

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 6415

BILL NUMBER: HB 1042

NOTE PREPARED: Jan 14, 2026

BILL AMENDED: Jan 14, 2026

SUBJECT: Regulation and Investment of Cryptocurrency.

FIRST AUTHOR: Rep. Pierce K

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) The bill provides that the administrator or manager of the following shall offer as a regular investment program a self directed brokerage account that offers at least one cryptocurrency investment option:

- (1) The legislators' defined contribution plan.
- (2) The Hoosier START plan.
- (3) The public employees' retirement fund hybrid plan.
- (4) The public employees' retirement fund My Choice plan.
- (5) The teachers' retirement fund hybrid plan (including the teachers' pre-1996 account).
- (6) The teachers' retirement fund My Choice plan.
- (7) The 529 education savings plan.

It provides that the assets of the following may be invested in cryptocurrency exchange traded funds that do not include payment stablecoin as a permissible asset:

- (1) The legislators' defined benefit plan.
- (2) The state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan.
- (3) The special death benefit fund.
- (4) The public employees' retirement fund hybrid plan.
- (5) The pension relief fund.
- (6) The teachers' retirement fund hybrid plan (including the teachers' pre-1996 account).
- (7) The state police benefit system.
- (8) The judges' retirement system.
- (9) The prosecuting attorneys retirement fund.
- (10) The 1977 police officers' and firefighters' pension and disability fund.

It prohibits a public agency, other than the Department of Financial Institutions, or a county, municipality, or township from adopting or enforcing a rule, ordinance, or other regulation that does any of the following:

- (1) Prohibits, restricts, or impairs an individual's ability to: (A) accept digital assets as a method of

payment for legal goods and services; or (B) take custody of digital assets using specified technologies.

(2) Imposes taxes or fees on: (A) use or acceptance of digital assets as a method of payment for legal goods and services; or (B) taking or maintaining custody of digital assets using a self-hosted wallet or hardware wallet; that are not applicable to comparable financial transactions that do not involve digital assets.

(3) Prohibits, restricts, or impairs the ability of an individual or business to engage in specified activities pertaining to blockchains. Prohibits a public agency, other than the department of financial institutions, from adopting or enforcing a rule, ordinance, or other regulation that prohibits operation of a digital mining business. Prohibits a county, municipality, or township from adopting or enforcing a rule, ordinance, or other regulation that does any of the following:

(1) Prohibits a digital asset mining business from operating in an area zoned for industrial use, or subjects a digital asset mining business located in an area zoned for industrial use to noise restrictions that are not applicable to other businesses operating in an area zoned for industrial use.

(2) Prohibits private digital asset mining in a private residence located in an area that is zoned for residential use, or subjects private digital asset mining in a residence located in an area zoned for residential use to noise restrictions that do not apply to other residences in an area zoned for residential use.

It provides that development or use of software for noncustodial transfer of digital assets does not constitute money transmission for purposes of statutes regarding licensure of money transmitters. It provides that a court may compel a person to disclose a digital asset private key only if no other admissible information is sufficient to provide access to the digital asset.

Effective Date: July 1, 2026.

Explanation of State Expenditures: (Revised) *Cryptocurrency Options for Individual Investment:* The bill requires the Hoosier Start, the 529 Education Savings Plan, and the defined contribution retirement accounts administered by INPRS to offer the account holder to invest in a self directed brokerage account that offers at least one cryptocurrency investment option. The bill would increase workload for the INPRS board, the board of directors for the Indiana Education Savings Authority, and the deferred compensation committee for Hoosier Start. They would be required to adopt requirements and rules for the chosen investment program.

Retirement Fund Investment in Cryptocurrency Exchange Traded Funds: Although these responsibilities fall within the routine functions of the agency, these provisions could also require additional expenditure in updating software and generating expertise in these products.

State Agencies: The bill prohibits a public agency from certain actions related to digital assets. This will not have any fiscal impact. The bill defines public agency as a board, commission, department, division, bureau, committee, agency, office, instrumentality, authority, or other entity exercising any part of the executive, including the administrative, power of the state.

Explanation of State Revenues: *Retirement Fund Investment in Cryptocurrency Exchange Traded Funds:* Allowing certain state fiscal officers to invest in digital assets will change the risk and return profile of the underlying investments. The bill would have an indeterminable impact on investment returns for the funds that invest in digital assets. The fiscal impact will depend on whether the investment managers choose to invest in digital assets and the future returns on those investments.

Explanation of Local Expenditures: The bill prohibits local units from certain actions related to digital assets. This will not have any fiscal impact.

Explanation of Local Revenues: If INPRS chooses to invest locally-funded defined benefit funds in cryptocurrency exchange traded funds, the funds could experience investment gains or losses from the investments. These funds include the locally funded portion of PERF, TRF '96, and the '77 Fund.

State Agencies Affected: Indiana Public Retirement System, Treasurer of State, State Comptroller, Indiana State Police, Indiana Finance Authority, Indiana Education Savings Authority, Department of Financial Institutions.

Local Agencies Affected: All local units.

Information Sources: Congressional Research Service. (2021, November 10). Stablecoins: Background and Policy Issues. <https://www.congress.gov/crs-product/IF11968>; Congressional Research Service. (2025, July 18). Stablecoin Legislation: An Overview of S. 1582, GENIUS Act of 2025. https://www.congress.gov/crs_external_products/IN/PDF/IN12553/IN12553.5.pdf.

Fiscal Analyst: Randhir Jha, 317-232-9556; Camille Tesch, 317-232-5293.