

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

LS 6822
BILL NUMBER: HB 1258

NOTE PREPARED: Feb 11, 2026
BILL AMENDED: Feb 12, 2026

SUBJECT: Crimes of Violence.

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

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

Crime of Violence: It revises the definition of "crime of violence" to include arson, escape, criminal stalking, and offenses related to regulated explosives. It adds: (1) dangerous possession of a firearm by a child with two priors; and (2) unlawful carrying of a handgun with two priors; to the crimes of violence list.

Violent Offender: It amends the definition of violent offender to mean a person who is convicted of an offense or attempted offense that is a crime of violence or a person who is charged with an offense or attempted offense that is a crime of violence.

Violent Arrestee: It amends the definition of "violent arrestee" to mean a person arrested for or charged with a crime of violence that is a Level 1 felony, Level 2 felony, Level 3 felony, Level 4 felony, or a Level 5 felony.

Repeat Violent Arrestees: It removes provisions concerning repeat violent arrestees.

Violent Criminal: It amends the definition of "violent criminal" to mean a person convicted of a crime of violence.

It also makes a technical correction and conforming changes.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Crimes of Violence:* The bill will affect individuals licensed by the Professional Licensing Agency and the Department of Homeland Security and confined in the Department of Correction (DOC). However, any resulting increase in the DOC offender population cannot be determined at this time. The bill is expected to increase the number of individuals classified under this category by approximately 3,444 offenders annually.

The following occupational licenses, organizations, and agencies will be affected: home health and personal services agency employees and operators; charitable bail organizations; addiction counselors; health care facilities; nurses aides; and other unlicensed employees.

(Revised) *Additional Information* - The average number of individuals (charged and convicted) who may be added to the “crime of violence” category each year and confined in DOC facilities or under local supervision is shown in the table below.

Offense:	Average # of Convicted Persons (FY 2020 - 2025)	Average % Confined in DOC	Average % in County Jail and/or Local Supervision
Offenses Relating to Regulated Explosives (Class A Misdemeanor)	< 5	-	-
Battery (Level 6)	1,284	12.3%	52% in jail; 71% local
Domestic Battery (Level 6)	1,872	9%	47% in jail; 82% local
Arson (Class A, Class B, Level 2, Level 3, Level 4)	66	66%	14% in jail; 75% local
Escape (Level 4, Level 5)	109	62%	11% in jail; 55% local
Criminal Stalking (Level 5)	61	46%	18% in jail; 79% local
Offenses Relating to Regulated Explosives (Level 2, Level 4, Level 5, Level 6)	8	39%	37% in jail; 71% local
*Dangerous Possession of Firearm by a Child (Level 3, Level 5)	10	36%	90% local
**Dangerous Possession of Firearm by a Child (delinquency adjudications)	17	-	-
*Unlawful Carrying of a Handgun (Level 5)	2	25%	75% local
**Unlawful Carry of a Handgun (delinquency adjudications)	10	-	-
Total:	3,444		
<p>For this analysis, individuals may be confined in DOC facilities, county jail, supervised on probation, community corrections, or both. *The number of juveniles convicted as adults under IC 35-47-10-5 or IC 35-47-2-1.5 as the maximum offense. **The number of juvenile delinquency adjudications for acts that would be under IC 35-47-10-5 or IC 35-47-2-1.5.</p>			

(Revised) *Juveniles*: Between FY 2020 and FY 2025, OFMA found a total of 39 juveniles that were either convicted or adjudicated for dangerous possession of a firearm by a child or unlawful carrying of a handgun. It is unknown how many juveniles have at least two prior unrelated convictions or adjudications for acts that would be an offense under IC 35-47-10-5 or IC 35-47-2-1.5.

Occupational Licenses: Individuals convicted of and sentenced for a crime of violence are ineligible for certain occupational licenses. The Professional Licensing Agency and the Department of Homeland Security will be required to screen applicants to determine whether they have been convicted of battery, domestic battery, arson, escape, criminal stalking, or offenses involving regulated explosives before granting certain occupational licenses. The Professional Licensing Agency should be able to implement this requirement using existing resources, assuming customary staffing and resource levels.

Consecutive Term Caps: Under current law, when multiple offenses are committed in a single episode and the offenses are not classified as crimes of violence, consecutive sentences are subject to statutory caps. Under the proposed changes, individuals convicted of multiple offenses in a single episode that include battery, domestic battery, arson, escape, criminal stalking, or offenses involving regulated explosives may be subject to longer consecutive sentences. As a result, this provision could increase the Department of Correction's future offender population.

Community Investigation Reports: Parole agents employed by the Department of Correction (DOC) are required to prepare a community investigation report for individuals who (1) are sentenced for a crime of violence, (2) are committed to DOC, and (3) will be supervised on parole (IC 11-13-3-3). Expanding the list of qualifying offenses will increase the number of community investigation reports that must be completed prior to an individual's release on parole.

[A "community investigation" reports on the attitudes and opinions of: (1) the community in which the crime occurred; (2) law enforcement officers who have jurisdiction in the community in which the crime occurred; (3) the victim of the crime or the victim's relatives or friends; (4) friends of the offender (IC 11-13-3-3 (m)).]

Aggravating/Mitigating Circumstances: Under current law, when determining an appropriate sentence, the court may consider whether the defendant knowingly committed a crime of violence in the presence of or within hearing distance of a minor. Depending on the court's sentencing decision, individuals may be confined in DOC facilities, county jails, or placed under local supervision for longer periods of time.

Explanation of State Revenues: There would be no change in state revenue. 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: *Electronic Monitoring:* The bill will increase the workload for certain community corrections agencies, probation departments, and local law enforcement agencies responsible for monitoring individuals charged with or convicted of a crime of violence who are released on electronic monitoring. The extent of the workload increase will depend on local decisions.

Marion County Crime Reduction Board: The bill will minimally increase the workload of the board to update the list of crimes of violence. This task should be manageable within the board's routine administrative responsibilities.

Public Bail Hearings: Trial courts should be able to implement this new requirement without additional resources, assuming customary staffing and resource levels.

Explanation of Local Revenues: There would be no change in 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; Department of Homeland Security; Professional Licensing Agency; Parole Board.

Local Agencies Affected: Trial courts, local law enforcement agencies; community corrections; probation departments; county sheriffs.

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.ifonline.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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