

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

LS 6693
BILL NUMBER: HB 1249

NOTE PREPARED: Feb 12, 2026
BILL AMENDED: Feb 12, 2026

SUBJECT: Juvenile Court Jurisdiction.

FIRST AUTHOR: Rep. Zimmerman
FIRST SPONSOR: Sen. Freeman

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) It specifies that a child charged with dangerous possession of a firearm may be tried by a juvenile court under certain circumstances. It makes dangerous possession of a firearm a Level 5 felony if the child: (1) has a prior conviction for unlawful carrying of a handgun; or (2) possesses the firearm on school property, within 500 feet of a school, or on a school bus.

Effective Date: July 1, 2026.

Explanation of State Expenditures: (Revised) *Juvenile Waiver* - To the extent that the juvenile is waived to adult court for dangerous possession of a firearm by a child, the bill could increase the Department of Correction (DOC) population and reduce the overall operating costs by a minor amount. The average cost to house a person in an adult facility was \$30,674 and the average cost to house a juvenile in a juvenile facility is \$140,044.

Unlawful Carry: OFMA identified five cases between FY 2023 and FY 2025 in which juveniles were charged as adults with unlawful carrying of a handgun. In addition, between FY 2022 and FY 2025, OFMA identified 13 juvenile court filings for unlawful carrying as a Level 5 felony. This is an average of about three per year.

(Revised) *Dangerous Possession:* Between FY 2020 and FY 2025, OFMA found a total of 27 juveniles that were either convicted or adjudicated for dangerous possession of a firearm by a child. It is unknown how many juveniles have a prior conviction for unlawful carrying of a handgun or possession of a firearm on school property.

Additional Information - In CY 2025, approximately 90 juvenile cases were direct filed to adult court for firearm-related offenses. According to the Indiana Criminal Justice Institute, firearm-related offenses are the most frequent charge among juveniles directly filed into adult court. Firearm-related offenses include: (1) alteration of a firearm's identifying marks; (2) dangerous possession of a firearm; (3) operating a loaded machine gun; (4) possession of a machine gun; (5) unlawful carrying of a handgun; (6) unlawful possession of a firearm by a dangerous person; and (7) unlawful possession of a firearm by a serious violent felon.

A Level 5 felony is punishable by a prison term ranging from 1 to 6 years with an advisory sentence of 3 years. 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: Persons who are convicted as adults may also be liable for a criminal fine of a maximum \$10,000. Criminal fines are deposited into the Common School Fund and the state General Fund (from court fees) would increase. The total fee revenue per case would range between \$113 and \$138. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

Explanation of Local Expenditures: *Juvenile Waiver:* Felony cases in adult court can be tried by a jury, while juveniles cases are only heard by a judge. Therefore, a county could be required to pay a jury if the case in adult court goes to trial. The jurors per diem is \$80 per person or up to \$960 per day for all 12 jury members. [The per diem increases to \$90 per day if the jury trial extends beyond the fifth day.]

Explanation of Local Revenues: If additional court actions result in a guilty verdict, certain local units will collect more revenue. 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: Department of Correction.

Local Agencies Affected: Courts with adult criminal and juvenile court.

Information Sources: Indiana Sheriffs' Association, Indiana Supreme Court, Indiana Trial Court Fee Manual; Department of Correction; 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>; Indiana Criminal Justice Institute, Annual Report on Juveniles under Adult Court Jurisdiction (2025), <https://www.in.gov/cji/grant-opportunities/files/ICJI-Juveniles-Under-Adult-Court-Jurisdiction-Report-2025.pdf>.

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