

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

LS 6315
BILL NUMBER: SB 140

NOTE PREPARED: Feb 17, 2026
BILL AMENDED: Feb 12, 2026

SUBJECT: Public Safety.

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

BILL STATUS: As Passed House

FUNDS AFFECTED: X GENERAL
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- A. It amends the definition of "threat" in the intimidation statute to include posting a person's personal information on a social media platform with the intent to cause: (1) bodily injury to the person; (2) damage to the person's property; or (3) the commission of a crime against the person.
- B. It increases the penalty for intimidation if committed against a legislator.
- C. It prohibits the release of personally identifying information concerning a railroad crew in a public report concerning a railroad fatality.
- D. It also provides that certain uses of a drone constitute remote aerial harassment.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - This bill could increase the Department of Correction (DOC) population, but OFMA cannot estimate the total number of new DOC commitments associated with the bill's provisions. Any increase in the DOC offender population due to this bill is expected to be minor.

Remote Aerial Harassment: The bill makes operating an unmanned aerial vehicle over the property of another person a Class A misdemeanor, or a Level 6 felony, if the person has a prior unrelated conviction. It also provides certain defenses to prosecution if the prohibited act was the result of a mechanical or electronic failure, or necessary to avoid greater harm. 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.

Increase Penalty - Intimidation: The bill makes intimidation if committed against a legislator a Level 5 felony. A Level 5 felony is punishable by a prison term ranging from 1 to 6 years, with an advisory sentence of 3 years. The period of incarceration will depend upon mitigating and aggravating circumstances.

Additional Information - Remote aerial voyeurism [IC 35-45-4-5(g)] is currently punishable as a Class A misdemeanor but can be enhanced to a Level 6 felony. The Federal Aviation Administration (FAA) has specified that UAVs are prohibited from operating over critical infrastructure. Additionally, one of the most popular UAV manufacturers, DJI, utilizes flight software that will not allow UAV operation over FAA-designated controlled airspace. When an attempt is made to operate a UAV in, or within proximity to, these controlled airspaces, DJI flight software force-lands the UAV and prohibits operation.

State expenditures would increase if a person is subject to a longer sentence. 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: 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 A misdemeanor is \$5,000 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: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. Generally, the percentage of persons confined in a county jail before trial will increase as the severity of the felony level increases.

A Class A misdemeanor is punishable by up to one year 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.

Juveniles: Persons who are sentenced as juveniles can be either confined in a juvenile detention facility at the state or county level or supervised in a county juvenile probation program.

Railroad Crew: The bill provides that any law enforcement agency or other person who possesses a report involving a railroad fatality shall maintain the report in a manner that ensures the confidentiality of the railroad crew's personally identifying information. It also provides that an unredacted copy of a report involving a railroad fatality must be accessible at all reasonable times. This would be a minor workload increase on local law enforcement agencies.

Explanation of Local Revenues: *Penalty Provision:* 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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