

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

LS 6917

BILL NUMBER: SB 261

NOTE PREPARED: Jan 28, 2026

BILL AMENDED: Jan 22, 2026

SUBJECT: Criminal Vandalism.

FIRST AUTHOR: Sen. Young M

BILL STATUS: As Passed Senate

FIRST SPONSOR: Rep. Bascom

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

It renames the crime of "criminal mischief" to "criminal vandalism".

It repeals: (1) institutional criminal mischief; (2) cemetery mischief; (3) railroad mischief; and (4) critical infrastructure facility mischief; places them in the "criminal vandalism" statute, and preserves the original penalties and defenses.

It repeals and places provisions involving damage to a cave in the criminal vandalism statute.

It repeals and places provisions involving depositing refuse in a cave in the littering statute.

It also makes conforming amendments.

Effective Date: July 1, 2026.

Explanation of State Expenditures:

Explanation of State Revenues: *Cave Littering:* The bill provides that a person who recklessly, knowingly, or intentionally places or leaves refuse on property of another commits a Class C misdemeanor.

Court Fees: If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. (Fines are deposited in the Common School Fund, while infraction judgments are deposited in the state General Fund.) Currently, the maximum fine for a Class C misdemeanor is \$500. Any decrease in revenue is expected to be very minimal, if any.

The total fee revenue per case would range between \$113 and \$135. 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: *Penalty Provisions:* A Class C misdemeanor is punishable by up to 60 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, while the average daily cost of community corrections supervision is \$10.96 and \$3.39 for probation supervision.

Explanation of Local Revenues: The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. 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:

Local Agencies Affected: All courts; trial courts; local law enforcement agencies.

Information Sources: IC 35-43-1-2; IC 35-46; 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.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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