



January 23, 2026

SENATE BILL No. 182

DIGEST OF SB 182 (Updated January 21, 2026 1:11 pm - DI 104)

Citations Affected: IC 1-1; IC 11-10; IC 16-37; IC 20-33; IC 21-39; IC 24-15.

Synopsis: Gender issues. Defines "female", "male", "gender", and "sex" for all Indiana statutes. Provides that the department of correction shall assign an offender, including a delinquent offender, to a facility or program that is based on the offender's sex. States that a local health officer shall mark the sex of an individual as male or female on a birth certificate. Provides that the Indiana department of health may make an addition to a birth certificate, for purposes of paternity, in certain situations. Provides the circumstances for when the sex designation on a birth certificate can be amended. Requires public schools, including charter schools, and state educational institutions to designate a multiple occupancy restroom or changing area as follows: (1) For the exclusive use of the male sex. (2) For the exclusive use of the female sex. Provides, with exceptions, that an individual shall only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex. Establishes a civil action for a violation of these provisions. Prohibits public schools, including charter schools, and state educational institutions from requiring a student to share sleeping quarters with a member of the opposite sex, unless the individual who is a member of the opposite sex is a family member. Establishes a civil action for a violation of these provisions.

Effective: July 1, 2026.

Brown L, Johnson T, Garten

January 5, 2026, read first time and referred to Committee on Health and Provider Services.
January 22, 2026, amended, reported favorably — Do Pass.

SB 182—LS 6808/DI 107



January 23, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE BILL No. 182

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.238-2025,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. (a) The following definitions apply to the
4 construction of all Indiana statutes, unless the construction is plainly
5 repugnant to the intent of the general assembly or of the context of the
6 statute:

7 (1) "Adult", "of full age", and "person in his majority" mean a
8 person at least eighteen (18) years of age.
9 (2) "Attorney" includes a counselor or other person authorized to
10 appear and represent a party in an action or special proceeding.
11 (3) "Autism" means a neurological condition as described in the
12 most recent edition of the Diagnostic and Statistical Manual of
13 Mental Disorders of the American Psychiatric Association.
14 (4) "Bond" does not necessarily imply a seal.
15 (5) "Clerk" means the clerk of the court or a person authorized to
16 perform the clerk's duties.
17 (6) **"Female", when referencing the human species, means an**

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1 **individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.**

2 **(7) "Gender" is a synonym for sex and has the meaning set forth in subdivision (25).**

3 **(6) (8) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.**

4 **(7) (9) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.**

5 **(8) (10) "Infant" or "minor" means a person less than eighteen (18) years of age.**

6 **(9) (11) "Inhabitant" may be construed to mean a resident in any place.**

7 **(10) (12) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.**

8 **(11) (13) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.**

9 **(14) "Male", when referencing the human species, means an individual who naturally has, had, will have, or would have, but for a congenital anomaly, an intentional disruption, or an unintentional disruption, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.**

10 **(12) (15) "Mentally incompetent" means of unsound mind.**

11 **(13) (16) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.**

12 **(14) (17) "Month" means a calendar month, unless otherwise expressed.**

13 **(15) (18) "Noncode statute" means a statute that is not codified as part of the Indiana Code.**

14 **(16) (19) "Oath" includes "affirmation", and "to swear" includes to "affirm".**

15 **(17) (20) "Person" extends to bodies politic and corporate.**

16 **(18) (21) "Personal property" includes goods, chattels, evidences of debt, and things in action.**

17 **(19) (22) "Population" has the meaning set forth in IC 1-1-3.5-3.**





1 (1) The individual is a resident of Indiana.
2 (2) The individual served in an active or reserve component of the
3 armed forces of the United States or the Indiana National Guard.
4 (3) The individual completed any required military occupational
5 specialty training and was not discharged or separated from the
6 armed forces or the Indiana National Guard under conditions
7 other than conditions set forth in IC 10-17-12-7.5(2).

8 The definitions set forth in this subsection may not be construed to
9 affect a Hoosier veteran's eligibility for any state program that is based
10 upon a particular aspect of the Hoosier veteran's service such as a
11 disability or a wartime service requirement.

12 SECTION 2. IC 11-10-1-3 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Upon completion
14 of the evaluation prescribed in section 2 of this chapter and before
15 assigning ~~him~~ **an offender** to a facility or program, the department
16 shall determine the appropriate degree of security (maximum, medium,
17 or minimum) for each offender as described in IC 35-38-3-6. In making
18 that determination the department shall, in addition to other relevant
19 information, consider:

20 (1) the results of the evaluation prescribed in section 2 of this
21 chapter;
22 (2) the recommendations of the sentencing court; and
23 (3) the degree and kind of custodial control necessary for the
24 protection of the public, staff, other confined persons, and the
25 individual being considered.

26 (b) After determining the offender's security classification, the
27 department shall assign **him the offender** to a facility or program;
28 make an initial employment, education, training, or other assignment
29 within that facility or program; and order medical, psychiatric,
30 psychological, or other services. In making the assignment, the
31 department shall, in addition to other relevant information, consider:

32 (1) the results of the evaluation prescribed in section 2 of this
33 chapter;
34 (2) the offender's security classification;
35 (3) the offender's need for special therapy or programs, including
36 employment, education, or training available only in specific
37 facilities or programs;
38 (4) the likelihood of the offender's reintegration into the
39 community in which the facility or program is located;
40 (5) the desirability of keeping the offender in a facility or program
41 near the area in which **he the offender** resided before
42 commitment;



- (6) the desires of the offender;
- (7) the current population levels of the facilities or programs considered appropriate for the offender; and
- (8) the length of the offender's sentence.

(c) If the department determines that a committed offender is mentally or physically incapacitated to such an extent that proper custody, care, and control cannot be provided by the department, it shall make arrangements for placement outside the department.

(d) Before assigning an offender to a facility or program, the department shall give **him the offender** an opportunity to present pertinent information; discuss with **him the offender** all aspects of the evaluation, classification, and assignment process; and work with **him the offender** to determine a fair and appropriate assignment.

(e) The department shall assign an offender to a facility or program that is based on the offender's sex, as defined by IC 1-1-4-5(a)(25), at birth.

(e) (f) If an offender is sentenced to a term of imprisonment of one (1) year or less, the department may make an assignment under this section without making the evaluation prescribed in section 2 of this chapter. In determining the length of an offender's term, consecutive terms of imprisonment shall be added together.

④ (g) This section does not prohibit the temporary assignment of an offender pending evaluation and classification.

SECTION 3. IC 11-10-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Upon completion of the evaluation prescribed in section 4 of this chapter, the department shall assign the offender to a facility or program; make an initial education, training, employment, or other assignment within that facility or program; and order medical, psychiatric, psychological, or other services it considers appropriate. In making the assignment, the department shall, among other relevant information, consider:

- (1) the results of the evaluation prescribed in section 4 of this chapter;
- (2) the recommendations of the committing court;
- (3) the offender's need for special therapy or programs, including education, training, or employment available only in specific facilities or programs;
- (4) the degree and type of custodial control necessary for the protection of the public, staff, other committed offenders, and the individual being considered;
- (5) the likelihood of the offender's reintegration into the community in which the facility or program is located;



(6) the desirability of keeping the offender in a facility or program near the area in which ~~he~~ **the offender** resided before commitment;

(7) the desires of the offender and his the offender's parents, guardian, or custodian;

(8) the current population levels of the facilities or programs considered appropriate for the offender; and

(9) the probable length of commitment.

13 (c) If an offender is found to be pregnant, the department may return
14 her to the committing court for further disposition.

23 (e) (f) The department shall, by certified mail, return receipt
24 requested, notify the parent, guardian, custodian, or nearest relative of
25 any committed offender of his **the offender's** physical location and any
26 change in that location.

27 (f) (g) This section does not preclude the temporary assignment of
28 an offender pending evaluation.

29 SECTION 4. IC 16-37-2-9, AS AMENDED BY P.L.138-2019,
30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2026]: Sec. 9. (a) The local health officer shall make a
32 permanent record of the following from a birth certificate:

33 (1) Name.
34 (2) Sex, as defined by IC 1-1-4-5(a)(25), either male or female.
35 (3) Date of birth.
36 (4) Place of birth.
37 (5) Name of the parents.
38 (6) Birthplace of the parents.
39 (7) The date of filing of the certificate of birth.
40 (8) The person in attendance at the birth.
41 (9) Location of the birth, including whether the birth occurred at
42 a hospital, licensed health care facility, home, or other non-health



care facility.

(b) Except as provided in subsection (c), the permanent record shall be open to public inspection. Upon request by an individual, a paper copy of the permanent record in subsection (a) must be provided by the local health officer.

(c) The birth record of an adopted child remains subject to the confidentiality provisions of IC 31-19 regarding the release of adoption information.

(d) The permanent record of the information required under this section may be maintained in the Indiana birth registration system (IBRS).

SECTION 5. IC 16-37-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) As used in this section, "DNA test" means an identification process in which the unique genetic code of an individual that is carried by the individual's deoxyribonucleic acid (DNA) is compared with the genetic codes of another individual.

(b) The state department may make additions to or corrections in a certificate of birth on receipt of adequate documentary evidence, **including based on either** the results of a DNA test under subsection (c) or a paternity affidavit executed under section 2.1 of this chapter.

(c) The state department may make an addition to a birth certificate, **for purposes of paternity**, based on the results of a DNA test only if:

(1) a father is not named on the birth certificate; and

(2) a citation to this subsection as the authority for the addition is noted on the birth certificate.

(d) The sex designation on a birth certificate may not be amended, except for either of the following:

(1) A medically verifiable genetic or physiological disorder of sex development, including the following:

(A) External sex characteristics that are irresolvably ambiguous.

(B) Forty-six (46) XX chromosomes with virilization.

(C) Forty-six (46) XY chromosomes with undervirilization

(D) Both ovarian and testicular tissues

(2) Except as provided in subsection (e), a com-

(2) Except as provided in subsection (c), a correction of a birth certificate that was previously amended to record a sex other than the sex designation of the individual.

(e) An individual applying for a corrected birth certificate under subsection (d)(2) must present a state vital record, federal record, or other documentation bearing the correct sex or attesting to the change.



1 SECTION 6. IC 20-33-13.6 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]:

4 **Chapter 13.6. Physical Privacy of Students**

5 **Sec. 1. (a)** As used in this chapter, "multiple occupancy
6 restroom or changing area" means a room or area in a school
7 building that may be used by more than one (1) student at a time
8 and in which students may be in various stages of undress in the
9 presence of other individuals.

10 (b) The term includes a restroom, locker room, changing room,
11 and shower room.

12 (c) The term does not include a single occupancy restroom,
13 locker room, changing room, or shower room.

14 **Sec. 2.** As used in this chapter, "school" means any:

15 (1) school maintained by a school corporation; or
16 (2) charter school;

17 that provides instruction to students in any combination of
18 kindergarten through grade 12.

19 **Sec. 3.** As used in this chapter, "sleeping quarters" means a
20 room with a bed in which more than one (1) individual is housed
21 overnight.

22 **Sec. 4.** Each school shall designate each multiple occupancy
23 restroom or changing area as follows:

24 (1) For the exclusive use of the male sex.
25 (2) For the exclusive use of the female sex.

26 **Sec. 5. (a)** Subject to subsection (b), an individual shall only use
27 a multiple occupancy restroom or changing area that is designated
28 for the sex that is the individual's sex.

29 **(b)** An individual does not violate subsection (a) if the:

30 (1) multiple occupancy restroom or changing area has been
31 temporarily designated for use by the opposite sex; or
32 (2) individual is entering a multiple occupancy restroom or
33 changing area for one (1) or more of the following reasons:
34 (A) For custodial, maintenance, or inspection purposes.
35 (B) To render medical or emergency assistance.
36 (C) To accompany a student needing assistance if the
37 individual assisting the student is the student's parent or
38 caregiver.
39 (D) To provide coaching or athletic training during athletic
40 events, provided the individual providing coaching or
41 training took reasonable steps to ensure no individuals are
42 in a state of undress prior to entering.



1 **Sec. 6. During any activity or event authorized by a school in**
2 **which students share sleeping quarters, a school shall not require**
3 **a student to share sleeping quarters with a member of the opposite**
4 **sex, unless the individual of the opposite sex is a member of the**
5 **student's family.**

6 **Sec. 7. (a) An individual who encounters an individual violating**
7 **section 5 of this chapter may bring a civil action against the school**
8 **corporation or school if the school corporation or school:**

9 **(1) provided the individual who violated section 5 of this**
10 **chapter permission to use a multiple occupancy restroom or**
11 **changing area that is designated for the sex that is not the**
12 **individual's sex; or**

13 **(2) failed to take reasonable steps to prohibit the individual**
14 **who violated section 5 of this chapter from using a multiple**
15 **occupancy restroom or changing area that is designated for**
16 **the sex that is not the individual's sex.**

17 **(b) If a school or school corporation violates section 6 of this**
18 **chapter, an individual who is directly or indirectly injured as a**
19 **result of the violation may bring a civil action against the school or**
20 **school corporation.**

21 **(c) An action described in this section must be commenced**
22 **within two (2) years of the violation.**

23 **Sec. 8. The court may award to an individual who prevails in an**
24 **action under section 7 of this chapter any of the following:**

25 **(1) Injunctive relief.**

26 **(2) Declaratory judgment.**

27 **(3) Costs and reasonable attorney's fees.**

28 **Sec. 9. Nothing in this chapter prohibits a school corporation or**
29 **school from:**

30 **(1) providing single occupancy sleeping quarters or a single**
31 **occupancy restroom, locker room, changing room, or shower**
32 **room; or**

33 **(2) adopting policies necessary to accommodate individuals**
34 **protected under the Americans with Disabilities Act (42**
35 **U.S.C. 12101 et seq.) and any amendments and regulations**
36 **related to the Act.**

37 **Sec. 10. The provisions of this chapter are severable as provided**
38 **in IC 1-1-1-8(b).**

39 SECTION 7. IC 21-39-10 IS ADDED TO THE INDIANA CODE
40 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]:

42 **Chapter 10. Physical Privacy of Students**



1 **Sec. 1. (a) As used in this chapter, "multiple occupancy**
2 **restroom or changing area" means a room or area in a state**
3 **educational institution building that may be used by more than one**
4 **(1) student at a time and in which students may be in various stages**
5 **of undress in the presence of other individuals.**

6 **(b) The term includes a restroom, locker room, changing room,**
7 **and shower room.**

8 **(c) The term does not include a single occupancy restroom,**
9 **locker room, changing room, or shower room.**

10 **Sec. 2. As used in this chapter, "sleeping quarters" means a**
11 **room with a bed in which more than one (1) individual is housed**
12 **overnight.**

13 **Sec. 3. Each state educational institution shall designate each**
14 **multiple occupancy restroom or changing area as follows:**

15 **(1) For the exclusive use of the male sex.**

16 **(2) For the exclusive use of the female sex.**

17 **Sec. 4. (a) Subject to subsection (b), an individual shall only use**
18 **a multiple occupancy restroom or changing area that is designated**
19 **for the sex that is the individual's sex.**

20 **(b) An individual does not violate subsection (a) if the:**

21 **(1) multiple occupancy restroom or changing area has been**
22 **temporarily designated for use by the opposite sex; or**

23 **(2) individual is entering a multiple occupancy restroom or**
24 **changing area for one (1) or more of the following reasons:**

25 **(A) For custodial, maintenance, or inspection purposes.**

26 **(B) To render medical or emergency assistance.**

27 **(C) To accompany a student needing assistance if the**
28 **individual assisting the student is the student's parent or**
29 **caregiver.**

30 **(D) To provide coaching or athletic training during athletic**
31 **events, provided the individual providing coaching or**
32 **training took reasonable steps to ensure no individuals are**
33 **in a state of undress prior to entering.**

34 **Sec. 5. A state educational institution shall not require a student**
35 **to share sleeping quarters with a member of the opposite sex:**

36 **(1) during any activity or event authorized by a state**
37 **educational institution; or**

38 **(2) in state educational institution on campus housing;**
39 **unless the individual who is a member of the opposite sex is a**
40 **member of the student's family.**

41 **Sec. 6. (a) An individual who encounters an individual violating**
42 **section 4 of this chapter may bring a civil action against the state**



1 **educational institution if the state educational institution:**
2 (1) **provided the individual who violated section 4 of this**
3 **chapter permission to use a multiple occupancy restroom or**
4 **changing area that is designated for the sex that is not the**
5 **individual's sex; or**
6 (2) **failed to take reasonable steps to prohibit the individual**
7 **who violated section 4 of this chapter from using a multiple**
8 **occupancy restroom or changing area that is designated for**
9 **the sex that is not the individual's sex.**
10 (b) **If a state educational institution violates section 5 of this**
11 **chapter, an individual who is directly or indirectly injured as a**
12 **result of the violation may bring a civil action against the state**
13 **educational institution.**
14 (c) **An action described in this section must be commenced**
15 **within two (2) years of the violation.**
16 **Sec. 7. The court may award to an individual who prevails in an**
17 **action under section 6 of this chapter any of the following:**
18 (1) **Injunctive relief.**
19 (2) **Declaratory judgment.**
20 (3) **Costs and reasonable attorney's fees.**
21 **Sec. 8. Nothing in this chapter prohibits a state educational**
22 **institution from:**
23 (1) **providing single occupancy sleeping quarters or a single**
24 **occupancy restroom, locker room, changing room, or shower**
25 **room; or**
26 (2) **adopting policies necessary to accommodate individuals**
27 **protected under the Americans with Disabilities Act (42**
28 **U.S.C. 12101 et seq.) and any amendments and regulations**
29 **related to the Act.**
30 **Sec. 9. The provisions of this chapter are severable as provided**
31 **in IC 1-1-1-8(b).**
32 **SECTION 8. IC 24-15-2-14, AS ADDED BY P.L.94-2023,**
33 **SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
34 **JULY 1, 2026]: Sec. 14. "Health record" has the meaning set forth in**
35 **IC 1-1-4-5(a)(6). IC 1-1-4-5(a)(8).**



COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 182, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 17, delete "Except as provided in subsection (c), "female"," and insert "**Female**",".

Page 2, line 6, delete ", when used alone to refer to males, females, or".

Page 2, line 7, delete "the natural differences between males and females".

Page 2, line 8, delete "." and insert "**and has the meaning set forth in subdivision (25).**".

Page 2, line 26, delete "Except as provided in subsection (c), "male"," and insert "**Male**",".

Page 3, line 8, delete "Except as provided in subsection (c), "sex"" and insert "**Sex**".

Page 3, line 10, delete "the anatomy," and insert "**anatomy**".

Page 3, line 10, delete "the gametes" and insert "**gametes**".

Page 4, delete lines 16 through 23.

Page 5, line 27, delete "biological".

Page 6, line 33, delete "biological".

Page 7, line 40, delete "for:" and insert "**for either of the following:**".

Page 7, line 41, delete "a" and insert "A".

Page 7, line 41, after "verifiable" insert "**genetic or physiological**".

Page 7, line 42, delete "an individual with:" and insert "**the following:**".

Page 8, line 1, delete "external" and insert "**External**".

Page 8, line 1, delete "irremovably" and insert "**irresolvably**".

Page 8, line 2, delete "ambiguous;" and insert "**ambiguous**".

Page 8, line 3, delete "forty-six" and insert "**Forty-six**".

Page 8, line 3, delete "virilization;" and insert "**virilization**".

Page 8, line 4, delete "forty-six" and insert "**Forty-six**".

Page 8, line 4, delete "undervirilization;" and insert "**undervirilization**".

Page 8, delete line 5.

Page 8, line 6, delete "both" and insert "**Both**".

Page 8, line 6, delete "issues; or" and insert "**tissues**".

Page 8, line 7, delete "except" and insert "**Except**".



Page 8, line 8, delete "is voluntarily" and insert "**was previously**".

Page 8, line 9, after "sex" insert "**designation**".

Page 8, line 9, delete "individual as previously recorded at birth." and insert "**individual**".

Page 8, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 6. IC 20-33-13.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 13.6. Physical Privacy of Students

Sec. 1. (a) As used in this chapter, "multiple occupancy restroom or changing area" means a room or area in a school building that may be used by more than one (1) student at a time and in which students may be in various stages of undress in the presence of other individuals.

(b) The term includes a restroom, locker room, changing room, and shower room.

(c) The term does not include a single occupancy restroom, locker room, changing room, or shower room.

Sec. 2. As used in this chapter, "school" means any:

(1) school maintained by a school corporation; or

(2) charter school;

that provides instruction to students in any combination of kindergarten through grade 12.

Sec. 3. As used in this chapter, "sleeping quarters" means a room with a bed in which more than one (1) individual is housed overnight.

Sec. 4. Each school shall designate each multiple occupancy restroom or changing area as follows:

(1) For the exclusive use of the male sex.

(2) For the exclusive use of the female sex.

Sec. 5. (a) Subject to subsection (b), an individual shall only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex.

(b) An individual does not violate subsection (a) if the:

(1) multiple occupancy restroom or changing area has been temporarily designated for use by the opposite sex; or

(2) individual is entering a multiple occupancy restroom or changing area for one (1) or more of the following reasons:

(A) For custodial, maintenance, or inspection purposes.

(B) To render medical or emergency assistance.

(C) To accompany a student needing assistance if the individual assisting the student is the student's parent or



caregiver.

(D) To provide coaching or athletic training during athletic events, provided the individual providing coaching or training took reasonable steps to ensure no individuals are in a state of undress prior to entering.

Sec. 6. During any activity or event authorized by a school in which students share sleeping quarters, a school shall not require a student to share sleeping quarters with a member of the opposite sex, unless the individual of the opposite sex is a member of the student's family.

Sec. 7. (a) An individual who encounters an individual violating section 5 of this chapter may bring a civil action against the school corporation or school if the school corporation or school:

(1) provided the individual who violated section 5 of this chapter permission to use a multiple occupancy restroom or changing area that is designated for the sex that is not the individual's sex; or

(2) failed to take reasonable steps to prohibit the individual who violated section 5 of this chapter from using a multiple occupancy restroom or changing area that is designated for the sex that is not the individual's sex.

(b) If a school or school corporation violates section 6 of this chapter, an individual who is directly or indirectly injured as a result of the violation may bring a civil action against the school or school corporation.

(c) An action described in this section must be commenced within two (2) years of the violation.

Sec. 8. The court may award to an individual who prevails in an action under section 7 of this chapter any of the following:

(1) Injunctive relief.

(2) Declaratory judgment.

(3) Costs and reasonable attorney's fees.

Sec. 9. Nothing in this chapter prohibits a school corporation or school from:

(1) providing single occupancy sleeping quarters or a single occupancy restroom, locker room, changing room, or shower room; or

(2) adopting policies necessary to accommodate individuals protected under the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and any amendments and regulations related to the Act.

Sec. 10. The provisions of this chapter are severable as provided



in IC 1-1-1-8(b).

SECTION 7. IC 21-39-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 10. Physical Privacy of Students

Sec. 1. (a) As used in this chapter, "multiple occupancy restroom or changing area" means a room or area in a state educational institution building that may be used by more than one (1) student at a time and in which students may be in various stages of undress in the presence of other individuals.

(b) The term includes a restroom, locker room, changing room, and shower room.

(c) The term does not include a single occupancy restroom, locker room, changing room, or shower room.

Sec. 2. As used in this chapter, "sleeping quarters" means a room with a bed in which more than one (1) individual is housed overnight.

Sec. 3. Each state educational institution shall designate each multiple occupancy restroom or changing area as follows:

(1) For the exclusive use of the male sex.

(2) For the exclusive use of the female sex.

Sec. 4. (a) Subject to subsection (b), an individual shall only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex.

(b) An individual does not violate subsection (a) if the:

(1) multiple occupancy restroom or changing area has been temporarily designated for use by the opposite sex; or

(2) individual is entering a multiple occupancy restroom or changing area for one (1) or more of the following reasons:

(A) For custodial, maintenance, or inspection purposes.

(B) To render medical or emergency assistance.

(C) To accompany a student needing assistance if the individual assisting the student is the student's parent or caregiver.

(D) To provide coaching or athletic training during athletic events, provided the individual providing coaching or training took reasonable steps to ensure no individuals are in a state of undress prior to entering.

Sec. 5. A state educational institution shall not require a student to share sleeping quarters with a member of the opposite sex:

(1) during any activity or event authorized by a state educational institution; or



(2) in state educational institution on campus housing;
unless the individual who is a member of the opposite sex is a
member of the student's family.

Sec. 6. (a) An individual who encounters an individual violating
section 4 of this chapter may bring a civil action against the state
educational institution if the state educational institution:

(1) provided the individual who violated section 4 of this
chapter permission to use a multiple occupancy restroom or
changing area that is designated for the sex that is not the
individual's sex; or

(2) failed to take reasonable steps to prohibit the individual
who violated section 4 of this chapter from using a multiple
occupancy restroom or changing area that is designated for
the sex that is not the individual's sex.

(b) If a state educational institution violates section 5 of this
chapter, an individual who is directly or indirectly injured as a
result of the violation may bring a civil action against the state
educational institution.

(c) An action described in this section must be commenced
within two (2) years of the violation.

Sec. 7. The court may award to an individual who prevails in an
action under section 6 of this chapter any of the following:

(1) Injunctive relief.

(2) Declaratory judgment.

(3) Costs and reasonable attorney's fees.

Sec. 8. Nothing in this chapter prohibits a state educational
institution from:

(1) providing single occupancy sleeping quarters or a single
occupancy restroom, locker room, changing room, or shower
room; or

(2) adopting policies necessary to accommodate individuals
protected under the Americans with Disabilities Act (42
U.S.C. 12101 et seq.) and any amendments and regulations
related to the Act.

Sec. 9. The provisions of this chapter are severable as provided
in IC 1-1-1-8(b).".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 182 as introduced.)

SB 182—LS 6808/DI 107



CHARBONNEAU, Chairperson

Committee Vote: Yeas 9, Nays 3.

SB 182—LS 6808/DI 107

