

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

LS 6734

BILL NUMBER: HB 1202

NOTE PREPARED: Jan 20, 2026

BILL AMENDED:

SUBJECT: Various Public Safety Matters.

FIRST AUTHOR: Rep. Lawson

BILL STATUS: As Passed House

FIRST SPONSOR: Sen. Crider

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a vendor or provider of an ignition interlock device to register an ignition interlock device with the Department of Toxicology. It eliminates a requirement for the director of the state Department of Toxicology to provide periodic reports to the Indiana Criminal Justice Institute (ICJI) regarding the number of ignition interlock devices used in Indiana. The bill provides that a registered ignition interlock device must be installed in a motor vehicle in accordance with the manufacturer's instructions for installing the registered ignition interlock device. It codifies administrative rules adopted by the state Department of Toxicology relating to ignition interlock devices.

The bill provides that prior to being issued an initial license to operate a child care center, the child care center must be inspected and found to be in substantial compliance with applicable building and fire safety laws by the Department of Homeland Security (DHS). (Current law provides that a license may be issued only if the child care center is in substantial compliance with the fire and life safety rules as determined by the State Fire Marshal under rules adopted by the Division of Family Resources (division) or in accordance with a variance or waiver approved by the division.)

The bill provides that prior to being issued an initial registration to operate a child care ministry, the unlicensed child care ministry must be inspected and found to be in substantial compliance with applicable building and fire safety laws by DHS.

The bill provides that DHS shall perform inspections of:

- (1) child care ministries;
- (2) child care centers;
- (3) child caring institutions; and
- (4) group homes.

The bill provides that a license or registration to operate a child care center or child care ministry may be revoked if the division determines that the operator has failed to comply with an order of the department of homeland security. It provides that the operator of an unlicensed child care ministry shall maintain a copy of the most recent DHS inspection findings in a conspicuous place in the unlicensed child care ministry.

The bill provides that the Department of Child Services (DCS) is not required to consult with the Fire Prevention and Building Safety Commission when adopting administrative rules pertaining to the licensing and inspection of child care institutions, foster family homes, group homes, and child placing agencies. It provides that administrative rules of the Fire Prevention and Building Safety Commission must include minimum building and safety requirements applicable for child caring institutions.

The bill provides that prior to being issued an initial license to operate a child caring institution or group home, the child caring institution or group home must be inspected and found to be in substantial compliance with applicable building and fire safety laws by DHS. It also provides that a license or registration to operate a child caring institution or group home may be revoked if DCS determines that the operator has failed to comply with an order of DHS.

The bill provides that in order for an individual to receive a license from the Emergency Medical Services Commission, the individual must obtain a National Criminal History Background Check and authorize release of the results of the check to DHS.

The bill eliminates the requirement for ICJI to adopt administrative rules relating to the child restraint system account. It also provides that inspections conducted by DHS shall be conducted periodically in lieu of established periods.

The bill changes a reference, from the Department of Education to the Office of School Safety, relating to the duties of a school safety specialist.

This bill repeals:

- (1) provisions relating to public safety improvement areas;
- (2) a provision requiring the board of trustees of the ICJI to adopt rules relating to the Law Enforcement Assistance Fund;
- (3) a provision that authorizes the State Fire Marshal to charge a child care ministry a \$50 fee for processing a registration;
- (4) a provision requiring ICJI to review characteristics of offenders committed to the Department of Correction over such period of time it deems appropriate and of the offenses committed by those offenders in order to ascertain norms used by the trial courts in sentencing;
- (5) a provision requiring the Bureau of Motor Vehicles and ICJI to enter into a memorandum of understanding to administer the provisions relating to ignition interlock devices; and
- (6) a provision that requires ICJI to adopt rules relating to ignition interlock devices.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Inspections:* This bill reduces requirements for inspections and consolidates responsibility for the new requirements under the Department of Homeland Security. These provisions constitute an increase in workload for DHS but a net workload decrease for state inspectors. The fund and resources required could be supplied by reassigning existing staff and resources currently being used to meet existing inspection requirements, but decisions by DHS administrators will determine how this bill's requirements are met.

Background Checks: This bill requires applicants for Emergency Medical Services certifications to submit to and allow DHS access to the results of a national criminal history background check. This will increase workload for the Indiana State Police to conduct additional national criminal history background checks, but

should be able to be implemented using existing staffing and resources.

Criminal Justice Institute: This bill alters or removes certain consultation, oversight and reporting requirements from ICJI and will reduce the net workload for the institute.

Facility Inspections: See *Explanation of Local Expenditures*.

Explanation of State Revenues: *Child Care Ministry Inspections:* This bill shifts eliminates a \$50 fee for the inspection of child care ministries that is currently deposited in the Fire and Building Services Fund. Child care ministry inspections generated \$20,750 in FY 2025.

Background Checks: Revenue to the state General Fund will increase to the extent that more national criminal history background checks are conducted. The total fee for a background check is \$39.20, with the State Police Fee (\$15) and IDEMIA Electronic Fingerprint Fee (\$12.95) portions being deposited into the state General Fund. The increase in state revenue will depend on the number of home health agency and personal services agency employees requiring an annual criminal history background check. [There are a total of over 29,000 emergency medical service providers registered in Indiana.]

Explanation of Local Expenditures: *Facility Inspections:* This bill decreases the frequency with which facilities operated by state and local governments must be inspected for code compliance. This will decrease workload associated with inspection preparation.

Explanation of Local Revenues:

State Agencies Affected: Department of Homeland Security, Department of Toxicology, Indiana State Police, Criminal Justice Institute, Bureau of Motor Vehicles, Division of Family Resources, State Fire Marshal, Department of Child Services, Department of Education; all agencies with inspectible facilities.

Local Agencies Affected: All agencies with inspectible facilities.

Information Sources: Legislative Services Agency, *Indiana Handbook of Taxes, Revenues, and Appropriations*, FY 2025; Auditor's Database; Corey Wells, Department of Homeland Security.

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