

## HOUSE BILL No. 1198

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-31.5-2; IC 35-43-2.5.

**Synopsis:** Use of public restrooms. Makes it a Class B misdemeanor if: (1) a male knowingly or intentionally enters a restroom that is designated to be used only by females; or (2) a female knowingly or intentionally enters a restroom that is designated to be used only by males. Provides certain defenses.

**Effective:** July 1, 2026.

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### Borders

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January 5, 2026, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

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. 1198

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 35-31.5-2-130.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 130.3. "Female", for purposes of**  
4 **IC 35-43-2.5, has the meaning set forth in IC 35-43-2.5-1.**

5 SECTION 2. IC 35-31.5-2-191.3 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2026]: **Sec. 191.3. "Male", for purposes of**  
8 **IC 35-43-2.5, has the meaning set forth in IC 35-43-2.5-2.**

9 SECTION 3. IC 35-43-2.5 IS ADDED TO THE INDIANA CODE  
10 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2026]:

12 **Chapter 2.5. Single Sex Public Restroom Trespass**

13 **Sec. 1. As used in this chapter, "female" means an individual  
14 who:**

15 **(1) was born female at birth; or**  
16 **(2) has at least one (1) X chromosome and no Y chromosome.**

17 **Sec. 2. As used in this chapter, "male" means an individual who:**



1                   **(1) was born male at birth; or**  
2                   **(2) has at least one (1) X chromosome and at least one (1) Y**  
3                   **chromosome.**

4                   **Sec. 3. A:**

5                   **(1) male who knowingly or intentionally enters a restroom**  
6                   **that is designated to be used only by females; or**  
7                   **(2) female who knowingly or intentionally enters a restroom**  
8                   **that is designated to be used only by males;**

9                   **commits restroom trespass, a Class B misdemeanor.**

10                  **Sec. 4. (a) It is a defense to a prosecution under this chapter if**  
11                  **a person enters a restroom designated only for the opposite gender:**

12                  **(1) for custodial purposes; or**  
13                  **(2) to render assistance.**

14                  **(b) It is a defense to a prosecution under this chapter if a person**  
15                  **who is less than twelve (12) years of age accompanies the person's:**

16                  **(1) parent;**  
17                  **(2) guardian;**  
18                  **(3) custodian;**  
19                  **(4) teacher; or**  
20                  **(5) babysitter;**

21                  **into a restroom designated for the gender of the person listed in**  
22                  **subdivisions (1) through (5).**

