

HOUSE BILL No. 1383

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-16; IC 34-13-3-3; IC 34-30-2.1-125.2.

Synopsis: Indiana civilian cyber corps. Establishes the Indiana civilian cyber corps program (program). Provides that the adjutant general of the military department shall administer the program. Provides that the program includes civilian volunteers who have expertise in addressing cybersecurity incidents and who volunteer at the invitation of the adjutant general to provide rapid response assistance to a cybersecurity client in need of expert assistance after recognition of a cybersecurity incident or potential cybersecurity incident. Provides that the work product of a civilian cyber corps volunteer or advisor, including any information voluntarily submitted to the volunteer or advisor, is exempt from disclosure. Provides that a civilian cyber corps volunteer or advisor is immune from tort liability for an injury to a person or damage to property that occurs while the volunteer or advisor is deployed and acting on behalf of the adjutant general if certain conditions are met. Repeals the Indiana cyber civilian corps program advisory board. Makes an appropriation.

Effective: July 1, 2025.

Judy, Bartels, Haggard, Morris

January 13, 2025, read first time and referred to Committee on Veterans Affairs and Public Safety.



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.

HOUSE BILL No. 1383

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

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

- 1 SECTION 1. IC 10-16-1-5.6 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2025]: **Sec. 5.6. "Civilian cyber corps" means the Indiana civilian**
- 4 **cyber corps program established by IC 10-16-22.**
- 5 SECTION 2. IC 10-16-1-5.7 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2025]: **Sec. 5.7. "Civilian cyber corps advisor" means an**
- 8 **individual who serves as a nondeployable member in the Indiana**
- 9 **civilian cyber corps program for the purpose of providing support**
- 10 **and technical expertise for civilian cyber corps volunteers.**
- 11 SECTION 3. IC 10-16-1-5.9 IS ADDED TO THE INDIANA CODE
- 12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 13 1, 2025]: **Sec. 5.9. "Civilian cyber corps volunteer" means an**
- 14 **individual who has entered into an agreement with the adjutant**
- 15 **general to serve as a deployable member in the Indiana civilian**
- 16 **cyber corps program.**
- 17 SECTION 4. IC 10-16-1-8.5 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2025]: **Sec. 8.5. "Cybersecurity client" means a:**

- 3 (1) state agency (as defined in IC 4-1-10-2);
4 (2) political subdivision (as defined in IC 36-1-2-13);
5 (3) state educational institution (as defined in IC 21-7-13-32);
6 (4) critical infrastructure facility (as defined in
7 IC 35-46-10-1); or
8 (5) critical infrastructure utility (as defined in IC 35-46-10-1);

9 that has requested and is using the rapid response assistance of the
10 Indiana civilian cyber corps program under the direction of the
11 adjutant general.

12 SECTION 5. IC 10-16-1-8.6 IS ADDED TO THE INDIANA CODE
13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2025]: **Sec. 8.6. "Cybersecurity incident" means an incident as
15 defined by 44 U.S.C. 3552(b)(2).**

16 SECTION 6. IC 10-16-1-19.3 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2025]: **Sec. 19.3. "State police department"
19 refers to the state police department established by IC 10-11-2-4.**

20 SECTION 7. IC 10-16-2-9, AS AMENDED BY P.L.9-2024,
21 SECTION 315, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2025]: **Sec. 9. (a) The adjutant general shall
23 perform duties required by law, in rules adopted under this chapter, and
24 in the statutes of the United States and required by the governor. If the
25 adjutant general:**

- 26 (1) fails or refuses to properly and efficiently perform the duties
27 of the office; or
28 (2) is guilty of misconduct or conduct prejudicial to good order
29 and military discipline;

30 written charges setting forth the acts involved shall be filed with the
31 governor. The governor shall take action on the charges for the best
32 interests of the service.

33 (b) The adjutant general shall superintend the preparation of all
34 returns and reports required by the United States from the state.

35 (c) The adjutant general shall:

- 36 (1) keep a register of all the officers of the armed forces of the
37 state; and
38 (2) keep in the adjutant general's office all records and papers
39 required to be kept and filed.

40 (d) If necessary, the adjutant general shall, at the expense of the
41 state, cause:

- 42 (1) the armed forces law;



1 (2) the general regulations of the state; and
 2 (3) the uniform code of military justice of the United States;
 3 to be printed, indexed, and bound in proper and compact form. One (1)
 4 copy of each publication shall be distributed to the commissioned
 5 officers, sheriffs, clerks of boards of county commissioners, and county
 6 treasurers of Indiana. The adjutant general shall issue to each
 7 commissioned officer and headquarters one (1) copy of the necessary
 8 textbooks and of such annual reports concerning the militia as the
 9 governor directs.

10 (e) The adjutant general shall cause to be prepared and issued all
 11 blank books, blank forms, and blank notices required to implement this
 12 chapter. The books and blanks are property of the state.

13 (f) The adjutant general shall attend to the safekeeping and repairing
 14 of the ordnance, arms, ~~accouterments~~, **accoutrements**, equipment, and
 15 all other military and naval property belonging to the state or issued to
 16 it by the United States. The governor shall order the adjutant general
 17 to dispose of all military and naval property of the state that after a
 18 proper inspection is found unsuitable for the use of the state. The
 19 adjutant general shall dispose of the property:

20 (1) by public auction after advertisement of the sale weekly for
 21 three (3) weeks in at least one (1) newspaper published in the
 22 English language in the city or county where the sale is to take
 23 place;

24 (2) by private sale when ordered by the governor; or

25 (3) with the approval of the governor, by turning over the property
 26 to any other department, board, or commission of state
 27 government that can use the property.

28 If the adjutant general believes that better prices may or should be
 29 obtained, the adjutant general shall bid in the property or suspend the
 30 sale. All parts of uniforms before being offered for sale shall be
 31 mutilated so they cannot be again used as uniforms. The adjutant
 32 general shall periodically account to the governor of the sales made.
 33 The adjutant general shall expend the proceeds of the sales for the use
 34 and benefit of the military or naval forces of the state as the governor
 35 directs.

36 (g) The adjutant general shall keep an accurate account of all
 37 expenses necessarily incurred, including the following:

38 (1) Pay of officers and enlisted persons.

39 (2) Allowances to officers and organizations.

40 (3) Pensions.

41 (4) Any other money required to be disbursed by the adjutant
 42 general, including the following:



- 1 (A) Subsistence of the national guard.
 2 (B) Transportation of the national guard.
 3 (C) Transportation of all military and naval property of the
 4 state or of the United States.

5 These expenses shall be audited and paid in the same manner as other
 6 military and naval accounts.

7 (h) The adjutant general shall:

- 8 (1) issue military and naval property; and
 9 (2) make purchases of military and naval property;

10 as the governor directs. Military or naval property may not be issued to
 11 persons or organizations other than those belonging to the state armed
 12 forces, except to those parts of the sedentary militia as the governor
 13 may call out.

14 **(i) The adjutant general shall administer the Indiana civilian
 15 cyber corps program established by IC 10-16-22.**

16 ~~(j)~~ **(j)** The seal used in the office of the adjutant general on January
 17 1, 1954, shall be:

- 18 (1) the seal of that office; and
 19 (2) delivered by the adjutant general to the successor in office.

20 ~~(j)~~ **(k)** Except as provided in subsection ~~(k)~~, **(l)**, the adjutant general
 21 shall be the auditor of all military accounts payable by the state.

22 ~~(k)~~ **(l)** The state comptroller shall audit expenditures made by the
 23 adjutant general or through the adjutant general's office. Copies of all
 24 orders and contracts relating to expenditures described in this
 25 subsection shall be filed in the state comptroller's office.

26 SECTION 8. IC 10-16-21 IS REPEALED [EFFECTIVE JULY 1,
 27 2025]. (Indiana Cyber Civilian Corps Program Advisory Board).

28 SECTION 9. IC 10-16-22 IS ADDED TO THE INDIANA CODE
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2025]:

31 **Chapter 22. Indiana Civilian Cyber Corps Program**

32 **Sec. 1. (a) The Indiana civilian cyber corps program is
 33 established. The primary mission of the civilian cyber corps is to
 34 increase cybersecurity awareness, capability, and capacity
 35 throughout Indiana. The secondary mission of the civilian cyber
 36 corps is to provide rapid response capabilities for cybersecurity
 37 clients that would otherwise be unable to appropriately:**

- 38 (1) respond to;
 39 (2) mitigate; or
 40 (3) recover from;

41 **a cybersecurity incident.**

42 **(b) The adjutant general shall administer the civilian cyber**



1 corps program.

2 (c) The adjutant general may hire not more than three (3)
3 civilian cyber corps managers for the purpose of administering the
4 civilian cyber corps program.

5 (d) The following state agencies shall designate at least one (1)
6 employee to serve as a liaison to the civilian cyber corps:

7 (1) The office of technology established by IC 4-13.1-2-1.

8 (2) The department of homeland security established by
9 IC 10-19-2-1.

10 (3) The state police department.

11 Sec. 2. The adjutant general may invite and appoint an
12 individual who has expertise in addressing cybersecurity incidents
13 to serve as a civilian cyber corps volunteer or civilian cyber corps
14 advisor for the purposes of establishing and implementing the
15 requirements described in this chapter.

16 Sec. 3. The adjutant general shall enter into a contract with an
17 individual who chooses to accept an invitation from the adjutant
18 general to serve in the position of a civilian cyber corps volunteer
19 or civilian cyber corps advisor under section 2 of this chapter and
20 who meets the qualifying criteria for the position as determined by
21 the adjutant general. The contract must include at least the
22 following provisions:

23 (1) A requirement that the individual:

24 (A) maintain the confidentiality of information relating to
25 a cybersecurity client; and

26 (B) protect from disclosure any confidential information
27 acquired by the individual through participation in the
28 civilian cyber corps.

29 (2) A requirement that the individual avoid any conflict of
30 interest that may arise from participation, or from a
31 particular deployment, in the civilian cyber corps.

32 (3) A requirement that the individual comply with any
33 existing security policies and procedures of the office of
34 technology established by IC 4-13.1-2-1 regarding
35 information technology resources.

36 (4) A requirement that the individual consent to any
37 background screening considered appropriate by the adjutant
38 general as described in section 4 of this chapter.

39 (5) A requirement that the individual attest that the individual
40 meets any standards of expertise that may be established by
41 the adjutant general for service in the civilian cyber corps.

42 Sec. 4. (a) The adjutant general shall require an individual who



1 accepts an invitation to serve as a civilian cyber corps volunteer or
2 civilian cyber corps advisor under section 3 of this chapter to
3 submit to a criminal history check, which must consist, at a
4 minimum, of a national criminal history background check (as
5 defined in IC 10-13-3-12).

6 (b) An individual who accepts an invitation to serve in the
7 civilian cyber corps shall give written consent in the contract
8 entered into by the individual under section 3 of this chapter for
9 the state police department to conduct the criminal history check
10 required under this section. The adjutant general shall require the
11 individual to submit the individual's fingerprints to the state police
12 department and the Federal Bureau of Investigation for the
13 criminal history check required under this section.

14 (c) The state police department shall perform a criminal history
15 check as described in subsection (a) for every individual who
16 accepts an invitation to serve as a civilian cyber corps volunteer or
17 civilian cyber corps advisor. The adjutant general shall make the
18 request for the criminal history check on a form and in a manner
19 prescribed by the state police department.

20 (d) The state police department shall conduct the criminal
21 history check requested by the adjutant general in a reasonable
22 time and report the results to the adjutant general. The report
23 must indicate that the individual is either cleared or not cleared to
24 become a civilian cyber corps volunteer or civilian cyber corps
25 advisor.

26 (e) If an individual is cleared to become a civilian cyber corps
27 volunteer or civilian cyber corps advisor under subsection (d), the
28 state police department shall:

29 (1) review any subsequent fingerprints of the individual
30 submitted under this section; and

31 (2) provide a report to the adjutant general that indicates
32 whether the individual is still cleared or is no longer cleared
33 to continue serving in the civilian cyber corps.

34 (f) If a criminal history check of an individual under this section
35 results in a finding of previous criminal history, the individual may
36 appeal to the adjutant general for nondeployable civilian cyber
37 corps advisor status.

38 (g) An individual may not engage in training as a civilian cyber
39 corps volunteer or civilian cyber corps advisor until either:

40 (1) the criminal history check; or

41 (2) an appeal regarding the criminal history check;
42 under this section has been completed.



1 **Sec. 5. (a) A civilian cyber corps volunteer or civilian cyber**
2 **corps advisor is not an agent, employee, or independent contractor**
3 **of the state of Indiana for any purpose and has no authority to bind**
4 **the state of Indiana with regard to third parties.**

5 **(b) The state of Indiana is not liable to a civilian cyber corps**
6 **volunteer or civilian cyber corps advisor for personal injury or**
7 **property damage suffered by the civilian cyber corps volunteer or**
8 **civilian cyber corps advisor through participation in the civilian**
9 **cyber corps.**

10 **Sec. 6. (a) The adjutant general, the military department, and**
11 **the state of Indiana are immune from tort liability for acts or**
12 **omissions by a civilian cyber corps volunteer or civilian cyber**
13 **corps advisor as provided in this chapter.**

14 **(b) A civilian cyber corps volunteer or civilian cyber corps**
15 **advisor is immune from tort liability for an injury to a person or**
16 **damage to property that occurs while the civilian cyber corps**
17 **volunteer or civilian cyber corps advisor is deployed or acting on**
18 **behalf of the adjutant general if all of the following conditions are**
19 **met:**

20 **(1) The civilian cyber corps volunteer or advisor is acting, or**
21 **reasonably believes that the civilian cyber corps volunteer or**
22 **advisor is acting, within the scope of the civilian cyber corps**
23 **volunteer's or advisor's authority.**

24 **(2) The civilian cyber corps volunteer's or advisor's conduct**
25 **does not amount to gross negligence or willful or wanton**
26 **misconduct that is the proximate cause of the injury or**
27 **damage.**

28 **(3) The civilian cyber corps volunteer's or advisor's conduct**
29 **is not a material breach of the contract under section 3 of this**
30 **chapter under which the civilian cyber corps volunteer or**
31 **advisor undertakes the deployment or action.**

32 **(c) If a claim is made or a civil action is commenced against a**
33 **civilian cyber corps volunteer or civilian cyber corps advisor for**
34 **injury to a person or damage to property that was caused by the**
35 **negligence of the civilian cyber corps volunteer or advisor and that**
36 **occurred in the course of the civilian cyber corps volunteer's or**
37 **advisor's deployment or action on behalf of the adjutant general**
38 **and while the civilian cyber corps volunteer or advisor was acting**
39 **within the scope of the civilian cyber corps volunteer's or advisor's**
40 **authority, the military department:**

41 **(1) may:**

42 **(A) pay for, engage, or furnish the services of an attorney**



- 1 to advise the civilian cyber corps volunteer or advisor as to
2 the claim; and
- 3 **(B) appear for and represent the civilian cyber corps**
4 **volunteer or advisor in the action; or**
- 5 **(2) may compromise, settle, and pay the claim before or after**
6 **the commencement of a civil action.**
- 7 **(d) If a judgment for damages is awarded against a civilian**
8 **cyber corps volunteer or civilian cyber corps advisor as a result of**
9 **a civil action for personal injuries or property damage caused by**
10 **the civilian cyber corps volunteer or advisor:**
- 11 **(1) in the course of the civilian cyber corps volunteer's or**
12 **advisor's deployment or action on behalf of the adjutant**
13 **general; and**
- 14 **(2) while the civilian cyber corps volunteer or advisor is**
15 **acting within the scope of the civilian cyber corps volunteer's**
16 **or advisor's authority;**
- 17 **the military department may indemnify the civilian cyber corps**
18 **volunteer or advisor or pay, settle, or compromise the judgment.**
- 19 **(e) If a criminal action is commenced against a civilian cyber**
20 **corps volunteer or civilian cyber corps advisor as a result of the**
21 **conduct of the civilian cyber corps volunteer or advisor in the**
22 **course of the civilian cyber corps volunteer's or advisor's**
23 **deployment or action on behalf of the adjutant general, the**
24 **military department may:**
- 25 **(1) pay for, engage, or furnish the services of an attorney to**
26 **advise the civilian cyber corps volunteer or advisor as to the**
27 **action; and**
- 28 **(2) appear for and represent the civilian cyber corps**
29 **volunteer or advisor in the action;**
- 30 **if the civilian cyber corps volunteer or advisor had a reasonable**
31 **basis for believing that the civilian cyber corps volunteer or**
32 **advisor was acting within the scope of the civilian cyber corps**
33 **volunteer's or advisor's authority at the time of the alleged**
34 **conduct. A civilian cyber corps volunteer or advisor who has**
35 **incurred legal expenses for conduct described in this subsection**
36 **may obtain reimbursement from the military department for the**
37 **expenses.**
- 38 **(f) This section does not impose liability on the adjutant general,**
39 **the military department, or the state of Indiana.**
- 40 **Sec. 7. (a) The civilian cyber corps shall conduct:**
- 41 **(1) an annual meeting that meets at the call of the adjutant**
42 **general; and**



- 1 (2) critical incident training or exercises at the call of the
2 adjutant general.
- 3 (b) Only members of the civilian cyber corps may attend the
4 annual meeting or critical incident training or exercises described
5 in subsection (a).
- 6 (c) The adjutant general's designee shall prepare meeting
7 minutes for the annual meeting described in subsection (a)(1). The
8 annual meeting shall include a review of the civilian cyber corps
9 events or activities for the previous year and a discussion of
10 upcoming events or activities.
- 11 (d) In addition to the annual meeting described in subsection
12 (a)(1), the civilian cyber corps shall conduct at least one (1) critical
13 incident training or exercise described in subsection (a)(2) each
14 calendar year. A civilian cyber corps volunteer is required to
15 participate in designated critical incident training or exercises
16 unless otherwise approved by the adjutant general in a manner
17 prescribed by the adjutant general.
- 18 Sec. 8. (a) A cybersecurity client may request cybersecurity
19 training by the civilian cyber corps by submitting a request to the
20 civilian cyber corps in a manner prescribed by the adjutant
21 general.
- 22 (b) To initiate the deployment of a civilian cyber corps volunteer
23 to provide training to a cybersecurity client, the adjutant general
24 shall indicate in writing that the civilian cyber corps volunteer is
25 authorized to provide training to the cybersecurity client. A single
26 written document may initiate the deployment of more than one (1)
27 civilian cyber corps volunteer.
- 28 (c) The adjutant general may enter into a contract with a
29 cybersecurity client as a condition of providing training to the
30 cybersecurity client through the civilian cyber corps.
- 31 (d) Acceptance by a cybersecurity client of training from a
32 civilian cyber corps volunteer under this chapter must be made by
33 the cybersecurity client in writing.
- 34 (e) The cybersecurity training must consist of four (4) hours of
35 training during a single day unless the written document initiating
36 the training specifies a different duration.
- 37 (f) The adjutant general shall maintain a written document
38 initiating the deployment of a civilian cyber corps volunteer to
39 provide training to a cybersecurity client for:
- 40 (1) six (6) years after the end of the deployment; or
41 (2) the length of time required under the adjutant general's
42 record retention policies;



- 1 **whichever is longer.**
- 2 **Sec. 9. (a) A cybersecurity client:**
- 3 **(1) shall notify the state police department upon the**
- 4 **occurrence of a cybersecurity incident; and**
- 5 **(2) may, upon recognition of a potential security vulnerability**
- 6 **that could lead to a cybersecurity incident, request the**
- 7 **adjutant general to deploy one (1) or more civilian cyber**
- 8 **corps volunteers to provide rapid response assistance to the**
- 9 **cybersecurity client.**
- 10 **(b) The adjutant general may, at the adjutant general's**
- 11 **discretion, initiate:**
- 12 **(1) the deployment of a civilian cyber corps volunteer; or**
- 13 **(2) the nondeployment of a civilian cyber corps advisor;**
- 14 **upon recognition of a potential security vulnerability that could**
- 15 **lead to a cybersecurity incident and at the request of the**
- 16 **cybersecurity client.**
- 17 **(c) To initiate the deployment of a civilian cyber corps volunteer**
- 18 **to provide assistance to a cybersecurity client, the adjutant general**
- 19 **shall indicate in writing that the civilian cyber corps volunteer is**
- 20 **authorized to provide assistance to the cybersecurity client. A**
- 21 **single written document may initiate the deployment of more than**
- 22 **one (1) civilian cyber corps volunteer.**
- 23 **(d) The adjutant general may enter into a contract with a**
- 24 **cybersecurity client as a condition of providing assistance to the**
- 25 **cybersecurity client through the civilian cyber corps.**
- 26 **(e) Acceptance by a cybersecurity client of assistance from a**
- 27 **civilian cyber corps volunteer under this chapter shall be made by**
- 28 **the cybersecurity client in writing.**
- 29 **(f) The adjutant general shall maintain a written document**
- 30 **initiating the deployment of a civilian cyber corps volunteer to**
- 31 **provide assistance to a cybersecurity client for:**
- 32 **(1) six (6) years after the end of the deployment; or**
- 33 **(2) the length of time required under the adjutant general's**
- 34 **record retention policies;**
- 35 **whichever is longer.**
- 36 **(g) The deployment of a civilian cyber corps volunteer to**
- 37 **provide assistance to a cybersecurity client must be for seven (7)**
- 38 **days unless the written document initiating the deployment**
- 39 **specifies a different duration.**
- 40 **(h) At the discretion of the adjutant general, the deployment of**
- 41 **a civilian cyber corps volunteer may be extended in writing in the**
- 42 **same manner as the initial deployment.**



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Sec. 10. (a) The adjutant general shall publish guidelines for the operation of the civilian cyber corps program. At a minimum, the published guidelines must include the following:

(1) An explanation of the standards the adjutant general will use to determine whether an individual may serve as a civilian cyber corps volunteer or civilian cyber corps advisor and an explanation of the process by which an individual may become a civilian cyber corps volunteer or advisor.

(2) An explanation of the requirements the adjutant general will impose when a cybersecurity client requests and receives the assistance of the civilian cyber corps.

(3) An explanation of the process by which the civilian cyber corps will select and prioritize cybersecurity clients requesting assistance.

(b) The adjutant general may provide, or contract for the provision of, appropriate training to members of the civilian cyber corps.

(c) The military department may provide compensation for actual and necessary travel and subsistence expenses incurred by a civilian cyber corps volunteer on a deployment.

(d) The adjutant general may establish a fee schedule for assistance provided by the civilian cyber corps. The adjutant general may recoup expenses, but may not generate a profit, through the fees.

Sec. 11. (a) Information that is voluntarily given to the civilian cyber corps or obtained under this chapter, that would identify or provide as a means of identifying a person, and the disclosure of which may:

(1) cause the person or a cybersecurity client to become a victim of a cybersecurity incident; or

(2) disclose a person's or cybersecurity client's cybersecurity plans or cybersecurity related practices, procedures, methods, results, organizational information system infrastructure, hardware, or software;

is confidential and exempt from disclosure under IC 5-14-3-4.

(b) The work product of a civilian cyber corps volunteer or civilian cyber corps advisor under this chapter is confidential and exempt from disclosure under IC 5-14-3-4.

SECTION 10. 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



- 1 a loss results from the following:
- 2 (1) The natural condition of unimproved property.
- 3 (2) The condition of a reservoir, dam, canal, conduit, drain, or
- 4 similar structure when used by a person for a purpose that is not
- 5 foreseeable.
- 6 (3) The temporary condition of a public thoroughfare or extreme
- 7 sport area that results from weather.
- 8 (4) The condition of an unpaved road, trail, or footpath, the
- 9 purpose of which is to provide access to a recreation or scenic
- 10 area.
- 11 (5) The design, construction, control, operation, or normal
- 12 condition of an extreme sport area, if all entrances to the extreme
- 13 sport area are marked with:
- 14 (A) a set of rules governing the use of the extreme sport area;
- 15 (B) a warning concerning the hazards and dangers associated
- 16 with the use of the extreme sport area; and
- 17 (C) a statement that the extreme sport area may be used only
- 18 by persons operating extreme sport equipment.
- 19 This subdivision shall not be construed to relieve a governmental
- 20 entity from liability for the continuing duty to maintain extreme
- 21 sports areas in a reasonably safe condition.
- 22 (6) The initiation of a judicial or an administrative proceeding.
- 23 (7) The performance of a discretionary function; however, the
- 24 provision of medical or optical care as provided in IC 34-6-2-38
- 25 shall be considered as a ministerial act.
- 26 (8) The adoption and enforcement of or failure to adopt or
- 27 enforce:
- 28 (A) a law (including rules and regulations); or
- 29 (B) in the case of a public school or charter school, a policy;
- 30 unless the act of enforcement constitutes false arrest or false
- 31 imprisonment.
- 32 (9) An act or omission performed in good faith and without
- 33 malice under the apparent authority of a statute which is invalid
- 34 if the employee would not have been liable had the statute been
- 35 valid.
- 36 (10) The act or omission of anyone other than the governmental
- 37 entity or the governmental entity's employee.
- 38 (11) The issuance, denial, suspension, or revocation of, or failure
- 39 or refusal to issue, deny, suspend, or revoke any permit, license,
- 40 certificate, approval, order, or similar authorization, where the
- 41 authority is discretionary under the law.
- 42 (12) Failure to make an inspection, or making an inadequate or



- 1 negligent inspection, of any property, other than the property of
 2 a governmental entity, to determine whether the property
 3 complied with or violates any law or contains a hazard to health
 4 or safety.
- 5 (13) Entry upon any property where the entry is expressly or
 6 impliedly authorized by law.
- 7 (14) Misrepresentation if unintentional.
- 8 (15) Theft by another person of money in the employee's official
 9 custody, unless the loss was sustained because of the employee's
 10 own negligent or wrongful act or omission.
- 11 (16) Injury to the property of a person under the jurisdiction and
 12 control of the department of correction if the person has not
 13 exhausted the administrative remedies and procedures provided
 14 by section 7 of this chapter.
- 15 (17) Injury to the person or property of a person under supervision
 16 of a governmental entity and who is:
- 17 (A) on probation;
- 18 (B) assigned to an alcohol and drug services program under
 19 IC 12-23, a minimum security release program under
 20 IC 11-10-8, a pretrial conditional release program under
 21 IC 35-33-8, or a community corrections program under
 22 IC 11-12; or
- 23 (C) subject to a court order requiring the person to be escorted
 24 by a county police officer while on or in a government
 25 building (as defined in IC 36-9-13-3) owned by a county
 26 building authority under IC 36-9-13, unless the injury is the
 27 result of an act or omission amounting to:
- 28 (i) gross negligence;
- 29 (ii) willful or wanton misconduct; or
- 30 (iii) intentional misconduct.
- 31 (18) Design of a highway (as defined in IC 9-13-2-73), toll road
 32 project (as defined in IC 8-15-2-4(4)), tollway (as defined in
 33 IC 8-15-3-7), or project (as defined in IC 8-15.7-2-14) if the
 34 claimed loss occurs at least twenty (20) years after the public
 35 highway, toll road project, tollway, or project was designed or
 36 substantially redesigned; except that this subdivision shall not be
 37 construed to relieve a responsible governmental entity from the
 38 continuing duty to provide and maintain public highways in a
 39 reasonably safe condition.
- 40 (19) Development, adoption, implementation, operation,
 41 maintenance, or use of an enhanced emergency communication
 42 system.



1 (20) Injury to a student or a student's property by an employee of
2 a school corporation if the employee is acting reasonably under a:

3 (A) discipline policy adopted under IC 20-33-8-12; or

4 (B) restraint and seclusion plan adopted under IC 20-20-40-14.

5 (21) An act or omission performed in good faith under the
6 apparent authority of a court order described in IC 35-46-1-15.1
7 or IC 35-46-1-15.3 that is invalid, including an arrest or
8 imprisonment related to the enforcement of the court order, if the
9 governmental entity or employee would not have been liable had
10 the court order been valid.

11 (22) An act taken to investigate or remediate hazardous
12 substances, petroleum, or other pollutants associated with a
13 brownfield (as defined in IC 13-11-2-19.3) unless:

14 (A) the loss is a result of reckless conduct; or

15 (B) the governmental entity was responsible for the initial
16 placement of the hazardous substances, petroleum, or other
17 pollutants on the brownfield.

18 (23) The operation of an off-road vehicle (as defined in
19 IC 14-8-2-185) by a nongovernmental employee, or by a
20 governmental employee not acting within the scope of the
21 employment of the employee, on a public highway in a county
22 road system outside the corporate limits of a city or town, unless
23 the loss is the result of an act or omission amounting to:

24 (A) gross negligence;

25 (B) willful or wanton misconduct; or

26 (C) intentional misconduct.

27 This subdivision shall not be construed to relieve a governmental
28 entity from liability for the continuing duty to maintain highways
29 in a reasonably safe condition for the operation of motor vehicles
30 licensed by the bureau of motor vehicles for operation on public
31 highways.

32 (24) Any act or omission rendered in connection with a request,
33 investigation, assessment, or opinion provided under
34 IC 36-9-28.7.

35 **(25) Any act or omission rendered in connection with an**
36 **Indiana civilian cyber corps program deployment as provided**
37 **under IC 10-16-22.**

38 (b) This subsection applies to a cause of action that accrues during
39 a period of a state disaster emergency declared under IC 10-14-3-12 to
40 respond to COVID-19, if the state of disaster emergency was declared
41 after February 29, 2020, and before April 1, 2022. A governmental
42 entity or an employee acting within the scope of the employee's



1 employment is not liable for an act or omission arising from COVID-19
 2 unless the act or omission constitutes gross negligence, willful or
 3 wanton misconduct, or intentional misrepresentation. If a claim
 4 described in this subsection is:

5 (1) a claim for injury or death resulting from medical malpractice;
 6 and

7 (2) not barred by the immunity provided under this subsection;
 8 the claimant is required to comply with all of the provisions of
 9 IC 34-18 (medical malpractice act).

10 SECTION 11. IC 34-30-2.1-125.2 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2025]: **Sec. 125.2. IC 10-16-22-6 (Concerning**
 13 **acts or omissions of an Indiana civilian cyber corps volunteer or**
 14 **civilian cyber corps advisor).**

15 SECTION 12. [EFFECTIVE JULY 1, 2025] (a) **There is**
 16 **appropriated to the adjutant general of the Indiana National**
 17 **Guard:**

18 (1) **for the state fiscal year beginning July 1, 2025, and ending**
 19 **June 30, 2026, nine hundred thousand dollars (\$900,000); and**

20 (2) **for the state fiscal year beginning July 1, 2026, and ending**
 21 **June 30, 2027, nine hundred thousand dollars (\$900,000);**

22 **from the state general fund for use by the adjutant general of the**
 23 **Indiana National Guard in carrying out the purpose of the Indiana**
 24 **civilian cyber corps program established by IC 10-16-22-1, as**
 25 **added by this act.**

26 (b) **This SECTION expires July 1, 2027.**

