

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

**LS 6416**

**BILL NUMBER:** HB 1045

**NOTE PREPARED:** Dec 1, 2025

**BILL AMENDED:**

**SUBJECT:** Restricted Access of Certain Offenders to Parks.

**FIRST AUTHOR:** Rep. Prescott

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that the offense of unlawful entry by a serious sex offender includes a serious sex offender knowingly or intentionally entering a public park.

**Effective Date:** July 1, 2026.

**Explanation of State Expenditures:** Unlawful entry into a public park by a serious sex offender is classified as a Level 6 felony. This provision could increase the Department of Correction (DOC) offender population.

Under IC 35-42-4-11, “offenders against children” are prohibited from living within 1,000 feet of a public park. According to data from the Indiana Department of Natural Resources (DNR) and the Trust for Public Land (TPL), Indiana has approximately 2,531 parks in total. Of these, 1,689 are classified as local parks, 546 are designated as state parks, 253 are identified as private, and 42 are designated as national parks.

**Additional Information** - A Level 6 felony is punishable by a prison term ranging from 6 to 30 months, with an advisory sentence of 1 year. The sentence depends on mitigating and aggravating circumstances. The average expenditure to house an adult offender was \$30,674 annually, or \$83.98 daily, in FY 2025. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$4,825 annually, or \$13.22 daily, per prisoner. These marginal cost estimates are based on contractual agreements with food and medical vendors and projections based on prior years for clothing and hygiene. The estimated average cost of housing a juvenile in a state juvenile facility was \$140,044, or \$383.42 daily, in FY 2025. The marginal cost for juvenile facilities was \$8,986 annually or \$24.62 daily

The entire Level 6 sentence may be suspended and the person placed on either probation or community correction. If no time is suspended, the offender can receive good time credit of 50% and educational credit time. After adjusting for credit time, the offender can be released from prison and placed on parole.

**Explanation of State Revenues:** If more court cases occur, fines would increase revenue for the Common School Fund and the state General Fund. The maximum fine for a Level 6 felony is \$10,000. Criminal fines

are deposited in the Common School Fund. The total fee revenue per case would range between \$113 and \$138. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

**Explanation of Local Expenditures:** If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The Gateway reports show that in CY 2023, housing offenders in 33 Indiana county jails cost an average of \$56 to \$79 per day.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, more revenue will be collected by certain local units. If the case is filed in a court of record, the county general fund will receive \$47.40 and qualifying municipalities will receive a share of \$3.60. If the case is filed in a municipal court, the county receives \$30, and the municipality will receive \$46. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs' Association, Indiana Supreme Court, Indiana Trial Court Fee Manual; Department of Corrections; Indiana Gateway for Government Units, 2023 Annual Financial Reports, <https://gateway.ifionline.org/public/download.aspx> Bureau of Justice Statistics, 2023 Annual Survey of Jails Data Series, <https://www.icpsr.umich.edu/web/NACJD/series/7>; Indiana Park & Recreation Association, Indiana Parks Impact Study 2024, <https://storymaps.arcgis.com/stories/91d040ec084d4838acfeafbf7c02256>.

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