

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

LS 6808
BILL NUMBER: SB 182

NOTE PREPARED: Dec 24, 2025
BILL AMENDED:

SUBJECT: Gender Issues.

FIRST AUTHOR: Sen. Brown L
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill defines "female", "male", "gender", and "sex" for all Indiana statutes.

Department of Correction: The bill provides that the Department of Correction (DOC) shall assign an offender, including a delinquent offender, to a facility or program that is based on the offender's biological sex at birth.

Indiana Department of Health: The bill also clarifies that a local health officer shall mark the sex of an individual as male or female on a birth certificate. It provides that the Indiana Department of Health (IDOH) may make an addition to a birth certificate, for purposes of paternity, in certain situations. It also provides the circumstances for when the sex designation on a birth certificate can be amended.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - The bill should have no fiscal impact on the DOC. Currently, all incarcerated individuals (adults and juveniles) are housed in accordance with their biological sex assigned at birth. All restrooms, showers, dormitories, and changing rooms are all gender-specific, as each correctional institution is a gender-specific facility.

The IDOH will experience a one-time workload increase to update the information elements included on short form and long form birth certificates. This work is in the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels. *[The IDOH's administrative expenditures are currently paid from the Tobacco Master Settlement Fund, a dedicated fund.]*

Additional Information - The DOC currently assesses the housing of transgender or intersex offenders on a case-by-case basis, considering factors related to health, safety, and security protocols. As of November 2024, over 100 inmates identify as gender diverse, but none have been moved to facilities other than the ones corresponding with their biological sex.

Under the federal Prison Rape Elimination Act (PREA) standards, offenders cannot be placed in a dedicated facility, unit, or wing solely based on identity or status unless required by legal agreements or consent decree for protection. Transgender and intersex inmates are assessed and reassessed every six months to ensure safe and appropriate housing, and programming.

Explanation of State Revenues: *IDOH* - IDOH currently charges \$10 for each birth certificate and \$18 for an amendment to a birth certificate. This bill could reduce the volume of amended birth certificates issued by IDOH. Any reduction in fee revenue deposited in the General Fund as a result of this bill will likely be minimal.

Explanation of Local Expenditures: Local health departments will be required to use the short form and long form birth certificate formats set forth in the bill. This work is in the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

Explanation of Local Revenues: This bill could reduce the volume of amended birth certificates issued by local health departments. Any reduction in fee revenue as a result of this bill will likely be minimal.

State Agencies Affected: IDOH; DOC.

Local Agencies Affected: Local health departments.

Information Sources:

https://www.in.gov/health/vital-records/#tab-683841-5-Fee_Schedule.

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