

# PROPOSED AMENDMENT

## SB 525 # 8

### DIGEST

Public safety matters. Provides that all deputies, excluding reserve deputies and jail deputies, employed by the Marion County sheriff's office on December 31, 2025, shall be certified by the law enforcement training board (board) as Tier II law enforcement officers. Requires the Marion County sheriff's office to submit to the board a list of deputies who have successfully completed at least the minimum basic training requirements at the Marion County Sheriff's Office Academy. Provides that before January 1, 2026, the following actions must be taken: (1) The Marion County Sheriff's Office Academy shall adopt a Tier I basic training curriculum as approved by the board. (2) The board shall approve the Marion County Sheriff's Office Academy as a Tier I basic training academy governed by the requirements established by the board. Makes changes to the definition of a "law enforcement officer" for purposes of mandatory training for law enforcement officers. Provides that a correctional professional is considered a public safety officer for purposes of determining eligibility for line of duty death benefits. (Current law provides that a correctional officer is considered a public safety officer for determining eligibility for line of duty death benefits.) Provides that a school resource officer who has completed Tier I or Tier II basic training has statewide jurisdiction. Provides that a school resource officer may pursue a person who flees from a school resource officer after the school resource officer has, by visible or audible means, including the operation of the school resource officer's siren or emergency lights, identified himself and ordered the person to stop. Increases the penalty for criminal recklessness from a Class B to a Class A misdemeanor. Specifies that the immunities and limitations on liability that apply to a law enforcement officer (and the officer's employing agency) acting within the officer's jurisdictional area also apply to an officer (and employing agency) acting outside the jurisdictional area under certain circumstances. Makes pointing a firearm by a passenger in a vehicle whose driver is committing criminal recklessness a Level 6 felony under certain circumstances. Adds a hospital police department to the definition of police departments required to provide police officers with certain rights. Provides that the legislative council is urged to assign to the appropriate interim study committee the task of studying the following: (1) Whether a sheriff's office located in a city containing a consolidated city should operate under a merit system. (2) Whether IC 36-3-1-5.1 should be modified or repealed. Makes conforming amendments.

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- 1 Delete the title and insert the following:
  - 2 A BILL FOR AN ACT to amend the Indiana Code concerning
  - 3 public safety.
  - 4 Page 1, between the enacting clause and line 1, begin a new
  - 5 paragraph and insert:
  - 6 "SECTION 1. IC 5-2-1-2, AS AMENDED BY P.L.173-2023,
  - 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
  - 8 JULY 1, 2025]: Sec. 2. For the purposes of this chapter, and unless the

context clearly denotes otherwise, the following definitions apply throughout this chapter:

(1) "Law enforcement officer" means an appointed officer or employee hired by and on the payroll of the state, any of the state's political subdivisions, a hospital police department (as described in IC 16-18-4), a tribal police officer (as described in IC 5-2-24), or a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2 who is granted lawful authority to enforce all or some of the penal laws of the state of Indiana and who possesses, with respect to those laws, the power to effect arrests for offenses committed in the officer's or employee's presence. **The term includes a special officer employed by a consolidated city full time after June 30, 2023, to perform park ranger duties or a deputy of the Marion County sheriff's office, excluding jail deputies appointed under IC 36-8-10-10.6(f).** However, except as otherwise provided in this chapter, the following are expressly excluded from the term "law enforcement officer" for the purposes of this chapter:

(A) A constable.

(B) A special officer whose powers and duties are described in IC 36-8-3-7 or a special deputy whose powers and duties are described in IC 36-8-10-10.6. ~~However, a special officer employed by a consolidated city full time after June 30, 2023, to perform park ranger duties is a law enforcement officer for the purposes of this chapter.~~

(C) A county police reserve officer who receives compensation for lake patrol duties under IC 36-8-3-20(f)(3).

(D) A conservation reserve officer who receives compensation for lake patrol duties under IC 14-9-8-27.

(E) An employee of the gaming commission whose powers and duties are described in IC 4-32.3-9.

(F) A correctional police officer described in IC 11-8-9.

For purposes of section 12.5 of this chapter, the term includes a police reserve officer (as described in IC 36-8-3-20), even if the police reserve officer works as a volunteer.

(2) "Board" means the law enforcement training board created by this chapter.

(3) "Executive training program" means the police chief executive

training program developed by the board under section 9 of this chapter.

(4) "Law enforcement training council" means one (1) of the confederations of law enforcement agencies recognized by the board and organized for the sole purpose of sharing training, instructors, and related resources.

(5) "Training regarding the lawful use of force" includes classroom and skills training in the proper application of hand to hand defensive tactics, use of firearms, and other methods of:

(A) overcoming unlawful resistance; or

(B) countering other action that threatens the safety of the public or a law enforcement officer.

(6) "Hiring or appointing authority" means:

(A) the chief executive officer, board, or other entity of a police department or agency with authority to appoint and hire law enforcement officers; or

(B) the governor, mayor, board, or other entity with the authority to appoint a chief executive officer of a police department or agency.

(7) "Crisis intervention team" refers to a local coalition with a goal of improving the manner in which law enforcement and the community respond to crisis situations in which an individual is experiencing a mental health or addictive disorder crisis.

(8) "Law enforcement agency" means a state agency, a political subdivision, a hospital police department (as described in IC 16-18-4), a tribal law enforcement agency (as described in IC 5-2-24), or a public or private postsecondary educational institution that employs and has on its payroll a law enforcement officer, including individuals described in subdivision (1)(A) through (1)(F).

SECTION 2. IC 5-2-1-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21. (a) This section applies to a county containing a consolidated city.**

**(b) Notwithstanding any other law, all deputies, excluding reserve deputies and jail deputies appointed under IC 36-8-10-10.6(f), employed by the Marion County sheriff's office on December 31, 2025, shall be certified by the board as Tier II law enforcement officers, unless the deputy is otherwise certified as a Tier I law enforcement officer. The Marion County sheriff's office**

shall submit to the board a list of those deputies who have successfully completed at least the minimum basic training requirements at the Marion County Sheriff's Office Academy. The board shall transmit certificates of the certifications and other related documentation to the Marion County sheriff's office not later than March 1, 2026.

(c) Before January 1, 2026, the following actions must be taken:

(1) The Marion County Sheriff's Office Academy shall adopt a Tier I basic training curriculum as approved by the board under section 9(d) of this chapter.

(2) Subject to subdivision (1), the board shall approve the Marion County Sheriff's Office Academy as a Tier 1 basic training academy governed by the requirements established by the board.

(d) If the Marion County Sheriff's Office Academy does not meet the requirements set forth in subsection (c)(1) before January 1, 2026, the Marion County Sheriff's Office Academy may not provide basic training to any deputy until it becomes compliant. During that time, any deputy, excluding reserve deputies and jail deputies appointed under IC 36-8-10-10.6(f), hired by the Marion County sheriff's office shall be accepted for basic training at the Indiana law enforcement academy in the same manner as other law enforcement agencies.

SECTION 3. IC 5-10-10-4, AS AMENDED BY P.L.119-2022, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. As used in this chapter, "public safety officer" means any of the following:

- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A ~~correctional officer~~: **correctional professional, which includes a correctional officer, correctional police officer, or any employee of the department of correction.**
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city or town police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.

- 1 (12) A state educational institution police officer appointed under  
2 IC 21-39-4.
- 3 (13) A police officer whose employer purchases coverage under  
4 section 4.5 of this chapter.
- 5 (14) An emergency medical services provider (as defined in  
6 IC 16-41-10-1) who is:
  - 7 (A) employed by a political subdivision (as defined in  
8 IC 36-1-2-13); and
  - 9 (B) not eligible for a special death benefit under IC 36-8-6-20,  
10 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- 11 (15) A firefighter who is employed by the fire department of a  
12 state university.
- 13 (16) A firefighter whose employer purchases coverage under  
14 section 4.5 of this chapter.
- 15 (17) A member of a consolidated law enforcement department  
16 established under IC 36-3-1-5.1.
- 17 (18) A gaming agent of the Indiana gaming commission.
- 18 (19) A person who is:
  - 19 (A) employed by a political subdivision (as defined in  
20 IC 36-1-2-13); and
  - 21 (B) appointed as a special deputy under IC 36-8-10-10.6.
- 22 (20) A school corporation police officer appointed under  
23 IC 20-26-16.
- 24 (21) A gaming control officer of the Indiana gaming commission.
- 25 (22) An eligible chaplain who meets the requirements of section  
26 4.7 of this chapter.
- 27 (23) A community corrections officer.
- 28 (24) An eligible emergency medical services provider who meets  
29 the requirements of section 4.8 of this chapter.
- 30 (25) An emergency medical services provider whose employer  
31 purchases coverage under section 4.9 of this chapter.
- 32 (26) An emergency management worker (as defined in  
33 IC 10-14-3-3), including:
  - 34 (A) an employee of the Indiana department of homeland  
35 security who is working in an official capacity as an employee  
36 during a disaster or an emergency response; or
  - 37 (B) an employee of a political subdivision who is employed as:
    - 38 (i) an emergency management director;
    - 39 (ii) an assistant emergency management director; or
    - 40 (iii) a deputy emergency management director;

- 1 for the political subdivision.
- 2 (27) A division fire investigator (as described in IC 22-14-2-8).
- 3 (28) A school resource officer (as defined in IC 20-26-18.2-1)
- 4 who is not otherwise entitled to a line of duty benefit under:
- 5 (A) IC 36-8-6-20;
- 6 (B) IC 36-8-7.5-22; or
- 7 (C) IC 36-8-8-20;
- 8 while acting as a school resource officer.
- 9 (29) A county coroner.
- 10 (30) A deputy county coroner.
- 11 SECTION 4. IC 5-10-13-2, AS AMENDED BY P.L.178-2022(ts),
- 12 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2025]: Sec. 2. As used in this chapter, "employee" means an
- 14 individual who:
- 15 (1) is employed full time by the state or a political subdivision of
- 16 the state as:
- 17 (A) a member of a fire department (as defined in IC 36-8-1-8);
- 18 (B) an emergency medical services provider (as defined in
- 19 IC 16-41-10-1);
- 20 (C) a member of a police department (as defined in
- 21 IC 36-8-1-9);
- 22 (D) a ~~correctional officer (as defined in IC 5-10-10-1.5);~~
- 23 **correctional professional, which includes a correctional**
- 24 **officer (as defined in IC 5-10-10-1.5), correctional police**
- 25 **officer, or any employee of the department of correction;**
- 26 (E) a state police officer;
- 27 (F) a county police officer;
- 28 (G) a county sheriff;
- 29 (H) an excise police officer;
- 30 (I) a conservation enforcement officer;
- 31 (J) a town marshal;
- 32 (K) a deputy town marshal;
- 33 (L) a department of homeland security fire investigator;
- 34 (M) a member of a consolidated law enforcement department
- 35 established under IC 36-3-1-5.1;
- 36 (N) a county coroner; or
- 37 (O) a deputy county coroner;
- 38 (2) in the course of the individual's employment is at high risk for
- 39 occupational exposure to an exposure risk disease; and
- 40 (3) is not employed elsewhere in a similar capacity.

SECTION 5. IC 20-26-18.2-3, AS ADDED BY P.L.172-2013,  
SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2025]: Sec. 3. (a) A school resource officer may:

- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property using the reasonable suspicion standard;
- (3) carry a firearm on or off school property; ~~and~~
- (4) pursue a person who flees from a school resource officer after the school resource officer has, by visible or audible means, including the operation of the school resource officer's siren or emergency lights, identified themselves and ordered the person to stop; and**
- ~~(4)~~ **(5)** exercise other police powers with respect to the enforcement of Indiana laws.

(b) A school resource officer **who has completed Tier I or Tier II basic training requirements established by the law enforcement training board under IC 5-2-1-9** has statewide jurisdiction. ~~in every county where the school corporation or charter school engaging the officer operates a school or where the school corporation or charter school's students reside. This subsection does not restrict the jurisdiction that a school resource officer may possess due to the officer's employment by a law enforcement agency.~~

SECTION 6. IC 35-42-2-2, AS AMENDED BY P.L.184-2019,  
SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2025]: Sec. 2. (a) A person who recklessly, knowingly, or intentionally performs an act that creates a substantial risk of bodily injury to another person commits criminal recklessness. Except as provided in subsection (b), criminal recklessness is a ~~Class B misdemeanor~~. **Class A misdemeanor.**

(b) The offense of criminal recklessness as defined in subsection (a) is:

- (1) a Level 6 felony if:
  - (A) it is committed while armed with a deadly weapon; or
  - (B) the person committed aggressive driving (as defined in IC 9-21-8-55) that results in serious bodily injury to another person; or
- (2) a Level 5 felony if:
  - (A) it is committed by shooting a firearm into an **occupied motor vehicle, an** inhabited dwelling, or ~~other another~~ building or place where people are likely to ~~gather~~; **be**

present; or

(B) the person committed aggressive driving (as defined in IC 9-21-8-55) that results in the death or catastrophic injury of another person.

**(c) A person who:**

**(1) is a passenger in a vehicle whose operator has committed an offense under subsection (a) or (b); and**

**(2) points a firearm at another person, a motor vehicle, a dwelling, or another building or place where people are likely to be present;**

**commits criminal recklessness, a Level 6 felony. It is not a defense to a prosecution under this section that the operator of the motor vehicle has not been charged with or convicted of an offense under this section.**

SECTION 7. IC 35-44.1-3-1, AS AMENDED BY P.L.141-2024, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by a firefighter, an emergency medical services provider, or a law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with public safety, a Class B misdemeanor, except as provided in subsection (c) or ~~(k)~~ **(j)**.

(c) The offense under subsection (a) or (b) is a:

(1) Level 6 felony if:

(A) the person uses a vehicle to commit the offense; or

(B) while committing the offense, the person:

(i) draws or uses a deadly weapon;

(ii) inflicts bodily injury on or otherwise causes bodily injury



- 1 to another person; or
- 2 (iii) operates a vehicle in a manner that creates a substantial
- 3 risk of bodily injury to another person;
- 4 (2) Level 5 felony if:
- 5 (A) while committing the offense, the person operates a
- 6 vehicle in a manner that causes serious bodily injury to another
- 7 person; or
- 8 (B) the person uses a vehicle to commit the offense and the
- 9 person has a prior unrelated conviction under this section
- 10 involving the use of a vehicle in the commission of the
- 11 offense;
- 12 (3) Level 3 felony if, while committing the offense, the person
- 13 operates a vehicle in a manner that causes the death or
- 14 catastrophic injury of another person; and
- 15 (4) Level 2 felony if, while committing any offense described in
- 16 subsection (a), the person operates a vehicle in a manner that
- 17 causes the death or catastrophic injury of a firefighter, an
- 18 emergency medical services provider, or a law enforcement
- 19 officer while the firefighter, emergency medical services provider,
- 20 or law enforcement officer is engaged in the firefighter's,
- 21 emergency medical services provider's, or officer's official duties.
- 22 (d) The offense under subsection (a) is a Level 6 felony if, while
- 23 committing an offense under:
- 24 (1) subsection (a)(1) or (a)(2), the person:
- 25 (A) creates a substantial risk of bodily injury to the person or
- 26 another person; and
- 27 (B) has two (2) or more prior unrelated convictions under
- 28 subsection (a); or
- 29 (2) subsection (a)(3), the person has two (2) or more prior
- 30 unrelated convictions under subsection (a).
- 31 (e) If a person uses a vehicle to commit a felony offense under
- 32 subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal
- 33 penalty imposed for the offense, the court shall impose a minimum
- 34 executed sentence of at least:
- 35 (1) thirty (30) days, if the person does not have a prior unrelated
- 36 conviction under this section;
- 37 (2) one hundred eighty (180) days, if the person has one (1) prior
- 38 unrelated conviction under this section; or
- 39 (3) one (1) year, if the person has two (2) or more prior unrelated
- 40 convictions under this section.

1 (f) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory  
 2 minimum sentence imposed under subsection (e) may not be  
 3 suspended.

4 (g) If a person is convicted of an offense involving the use of a  
 5 motor vehicle under:

6 (1) subsection (c)(1)(A), if the person exceeded the speed limit by  
 7 at least twenty (20) miles per hour while committing the offense;

8 (2) subsection (c)(2); or

9 (3) subsection (c)(3);

10 the court may notify the bureau of motor vehicles to suspend or revoke  
 11 the person's driver's license in accordance with IC 9-30-4-6.1(b) for the  
 12 period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The  
 13 court shall inform the bureau whether the person has been sentenced  
 14 to a term of incarceration. At the time of conviction, the court may  
 15 obtain the person's current driver's license and return the license to the  
 16 bureau of motor vehicles.

17 ~~(h) A person may not be charged or convicted of a crime under~~  
 18 ~~subsection (a)(3) if the law enforcement officer is a school resource~~  
 19 ~~officer acting in the officer's capacity as a school resource officer.~~

20 ~~(i)~~ (h) A person who commits an offense described in subsection (c)  
 21 commits a separate offense for each person whose bodily injury,  
 22 serious bodily injury, catastrophic injury, or death is caused by a  
 23 violation of subsection (c).

24 ~~(j)~~ (i) A court may order terms of imprisonment imposed on a  
 25 person convicted of more than one (1) offense described in subsection  
 26 (c) to run consecutively. Consecutive terms of imprisonment imposed  
 27 under this subsection are not subject to the sentencing restrictions set  
 28 forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).

29 ~~(k)~~ (j) As used in this subsection, "family member" means a child,  
 30 grandchild, parent, grandparent, or spouse of the person. It is a defense  
 31 to a prosecution under subsection (b) that the person reasonably  
 32 believed that the person's family member:

33 (1) was in the marked off area; and

34 (2) had suffered bodily injury or was at risk of suffering bodily  
 35 injury;

36 if the person is not charged as a defendant in connection with the  
 37 offense, if applicable, that caused the area to be secured by barrier tape  
 38 or other physical barriers."

39 Page 1, line 13, after "law" delete "," and insert ", if the  
 40 requirements of IC 5-2-1-21(c)(2) have been fulfilled, after January

- 1 **1, 2026,".**
- 2 Page 1, line 14, delete ":" and insert "**attend basic training at**".
- 3 Page 1, delete lines 15 through 16.
- 4 Page 1, run in lines 14 through 17.
- 5 Page 2, delete lines 1 through 9, begin a new paragraph and insert:
- 6 "SECTION 9. IC 36-8-2.1-3, AS ADDED BY P.L.271-2019,
- 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2025]: Sec. 3. As used in this chapter, "police department"
- 9 means a police department established by:
- 10 (1) a county;
- 11 (2) a city;
- 12 (3) a town;
- 13 (4) the state;
- 14 (5) a school corporation (as described under IC 20-26-16); ~~or~~
- 15 (6) a postsecondary educational institution (as described under
- 16 IC 21-17-5-2 or IC 21-39-4-2); **or**
- 17 **(7) a hospital under IC 16-18-4.**
- 18 SECTION 10. [EFFECTIVE UPON PASSAGE] **(a) The legislative**
- 19 **council is urged to assign to the appropriate interim study**
- 20 **committee the task of studying the following:**
- 21 **(1) Whether a sheriff's office located in a county containing a**
- 22 **consolidated city should operate under a merit system.**
- 23 **(2) Whether IC 36-3-1-5.1 should be modified or repealed.**
- 24 **(b) This SECTION expires December 31, 2025.**
- 25 SECTION 11. **An emergency is declared for this act."**
- 26 Renumber all SECTIONS consecutively.
- (Reference is to SB 525 as reprinted February 19, 2025.)