

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

LS 6522

BILL NUMBER: HB 1223

NOTE PREPARED: Dec 17, 2025

BILL AMENDED:

SUBJECT: Crimes Against Law Enforcement.

FIRST AUTHOR: Rep. Lopez

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- A. It makes a person who commits an offense that results in serious bodily injury or death to a law enforcement officer a sex or violent offender.
- B. It prohibits a court from considering time spent by the defendant in pretrial detention or home detention or on work release when determining the sentence for a crime that resulted in serious bodily injury or death to a law enforcement officer.
- C. It makes it a sentencing aggravator if an offense results in serious bodily injury or death to a law enforcement officer.
- D. It provides that a person charged with an offense that resulted in serious bodily injury or death to a law enforcement officer may only be released on cash bail.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - Depending on the felony level, this bill could increase the length of confinement in the Department of Correction (DOC) for individuals convicted of causing serious bodily injury or death to a law enforcement officer. As a result, state expenditures may increase if offenders are subject to longer sentences; however, the actual fiscal impact will depend on the sentencing court's discretion.

Sex or Violent Offenders: The bill adds a new offense to the definition of sex or violent offender, which would increase the number of individuals required to register. This change would increase the workload of DOC staff responsible for maintaining the Indiana Sex and Violent Offender Registry.

Juveniles Sentenced as Adults: Depending on the decision of the prosecuting attorney and the juvenile court, certain cases may be waived to adult court. Juveniles housed in juvenile facilities generally serve shorter

periods of confinement than those sentenced to adult facilities, although the cost of housing individuals in juvenile facilities is higher. State expenditures could increase if juveniles are confined for longer periods; however, the actual fiscal impact will depend on the decisions made by both the prosecuting attorney and the juvenile court.

Additional Information - Under IC 35-31.5-2-292, “serious bodily injury” is defined as bodily injury that creates a substantial risk of death or that causes: (1) serious permanent disfigurement; (2) unconsciousness; (3) extreme pain; (4) permanent or protracted loss or impairment of the function of a bodily member or organ; or (5) loss of a fetus (IC 35-31.5-2-292).

The following table shows the felonies and the prison sentences that existed prior to July 1, 2014, and after June 30, 2014, as enacted by HEA 1006-2014.

Felony Class (Before July 1, 2014)**				Felony Level (After June 30, 2014)**			
	Minimum	Advisory*	Maximum		Minimum	Advisory*	Maximum
A	20 years	30 years	50 years	1	20 years	30 years	40 years
				2	10 years	17.5 years	30 years
B	6 years	10 years	20 years	3	3 years	9 years	16 years
				4	2 years	6 years	12 years
C	2 years	4 years	8 years	5	1 year	3 years	6 years
D	6 months	1.5 years	3 years	6	6 months	1 year	30 months
<p>*An advisory sentence is a guideline sentence that the court may voluntarily consider as the midpoint between the maximum sentence and the minimum sentence (IC 35-50-2-1.3).</p> <p>**Persons sentenced for Class B, C, or D felonies earn one day of good time credit for each day the person is incarcerated (IC 35-50-6-3) while persons who are sentenced for Level 3, 4, and 5 felonies earn one day of good time credit for every three days incarcerated. Persons sentenced for Level 6 felonies earn one day of good time credit for each days they are in prison (IC 35-50-6-3.1).</p>							

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.

Explanation of State Revenues:

Explanation of Local Expenditures: *Aggravating Circumstances:* If more defendants are confined in county jail following sentencing, local expenditures for jail operations may increase. The Gateway reports indicate that in CY 2023, the cost of housing offenders in 33 Indiana county jails averaged between \$56 and \$79 per day.

Sex or Violent Offenders: By expanding the definition of a sex or violent offender, the bill would also increase the workload of county sheriffs responsible for monitoring registered offenders at the county level.

Bail Procedures for a Violent Arrestee: The bill provides that if a violent arrestee is charged with an offense resulting in serious bodily injury or death to a law enforcement officer, the court may impose only money bail payable by cash deposit, usually 10% of the full bail amount. As a result, the bill would likely increase the number of arrestees awaiting trial in county jails and may lengthen pretrial hearings in counties with larger populations. However, most counties in Indiana would likely experience minimal impact.

A “violent arrestee” is defined as a person arrested for or charged with a crime of violence. OFMA found that, on average, 5,298 individuals were convicted and sentenced for a “crime of violence” between FY 2020 and FY 2025. These cases were ranked by county based on annual volume and found that 66 counties averaged fewer than 51 such cases per year (approximately one case per week).

Estimated Number of “Violent Arrestees”							
Number of Cases Per Year	< 10	11 to 20	21 to 30	31 to 50	51 to 100	101 to 500	> 500
Number of Counties	12	23	14	17	14	11	1
Source: Abstracts of Judgment, FY 2025							

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts; juvenile courts; county prosecuting attorneys; local law enforcement agencies; county sheriffs.

Information Sources: IC 35-33-8-3.4; IC 35-33-8-3.2(a)(2)); 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>.

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