

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

LS 6601

BILL NUMBER: HB 1198

NOTE PREPARED: Dec 15, 2025

BILL AMENDED:

SUBJECT: Use of Public Restrooms.

FIRST AUTHOR: Rep. Borders

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill 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. It provides certain defenses.

Effective Date: July 1, 2026.

Explanation of State Expenditures:

Explanation of State Revenues: The bill creates the new offense, restroom trespass, a Class B misdemeanor. If additional court cases occur and fines are collected, court fee revenue to the state General Fund could increase. The total court fee revenue per case would be \$138 if the case is filed in a court of record (circuit or superior) and \$113 if the case is filed in a municipal court. A misdemeanor can be filed in either. Revenue to the Common School Fund could also increase from criminal fines. The maximum fine for a Class B misdemeanor is \$1,000. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases](#).

It is a defense to prosecution if a person enters a restroom designated only for the opposite gender for custodial purposes, to render assistance, or if the person is under 12 years of age and accompanies the person's parent, guardian, custodian, teacher, or babysitter into a restroom designated for that person's gender.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail. 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 guilty verdicts are 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:

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

Information Sources: Department of Correction; Indiana Sheriffs' Association, Indiana Supreme Court, Indiana Trial Court Fee Manual; 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>.

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