

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

LS 6465

BILL NUMBER: SB 119

NOTE PREPARED: Jan 27, 2026

BILL AMENDED: Jan 26, 2026

SUBJECT: Grooming.

FIRST AUTHOR: Sen. Dernulc

BILL STATUS: As Passed Senate

FIRST SPONSOR: Rep. Olthoff

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

Unlawful Employment by a Sexual Predator: It adds a facility or event that provides entertainment or programming primarily directed toward a child less than 18 years of age to the list of facilities at which a sexually violent predator or an offender against children may not work or volunteer.

Unlawful Entry by a Serious Sex Offender: It adds entering a facility or location holding an event that provides entertainment or programming primarily directed toward a child less than 18 years of age by a serious sex offender to the crime of unlawful entry by a serious sex offender.

Sexual Grooming: It renames the offense of "inappropriate communication with a child" to "sexual grooming", and provides (in addition to the current elements of the offense) that a person commits the offense if the person engages in a pattern of repeated or continuous contact with an individual whom the person believes to be a child less than 14 years of age, with the intent to make the individual less resistant to future sexual conduct.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - This bill will likely result in a increase in the Department of Correction (DOC) offender population, but OFMA cannot estimate the total number of new DOC commitments associated with these provisions.

Additional Information - Unlawful Entry by a Serious Sex Offender: A serious sex offender who knowingly or intentionally enters a facility or an event that provides entertainment or programming primarily directed toward children under 18 commits unlawful entry by a serious sex offender. Between FY 2020 and FY 2025, an average of nine individuals per year were convicted and sentenced for this offense as a Level 6 felony. While it is possible that more individuals could be committed to DOC facilities under the changes in this bill, any increase in the population is expected to be minor.

Unlawful Employment by a Sexual Predator: A sexually violent predator or an offender against children who knowingly or intentionally works or volunteers at a facility or event that provides entertainment or programming primarily for children under 18 commits unlawful employment by a sexual predator, a Level 6 felony. OFMA found fewer than ten individuals convicted and sentenced for this offense as either a Level 6 or Level 5 felony between FY 2017 and FY 2025.

A Level 6 felony is punishable by a prison term ranging from 6 to 30 months, with an advisory sentence of 1 year. 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 \$29,432 annually, or \$80.58 daily, in FY 2024. (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 \$4,719 annually, or \$12.93 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.

Explanation of State Revenues: If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000 and the maximum fine for a felony is \$10,000. Criminal fines are deposited in the Common School Fund. 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: Sexual Grooming: A person at least 18 years of age who engages in repeated or continuous contact with a person under 14 years of age with the intent to make the person less resistant to future sexual conduct commits inappropriate communication with a child, renamed “sexual grooming.” As a result, the bill could increase the number of individuals convicted and sentenced for sexual grooming and confined in county jails. However, any impact would depend on local actions and is likely to be minimal.

[OFMA found less than five individuals who were convicted and sentenced as a Class B misdemeanor, between FY 2017 and FY 2024. A Class B misdemeanor is punishable by up to 180 days in jail. The Gateway reports show that in CY 2023, housing offenders in 33 Indiana county jails cost an average of \$56 to \$79 per day.]

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.

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

Information Sources: 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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