

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

LS 6829
BILL NUMBER: HB 1253

NOTE PREPARED: Dec 30, 2025
BILL AMENDED:

SUBJECT: Various Crimes and Child Protection.

FIRST AUTHOR: Rep. Goss-Reaves
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- A. It adds family case managers to the list of individuals who are designated as Indiana first responders.
- B. It clarifies that a court order concerning certain sex offender registration requirements may only be granted if a petition is filed under the provision governing certain retroactive application of law.
- C. It specifies that, if a petition to determine if a person should be considered a sexually violent predator or an offender against children has been filed, notice must be sent to certain parties.
- D. It separates the offenses of voyeurism, public voyeurism, and aerial voyeurism into two sections of the Indiana Code. It removes, from the crime of public voyeurism, the required element that the individual has the intent to peep at the person being recorded, and changes the name of the crime to "digital voyeurism".
- E. It also provides that a serious sex offender who knowingly or intentionally approaches or communicates with a child in a public park commits a Level 6 felony.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - Unlawful communication by a serious sex offender is classified as a Level 6 felony. This provision could increase the Department of Correction (DOC) offender population.

Unlawful Communication: Under IC 35-42-4-11, individuals classified as "offenders against children" are prohibited from living within 1,000 feet of a public park, school property, youth program center, or daycare center. According to data from the Indiana Department of Natural Resources (DNR) and the Trust for Public Land (TPL), Indiana contains approximately 2,531 parks and 160,251 acres of forest land, which includes 15 state forests. Of these parks, 1,689 are classified as local parks, 546 are designated as state parks, 253 are

privately owned, and 42 are national parks.

It is a defense to a prosecution that the serious sex offender is a parent or legal guardian of the child.

Crimes of Voyeurism: Between FY 2013 and FY 2025, OFMA identified 244 individuals convicted and sentenced for voyeurism as a Level 6 felony. Fewer than 8% of individuals convicted of a Level 6 felony are confined in DOC, while 54% are confined in county jail post-sentencing and 81% are placed under community supervision (probation and/or community corrections). As a result, the offense of voyeurism is expected to have a minimal impact on the DOC population.

Additional Information - A Level 6 felony is punishable by a prison term ranging from 6 to 30 months, with an advisory sentence of 1 year. The sentence depends on mitigating and aggravating circumstances. 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 entire Level 6 sentence may be suspended and the person placed on either probation or community correction. If no time is suspended, the offender can receive good time credit of 50% and educational credit time. After adjusting for credit time, the offender can be released from prison and placed on parole.

Explanation of State Revenues: If more court cases occur, fines would increase revenue for the Common School Fund and the state General Fund. The maximum fine for a Level 6 felony is \$10,000. 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: The bill removes the defense to prosecution and requirement that the defendant intended to peep at the person being recorded. To the extent that these changes result in more individuals being convicted and sentenced for voyeurism, the provisions could increase the number of individuals convicted of a Class A or Class B misdemeanor. However, any fiscal impact or population impact is expected to be minimal.

Crimes of Voyeurism: Based on data from the Odyssey Case Management System, between FY 2017 and FY 2024, OFMA identified a total of 34 individuals convicted of voyeurism under IC 35-45-4-5. Approximately 77% of individuals convicted of a Class A misdemeanor, and 41% of those convicted of a Class B misdemeanors were confined in county jail.

Unlawful Communication: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The Gateway reports show that in CY 2023, housing offenders in 33 Indiana county jails cost an average of \$56 to \$79 per day.

Hearing Notice: The bill will have minimal workload impact on the courts and should be accomplished with existing resources.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is 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: Department of Correction; Department of Child Services.

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

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 Park & Recreation Association, Indiana Parks Impact Study 2024, <https://storymaps.arcgis.com/stories/91d040ec084d4838acfefbf7c02256>; Indiana Department of Natural Resources, Division of Forestry, <https://www.in.gov/dnr/forestry/properties/>.

Fiscal Analyst: Corrin Harvey, 317-234-9438