

HOUSE BILL No. 1173

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-20.5-21.5; IC 20-26-5-20; IC 36-1-4-23.

Synopsis: Designated public forums. Defines a "designated public forum". Provides that the state or a political subdivision may impose time, place, and manner restrictions on speech in a designated public forum, provided that such restrictions are: (1) justified by a compelling interest of the state or political subdivision; (2) narrowly tailored; (3) administered using the least restrictive means available; and (4) viewpoint neutral. Provides that the state or a political subdivision may not exclude speech: (1) made by a religious or political group, if the speech is consistent with the designated public forum's purpose; or (2) solely because it expresses a religious or political viewpoint.

Effective: July 1, 2026.

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January 5, 2026, read first time and referred to Committee on Local Government.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1173

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 4-20.5-21.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]:

4 **Chapter 21.5. Designated Public Forums**

5 **Sec. 1.** As used in this chapter, "agency" has the meaning set
6 forth in IC 4-20.5-1-3(a). The term includes a state educational
7 institution.

8 **Sec. 2.** As used in this chapter, "designated public forum"
9 means state owned real property that has been intentionally
10 opened for expressive activity only for use by certain groups or for
11 the discussion of certain subjects. The term includes civic centers
12 and facilities available for lease by the public for events.

13 **Sec. 3. (a)** Subject to subsection (b), an agency may impose time,
14 place, and manner restrictions on speech in a designated public
15 forum, provided that such restrictions are:

- 16 (1) justified by a compelling interest of the agency;
17 (2) narrowly tailored to achieve the interest described in



subdivision (1);

(3) administered using the least restrictive means available;
and

(4) viewpoint neutral.

(b) An agency may limit access under subsection (a) to certain subject matters or classes of speakers to align with the designated public forum's intended purpose; however, an agency may not exclude speech:

(1) made by a religious or political group, including speech made for fundraising purposes, if the speech is consistent with the designated public forum's purpose; or

(2) solely because it expresses a religious or political viewpoint.

The exclusion of speech described in subdivision (1) or (2) constitutes viewpoint discrimination and is prohibited under this section.

SECTION 2. IC 20-26-5-20, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. (a) The governing body of any school corporation may:

(1) permit any of its facilities to be used by any person in situations and at times that do not interfere with use of the facility for school purposes, including:

(A) use of a swimming pool or other athletic facility; or

(B) use of classrooms or other space in a school for purposes of school age ~~childcare~~; **child care**; and

(2) incur any necessary expense in the use or operation of the facility.

The governing body may set up and charge a schedule of fees for admission to or use of any facility outside the school corporation's regular school program. Fees shall be deposited in the operations fund or the extracurricular account of the school corporation.

(b) IC 36-1-4-23 applies to a facility described in subsection (a).

SECTION 3. IC 36-1-4-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) As used in this section, "designated public forum" is property owned by a political subdivision that has been intentionally opened for expressive activity only for use by certain groups or for the discussion of certain subjects. The term includes civic centers and facilities available for lease by the public for events.



1 (b) Subject to subsection (c), a political subdivision may impose
2 time, place, and manner restrictions on speech in a designated
3 public forum, provided that such restrictions are:

4 (1) justified by a compelling interest of the political
5 subdivision;

6 (2) narrowly tailored to achieve the interest described in
7 subdivision (1);

8 (3) administered using the least restrictive means available;
9 and

10 (4) viewpoint neutral.

11 (c) A political subdivision may limit access under subsection (b)
12 to certain subject matters or classes of speakers to align with the
13 designated public forum's intended purpose; however, a political
14 subdivision may not exclude speech:

15 (1) made by a religious or political group, including speech
16 made for fundraising purposes, if the speech is consistent with
17 the designated public forum's purpose; or

18 (2) solely because it expresses a religious or political
19 viewpoint.

20 The exclusion of speech described in subdivision (1) or (2)
21 constitutes viewpoint discrimination and is prohibited under this
22 section.

