENFORCEMENT ACADEMY BOARD CHAIR** (SMALTZ B) Provides that the chair of the Indiana law enforcement training board alternates every two years among the superintendent of the Indiana state police department, a county sheriff, and a chief of police.

Current Status: 1/12/2023 - added as coauthor Representative Bartels

State Bill Page: [HB1166](#)

HB1186 **ENCROACHMENT ON AN INVESTIGATION** (MCNAMARA W) Provides that a person who knowingly or intentionally approaches within 25 feet of a law enforcement officer after the law enforcement officer has ordered the person to stop commits a Class C misdemeanor.

Current Status: 1/12/2023 - added as coauthor Representative Bartels

State Bill Page: [HB1186](#)

HB1222 **REGIONAL PUBLIC SAFETY TRAINING FUND** (FRYE R) Establishes the regional public safety training fund (fund). Provides that the fund is administered by the department of homeland security. Transfers proceeds from the Indiana homeland security fund and the fire training infrastructure fund to the fund. Repeals provisions relating to the establishment of the: (1) Indiana homeland security foundation; (2) Indiana homeland security fund; and (3) fire training infrastructure fund.

Current Status: 1/10/2023 - Referred to House Ways and Means

State Bill Page: [HB1222](#)

HB1234 **RAPE KITS** (KLINKER S) Requires the superintendent of the state police department (superintendent) to adopt certain guidelines concerning medical forensic examination kits for victims of a sex crime (kits) and to obtain data from law enforcement agencies concerning kits in the agencies' possession. Requires the superintendent to provide certain information to the interim study committee on corrections and criminal code concerning kits. Requires a forensic medical services provider to notify a law enforcement agency regarding the completion of a kit not later than 24 hours after the kit is completed. Requires the department of homeland security to develop practices and guidelines designed to assist crime labs and law

enforcement agencies with the elimination of untested kit backlogs. Requires that a notification be provided to a victim who has registered for notifications through the web based claims reimbursement and sexual assault examination kit tracking system not more than 30 days after a change in status to the kit. Makes conforming changes.

Current Status: 1/10/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1234](#)

HB1246 **AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES (JOHNSON B)** Authorizes a county or municipality to adopt and enforce an ordinance that regulates the use of an automated traffic enforcement safety device (device) to detect certain violations. Provides a civil penalty for a violation. Specifies that a civil penalty must first be applied to defray the cost of the installation, operation, and maintenance of the device. Specifies the manner in which the remaining money from the civil penalty must be distributed. Prohibits: (1) reporting a violation on a driving record; (2) using a violation to determine rates for motor vehicle insurance; (3) assessing points under the point system by the bureau of motor vehicles (bureau) for a violation; and (4) reselling data collected by an agent operating a device. Requires notification to the bureau, and the suspension of the registration of a motor vehicle if a violation is not paid. Makes conforming changes.

Current Status: 1/11/2023 - Referred to House Roads and Transportation

State Bill Page: [HB1246](#)

HB1248 **CANNABIS (JOHNSON B)** Establishes a procedure for the lawful production and sale of cannabis in Indiana. Makes conforming amendments. Makes an appropriation.

Current Status: 1/11/2023 - Referred to House Courts and Criminal Code

State Bill Page: [HB1248](#)

HB1261 **SELF-DEFENSE (LUCAS J)** Specifies that "reasonable force" includes the pointing of a loaded or unloaded firearm for purposes of arrest or to prevent an escape, or for self-defense.

Current Status: 1/12/2023 - added as coauthor Representative Payne Z

State Bill Page: [HB1261](#)

HB1269 **INTERIM STUDIES OF THE CRIMINAL JUSTICE SYSTEM (BARTLETT J)** Establishes the criminal justice study committee to conduct a comprehensive study of the criminal justice system in the 2023 and 2024 interims. Establishes a permanent criminal justice reform commission to study sentencing, corrections, services provided to offenders, and other topics affecting the criminal justice system.

Current Status: 1/11/2023 - Referred to House Courts and Criminal Code

State Bill Page: [HB1269](#)

HB1287 HOME DETENTION (MELTZER J) Allows a court to place a person convicted of certain crimes directly in a community corrections program. Provides that a violation of certain terms of a community corrections program placement constitutes escape. Repeals the offense of unauthorized absence from home detention, a Class A misdemeanor. Repeals a provision that requires the court to suspend a period of an individual's sentence if placed in a community corrections program. Provides that if a person on home detention knowingly and intentionally: (1) leaves the person's home; (2) remains outside of the person's home; or (3) travels to an unauthorized location; in violation of the home detention order and without written permission commits escape, a Level 6 felony. Provides that the court may only suspend a part of a sentence that is in excess of the minimum sentence for a juvenile adjudication for an act that would constitute a felony if committed by an adult. Makes conforming changes.

Current Status: 1/19/2023 - added as coauthor Representative Lindauer

State Bill Page: [HB1287](#)

HB1297 DECRIMINALIZATION OF MARIJUANA (VANNATTER H) Decriminalizes possession of two ounces or less of marijuana.

Current Status: 1/19/2023 - added as coauthor Representative Cash B

State Bill Page: [HB1297](#)

HB1306 KILLING A LAW ENFORCEMENT ANIMAL (JETER C) Increases the penalty for killing a law enforcement animal to a Level 5 felony. Provides that killing a law enforcement animal in the commission of a crime is an aggravating circumstance for sentencing in criminal cases.

Current Status: 1/23/2023 - House Bills on Second Reading

State Bill Page: [HB1306](#)

HB1308 INDIANA CRIME GUNS TASK FORCE (CARBAUGH M) Provides that the Indiana crime guns task force area may include Allen County.

Current Status: 1/11/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1308](#)

HB1312 PUBLIC SAFETY FUNDING FOR STATE BORDER COMMUNITIES (SLAGER H) Establishes the Indiana border safety grant program (program) and the Indiana border safety grant fund (fund). Provides that the program and fund are administered by the Indiana criminal justice institute (institute). Defines a "qualified law enforcement agency". Provides that a qualified law enforcement agency may apply to the institute for a grant for certain law enforcement equipment. Makes an appropriation.

Current Status: 1/23/2023 - House Veterans Affairs and Public Safety, (Bill Scheduled for Hearing)

State Bill Page: [HB1312](#)

HB1321 POLICE OFFICER TRAINING (GARCIA WILBURN V) Requires the law enforcement training board to establish minimum standards for basic training and annual inservice training that address the mental health and wellness of law enforcement officers. Requires the executive training program to include training in mental health and wellness and suicide prevention of law enforcement officers.

Current Status: 1/19/2023 - added as coauthor Representative Andrade M

State Bill Page: [HB1321](#)

HB1348 DISPOSAL OF FIREARMS BY TRADE FOR NEW EQUIPMENT (LUCAS J) Permits a law enforcement agency to dispose of certain confiscated firearms by trade with a licensed firearms dealer, a licensed firearm manufacturer, or another law enforcement agency in exchange for new firearms and other law enforcement equipment. Sets forth the recording and reporting requirements for the trade of firearms by a law enforcement agency.

Current Status: 1/17/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1348](#)

HB1396 STOP THE BLEED PROGRAM AND FUND (ANDRADE M) Establishes the stop the bleed fund. Provides that a public safety agency may request bleeding control kits or grants to purchase bleeding control kits from the department of homeland security for qualified first responders. Defines "qualified first responders". Makes an appropriation.

Current Status: 1/17/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1396](#)

HB1484 CITIZEN REVIEW BOARD (SMITH V) Requires: (1) counties; and (2) municipalities that have police departments; to establish a citizen review board not later than December 31, 2023, to review complaints filed by citizens having personal knowledge of alleged misconduct by a police officer.

Current Status: 1/17/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1484](#)

HB1485 DEFERRED RETIREMENT OPTION PLAN (SMITH V) Allows a member of the 1925 police pension fund, 1937 firefighters' pension fund, 1953 police pension fund (Indianapolis), or 1977 police officers' and firefighters' pension and disability fund to withdraw from the deferred retirement option plan (DROP) and make an election to enter the DROP for a second time not earlier than three years after the date the member withdraws from the DROP. Provides that a member may make an election to enter the DROP only twice in the member's lifetime.

Current Status: 1/17/2023 - Referred to House Employment, Labor and Pensions

State Bill Page: [HB1485](#)

HB1492 SCHOOL SAFETY (MCNAMARA W) Makes changes to the permissible uses of the Indiana secured school fund. Makes changes to the Indiana secured school fund application procedures. Makes changes to the Indiana secured school fund reporting requirements. Moves provisions in the Indiana Code pertaining to the appointment of a school safety specialist, school safety specialist programs, and school safety plans. Makes various changes to provisions regulating the appointment of a school safety specialist, school safety specialist program, and school safety plans. Requires before December 31, 2023, that each county shall establish a county school safety commission. (Current law provides that a county may establish a county school safety commission.) Makes conforming amendments. Requires each school corporation and charter school to establish a safe school committee. Requires the division of school building physical security and safety of the department of education to establish and maintain guidelines, in consultation with the department of homeland security and institute for criminal justice, for developing and maintaining school safety plans and assist the secured school safety board in conducting the review and submitting certain reports. Provides that the governing body of a school corporation or charter school organizer shall: (1) approve or disapprove all school safety specialists chosen by the superintendent of the school corporation or leadership of the charter school; and (2) review and adopt for a specified period of time a school safety plan. Makes changes to the duties of a school resource officer. Makes changes to information reported by a school corporation or charter school pertaining to a school resource officer that is reported to the department of homeland security. Requires the secured schools safety board to include certain aggregate information relating to the number of school resource officers employed by schools. Provides that an organizer of a charter school shall require each charter school under the authority of the organizer to conduct annual emergency preparedness drills. Makes changes to distribution amounts from the state user fee fund. Repeals provisions establishing the Indiana safe schools fund, school safe haven programs, and existing provisions relating to the establishment of school safety specialists, county school safety commissions, school safety specialist training and safe school programs.

Current Status: 1/17/2023 - Referred to House Education

State Bill Page: [HB1492](#)

HB1506 FIRST RESPONDERS RECOGNITION MONUMENT (SPEEDY M) Establishes the American first responders recognition monument committee (committee). Provides that the purpose of the American first responders recognition monument is to reflect on the sacrifice made by first responders catastrophically injured in the line of service. Provides that the purpose of the committee is to administer the disbursement of funds to responsible artisans and organizations to facilitate the design, prototyping, fabrication, and installation of the American first responders recognition monument. Establishes the membership of the committee.

Appropriates \$350,000 from the state general fund to the department of homeland security (department) to be used by the department to make disbursements to responsible artisans and organizations to facilitate the design, prototyping, fabrication, and installation of the American first responders recognition monument.

Current Status: 1/17/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1506](#)

HB1549 **1977 PENSION AND DISABILITY FUND (JUDY C)** Modifies the definition of "salary of a first class patrolman or first class firefighter" for the 1977 police officers' and firefighters' pension and disability fund (fund). Increases the fund's maximum annual cost of living adjustment from 3% to 5%.

Current Status: 1/19/2023 - Referred to House Employment, Labor and Pensions

State Bill Page: [HB1549](#)

HB1551 **STATE POLICE AND CONSERVATION OFFICER SALARIES (JUDY C)** Provides that before July 1, 2023, the state police board (board) shall establish a new salary matrix for police employees. Provides that the base salary of a police employee with the rank of trooper (excluding longevity increases) must be equal to or greater than the average of the 10 highest base salaries (excluding longevity increases) for a nonpromoted patrolman employed by any law enforcement department in Indiana. Requires the natural resources commission to categorize conservation officer years of service through the fifteenth year after June 30, 2023, rather than through the twentieth year. Provides that the department of natural resources shall adjust the salaries of conservation officers in accordance with changes made by the board. Requires the department of workforce development to provide certain information relating to salaries to the board. Provides that, after June 30, 2023, the number of salary increase increments for each rank for state police officers and conservation officers is reduced from 20 years to 15 years.

Current Status: 1/19/2023 - Referred to House Ways and Means

State Bill Page: [HB1551](#)

HB1562 **INTIMIDATING PUBLIC SERVANTS (ROWRAY E)** Provides that a person commits intimidation, a Level 5 felony, if the subject of the threat or the person to whom the threat is communicated is a public servant.

Current Status: 1/19/2023 - Referred to House Courts and Criminal Code

State Bill Page: [HB1562](#)

HB1625 **VARIOUS PUBLIC SAFETY MATTERS (BARTELS S)** Provides that a conservancy district (district) in which each director of the board has been elected to the board may employ a district marshal or deputy district marshal. Provides that the law enforcement training board shall adopt rules establishing a town marshal and conservancy district marshal basic training program. (Current law provides that

the law enforcement training board shall adopt rules establishing a town marshal basic training program.) Provides that the district marshal is the chief police officer of the district and has the powers of other law enforcement officers in enforcing laws. Adds a district marshal or deputy district marshal to certain definitions of "police officer", "officer", or "law enforcement officer". Provides that after obtaining an initial permit or authorization to conduct fire training exercises, a fire department, including a volunteer fire department, is not required to obtain subsequent permits or authorization from the department of environmental management or a unit of local government before conducting fire training exercises located at the same location authorized in the initial permit or authorization. Makes conforming and technical amendments.

Current Status: 1/19/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1625](#)

HB1630 STATE POLICE OFFICER SALARY INCREASES (BARTLETT J) Provides 3% annual raises for state police officers.

Current Status: 1/19/2023 - Referred to House Ways and Means

State Bill Page: [HB1630](#)

HB1631 IMPD PARK RANGERS (PORTER G) Provides that a special law enforcement officer employed by the city of Indianapolis full time after June 30, 2023, to perform park ranger duties (park ranger) is subject to the same training requirements as regular law enforcement officers. Provides that the facilities of the Indiana law enforcement academy must be used to provide a park ranger with the required basic training. Provides that a park ranger is eligible for a line of duty death benefit from the state special death benefit fund.

Current Status: 1/19/2023 - Referred to House Veterans Affairs and Public Safety

State Bill Page: [HB1631](#)

HCR5 URGING THE INDIANA DEPARTMENT OF TRANSPORTATION TO RENAME THE BRIDGE ON STATE HIGHWAY 27 OVER I-70 AS THE "OFFICER SEARA BURTON MEMORIAL BRIDGE" (BARRETT B) A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the bridge on State Highway 27 over I-70 as the "Officer Seara Burton Memorial Bridge".

Current Status: 1/19/2023 - added as coauthors Representatives Pressel and Lindauer

State Bill Page: [HCR5](#)

HJR2 IMPEACHMENT OF PROSECUTOR (JETER C) Provides that a prosecuting attorney may be removed from office for crime, incapacity, or negligence. (Under current law, a prosecuting attorney may only be removed from office upon conviction for corruption or a high crime).

Current Status: 1/11/2023 - Referred to House Judiciary

State Bill Page: [HJR2](#)

SB19 DRIVER INSTRUCTIONS OF LAW ENFORCEMENT PROCEDURES
(RANDOLPH L) Requires the driver education advisory board to consult with the commissioner of the bureau of motor vehicles (commissioner) and the state police department, and advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education in: (1) the procedures of a law enforcement officer during a traffic stop; and (2) the actions a person should take during a traffic stop, including appropriate interaction with a law enforcement officer. Requires the bureau of motor vehicles to include in any driver education manual published by the bureau the following: (1) A description of the procedures of a law enforcement officer during a traffic stop. (2) An explanation of the actions a person should take during a traffic stop, including appropriate interaction with a law enforcement officer. Provides that driver education curriculum must include instruction about actions to take during a traffic stop, and the appropriate interaction with a law enforcement officer during a traffic stop.

Current Status: 1/9/2023 - Referred to Committee on Homeland Security and Transportation

State Bill Page: [SB19](#)

SB36 SPECIAL DEATH BENEFIT FOR OIG INVESTIGATORS (GASKILL M) Adds an investigator for the inspector general to the list of: (1) public safety officers whose relative receives a special death benefit if the officer dies in the line of duty; and (2) employees who may qualify for a presumption of disability or death in the line of duty.

Current Status: 1/18/2023 - Senate Pensions and Labor, (Bill Scheduled for Hearing)

State Bill Page: [SB36](#)

SB43 RESIDENCY OF 911 OPERATORS (SANDLIN J) Provides that a public safety agency may not establish or maintain residency requirements for a public safety telecommunicator employed by a public safety agency.

Current Status: 1/23/2023 - Senate Bills on Third Reading

State Bill Page: [SB43](#)

SB70 MARIJUANA (BOHACEK M) Decriminalizes possession of one ounce or less of marijuana.

Current Status: 1/17/2023 - added as coauthor Senator Ford J.D

State Bill Page: [SB70](#)

SB82 INTOXICATION AND MARIJUANA (BOHACEK M) Establishes a defense to operating a vehicle or motorboat with a controlled substance in the person's blood

if: (1) the controlled substance is marijuana or a metabolite of marijuana; and (2) the person was not intoxicated.

Current Status: 1/9/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB82](#)

SB136 **CONVICTION DATA (SANDLIN J)** Defines "prohibited person" as a person prohibited from possessing a firearm or carrying a handgun. Requires: (1) the office of judicial administration to establish a system to transmit certain data to assist in determining whether a person is a prohibited person; (2) a court, immediately after entering a judgment of conviction, to transmit to the state police department the data from the office of judicial administration and the judgment of conviction; and (3) the state police department to enter into the Indiana data and communication system (IDACS) information received from a court.

Current Status: 1/9/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB136](#)

SB137 **POSSESSION OF FIREARMS BY RETIRED POLICE OFFICERS (SANDLIN J)** Provides that a retired law enforcement officer may possess a firearm on school property under certain conditions.

Current Status: 1/11/2023 - added as coauthor Senator Byrne

State Bill Page: [SB137](#)

SB138 **STUDY OF DEFERRED RETIREMENT OPTION PLAN (SANDLIN J)** Urges the legislative council to assign to the pension management oversight study committee during the 2023 interim the task of studying whether to extend the maximum time frame to remain in the deferred retirement option plan from three years to five years for a member of the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan, 1925 fund, 1937 fund, 1953 fund, or 1977 fund.

Current Status: 1/9/2023 - Referred to Senate Pensions and Labor

State Bill Page: [SB138](#)

SB139 **FENTANYL (TOMES J)** Defines "fentanyl containing substance" and increases the penalty for dealing a drug that is a fentanyl containing substance.

Current Status: 1/9/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB139](#)

SB144 **MINIMUM AGE TO CARRY A HANDGUN (RANDOLPH L)** Changes the minimum age required to carry a handgun to 21 years of age.

Current Status: 1/9/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB144](#)

SB175 **1977 PENSION AND DISABILITY FUND** (WALKER K) Urges the legislative council to assign certain topics concerning the 1977 police officers' and firefighters' pension and disability fund to an appropriate interim study committee for study during the 2023 interim.

Current Status: 1/9/2023 - Referred to Senate Pensions and Labor

State Bill Page: [SB175](#)

SB179 **HOME DETENTION** (KOCH E) Provides that a court may not order a person convicted of a: (1) Level 1 felony; or (2) crime subject to certain enhancement; to a community corrections program. Allows a court to place a person in a community corrections program as an alternative to commitment to the county jail or department of correction. Repeals a requirement that a court suspend the sentence for a person placed in a community corrections program. Specifies that a person sentenced to work release in a community corrections program receives one day of accrued time for each day the person is confined on work release. (Current law only specifies that a person on home detention earns accrued time.) Provides that the violation of a home detention placement term constitutes the crime of escape under certain circumstances. Makes technical changes.

Current Status: 1/23/2023 - Senate Bills on Second Reading

State Bill Page: [SB179](#)

SB185 **1977 FUND MEMBERSHIP** (BALDWIN S) Allows an airport authority to participate in the 1977 police officers' and firefighters' pension and disability fund.

Current Status: 1/19/2023 - added as second author Senator Rogers

State Bill Page: [SB185](#)

SB187 **POLICE RESERVE OFFICERS** (SANDLIN J) Provides that a unit shall provide by ordinance the number of police reserve officers a law enforcement agency may appoint. Provides that the law enforcement training board may revoke, suspend, modify, or restrict a document showing compliance and qualifications for a unit's police reserve officer who has committed misconduct. Provides that a law enforcement agency hiring a police reserve officer must contact every other law enforcement agency that employed (or employs) the applicant and request the applicant's employment file and disciplinary record.

Current Status: 1/23/2023 - Senate Bills on Second Reading

State Bill Page: [SB187](#)

SB204 **GRANTS FOR LOCAL LAW ENFORCEMENT AGENCIES** (QADDOURA F) Establishes the community relations and fund the police grant program to be administered by the Indiana criminal justice institute (ICJI). Specifies that the program is a matching grant program requiring recipients to match each dollar received. Establishes the community relations and fund the police grant fund

(fund). Annually appropriates \$25,000,000 to the ICJI for deposit in the fund. Annually allocates \$5,000,000 for grants to local law enforcement agencies in Marion County and \$20,000,000 for grants to local law enforcement agencies in the other counties of the state. Provides that the maximum amount of a grant awarded to a local law enforcement agency in a particular state fiscal year is \$250,000. Specifies certain restrictions on and the permissible uses of a grant awarded to a local law enforcement agency.

Current Status: 1/10/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB204](#)

SB240 **FALSE REPORTING (TAYLOR G)** Specifies that a law enforcement officer who, knowing that information is false or misleading, includes the false or misleading information in a police report commits false informing, a Class A misdemeanor.

Current Status: 1/10/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB240](#)

SB269 **LEAVE FOLLOWING CRITICAL INCIDENT (ALTING R)** Provides that a first responder may take up to 48 hours of leave immediately following a qualified critical incident. Defines a "qualified critical incident". Provides that the employer of a first responder who requests to take the qualified critical incident leave may elect to pay the first responder for the qualified critical incident leave.

Current Status: 1/11/2023 - Referred to Senate Pensions and Labor

State Bill Page: [SB269](#)

SB284 **NONCOMPLIANT PROSECUTING ATTORNEYS (FREEMAN A)** Permits the legislative council to request the appointment of a special prosecuting attorney if a prosecuting attorney is categorically refusing to prosecute certain crimes. Establishes a procedure for the appointment of a person to serve as a special prosecuting attorney to prosecute cases that the county prosecuting attorney is refusing to prosecute. Establishes the: (1) special prosecutor unit within the prosecuting attorneys council of Indiana; and (2) special prosecutor unit fund. Specifies the maximum salary for an attorney appointed by the executive director of the prosecuting attorneys council of Indiana.

Current Status: 1/11/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB284](#)

SB293 **CRAFT HEMP FLOWER DISTRIBUTION AND TAXATION (HOLDMAN T)** Imposes an excise tax on the retail sale of craft hemp flower products at a rate of 8%. Defines "craft hemp flower". Requires a retail dealer to obtain a craft hemp flower products retail dealer's certificate from the department of state revenue (in addition to a retail merchant's certificate). Deposits the revenue from the excise tax

in the state general fund. Establishes certain regulatory testing and packaging requirements for the distribution and sale of craft hemp flower. Excludes craft hemp flower from the definition of "hemp product". Removes references to smokable hemp. Repeals a law that requires that a hemp bud or a hemp flower be sold only to a processor licensed in Indiana. Provides that a food is not considered adulterated for containing low THC hemp extract or craft hemp flower. Provides that craft hemp flower is not included in the definition of "controlled substance analog", "hashish", "low THC hemp extract", or "marijuana". Prohibits the sale of low THC hemp extract to a person less than 21 years of age, if it contains certain elements. Repeals the definition of "smokable hemp" and criminal penalties concerning smokable hemp. Adds infractions that apply with regard to persons less than 21 years of age involving the sale, distribution, purchase, and possession of craft hemp flower. Makes conforming changes. Makes technical corrections.

Current Status: 1/17/2023 - added as coauthor Senator Pol

State Bill Page: [SB293](#)

SB294 **CRITICAL INCIDENT TRAINING AT ILEA (SANDLIN J)** Requires the law enforcement training board to develop a 40 hour critical incident or crisis intervention response training program in consultation with the technical assistance center. Requires that the program's curriculum be equivalent to curriculum developed by the National Alliance on Mental Illness and Crisis Intervention Teams International (NAMI/CIT International). Requires a law enforcement training school or academy to include the program as part of the basic training requirements. Makes technical corrections and removes an unused definition.

Current Status: 1/11/2023 - Referred to Committee on Homeland Security and Transportation

State Bill Page: [SB294](#)

SB295 **RED FLAG LAWS (SANDLIN J)** Specifies a process for the state to request, and a court to order, release of mental health records of an individual who is alleged to be dangerous. Provides that a court that: (1) issues a warrant to search for and seize a firearm in the possession of an individual who is dangerous; or (2) finds probable cause that an individual is dangerous; may issue an order enjoining the individual from possessing a firearm until a hearing may be held. Requires the prosecuting attorney for the judicial district to represent the state at a hearing concerning an individual alleged to be dangerous. Requires a court in certain circumstances to issue an order prohibiting the owner of a firearm from providing access to or possession of a firearm to an individual found to be dangerous. Allows the state to request a court order requiring a mental health evaluation of an individual alleged to be dangerous.

Current Status: 1/12/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB295](#)

SB299 **PUBLIC SAFETY MATTERS (ROGERS L)** Provides that a person who refuses to follow the lawful commands of a law enforcement officer to move a specified reasonable distance away from the scene of an active investigation commits a Class B misdemeanor. Establishes a defense if the order: (1) is unreasonable under the circumstances; or (2) would endanger the person. Permits a person to be placed in a community corrections program even if the person's sentence is suspendible.

Current Status: 1/12/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB299](#)

SB308 **CANNABIS LEGALIZATION (WALKER K)** Establishes a procedure for the lawful production and sale of cannabis in Indiana. Makes conforming amendments.

Current Status: 1/12/2023 - Referred to Committee on Commerce and Technology

State Bill Page: [SB308](#)

SB343 **VARIOUS CRIMINAL LAW MATTERS (FREEMAN A)** Requires online marketplaces to collect and verify certain information about high volume, third party sellers in the marketplaces and provide that information to consumers in the marketplaces. Makes it organized retail theft, a Level 6 felony, for a person to knowingly: (1) take, procure, receive, conceal, or otherwise exercise control over merchandise of a retail merchant; or (2) use an artifice, an instrument, a container, a device, or another article to facilitate taking, procuring, receiving, concealing, or exercising control over merchandise of a retail merchant; without the consent of the retail merchant or without paying the appropriate consideration for the merchandise, and with the intent to sell, deliver, or distribute the merchandise to another person, and increases the penalty under certain circumstances. Provides that the violation of a community corrections home detention placement term constitutes the crime of escape under certain circumstances. Permits a person to petition for expungement of an arrest if no charges have been filed within one year of the arrest. (Under current law, the arrest is expunged without a petition after 180 days.) Allows disclosure of expunged records to a school in connection with the employment of a person likely to have contact with a student. Repeals the requirement that certain acts taken by a prosecuting attorney are invalid without a seal. Revises, for purposes of an enhancement and certain criminal offenses, a definition of "machine gun" to include a particular part or combination of parts designed and intended for use in converting a weapon into a weapon that fires automatically more than one shot, without manual reloading, by a single function of the trigger. Modifies a separate definition of "machine gun".

Current Status: 1/19/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB343](#)

SB348 **CRIMES AGAINST PUBLIC ADMINISTRATION (BALDWIN S)** Makes the penalty for battery on a public safety official a Level 4 felony if it results in serious

bodily injury or it involves certain bodily fluids or waste. Increases the penalty for making a false report concerning law enforcement misconduct from a Class B misdemeanor to a Level 6 felony. Makes it residential harassment, a Class C misdemeanor, to picket before or about a person's dwelling with the intent of disturbing the person in the person's dwelling, but specifies that a person may only be taken into custody for residential harassment if the person refused an order to disperse.

Current Status: 1/12/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB348](#)

SB360

FIREARMS MATTERS (QADDOURA F) Repeals the offense of unlawful carrying of a handgun. Makes it a Class A misdemeanor to carry a handgun without being licensed to carry a handgun. Specifies exceptions. Enhances the offense to a Level 5 felony in particular instances. Provides that a person who has been convicted of domestic battery may not possess or carry a handgun unless the right has been restored. Allows a person who is protected by a protection order and meets other requirements to carry a handgun without a license for 60 days after the protection order is issued. Provides that licenses to carry handguns are either qualified or unlimited and describes the distinction between the two. Specifies the burden of proof and grounds for dismissal for certain firearms offenses. Requires a person wishing to sell, trade, or transfer (transfer) a firearm to another person to transact the transfer through a dealer and provide the dealer with certain information. Specifies the background checks that a dealer must complete prior to the transaction. Permits a dealer to refuse to transact a firearm transfer. Requires a dealer to abort the transaction in other instances. Specifies requirements for a dealer who refuses to transact or aborts a firearm transfer. Makes a dealer immune from civil liability and damages in certain instances. Makes the offenses of firearm transfer fraud and the unlawful transfer of a firearm Level 6 felonies. Enhances both offenses in particular instances. Specifies exceptions and defenses. Requires a person to: (1) complete certain firearms safety training; and (2) present a certificate of completion of that training to a dealer; before purchasing a firearm. Prohibits a dealer from selling a firearm to a person who does not present a certificate of completion. Makes it a Class A misdemeanor for a: (1) dealer; (2) person approved to provide firearms training; or (3) prospective firearms purchaser; to commit certain offenses concerning a certificate of completion. Makes it a Class A misdemeanor for a dealer to fail to provide a safe storage device at the time of transacting a sale, trade, or transfer of a firearm. Provides that the prohibition on a political subdivision's regulation of certain matters concerning firearms does not apply to a county with a consolidated city. Defines terms. Makes conforming amendments and technical corrections.

Current Status: 1/12/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB360](#)

SB406 PUBLIC SAFETY EMPLOYEES (DERNULC D) Establishes the law enforcement recruitment and retention fund to provide county, city, and town law enforcement agencies with grants to foster recruitment and retention of law enforcement officers. Modifies the computation of the monthly benefit amount for a member of the 1977 police officers' and firefighters' pension and disability fund who retires or receives actuarially reduced benefits after June 30, 2023. Requires a county, municipality, or township that has a police department to increase in 2024 and 2025 the salary of a police officer employed by the unit by at least the same percentage increase in the unit's total levies that are subject to certain maximum levy limitations. Makes an appropriation.

Current Status: 1/19/2023 - Referred to Senate Pensions and Labor

State Bill Page: [SB406](#)

SB445 ELECTRONIC MONITORING STANDARDS (WALKER K) Requires the justice reinvestment advisory council to develop electronic monitoring standards and submit an annual report as to the standards. Requires the justice reinvestment advisory council to conduct a workload study of local supervising agencies concerning electronic monitoring and home detention, make certain findings, and submit a report to the legislative council not later than July 1, 2025. Makes an appropriation to conduct the workload study. Provides that a contract employee of a supervising agency is required to notify the supervising agency of certain actions with respect to a tracked individual not later than 12 hours after the action occurs. Requires this notification to be sent within 15 minutes if the tracked individual is serving a sentence for a crime of violence or a crime of domestic or sexual violence. Specifies that a supervising agency must include in a quarterly report the number of tracked individuals who are on parole supervision and the number of false location alerts, device malfunctions, or both. Provides that a local supervising agency and the division of parole services shall report directly to the local justice reinvestment advisory council each quarter. Requires the statewide justice reinvestment advisory council to transmit an annual electronic report to the legislative council and to the judicial conference of Indiana not later than March 15 of each year.

Current Status: 1/19/2023 - Referred to Senate Corrections and Criminal Law

State Bill Page: [SB445](#)

SB446 EDUCATIONAL COSTS EXEMPTION (YODER S) Amends the eligibility requirements for educational costs exemptions for children and spouses of certain members of the 1977 police officers' and firefighters' pension and disability fund.

Current Status: 1/19/2023 - Referred to Senate Pensions and Labor

State Bill Page: [SB446](#)

SJR1 LIMITATION ON RIGHT TO BAIL (KOCH E) Provides that a person who poses a substantial risk to the public is not entitled to release on bail.

Current Status: 1/23/2023 - Senate Resolutions on Second Reading

State Bill Page: [SJR1](#)

SJR9

RIGHT TO BAIL (YOUNG M) Provides that certain persons charged with a crime and awaiting trial may be released on bail, but are not entitled to be released on bail.

Current Status: 1/9/2023 - Referred to Senate Judiciary

State Bill Page: [SJR9](#)

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