HOUSE BILL No. 1362

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-1-15; IC 11-8-11; IC 20-33-13.6; IC 21-39-10; IC 31-31-11.

Synopsis: Privacy protections in public institutions. Requires each public school, state educational institution, correctional facility, juvenile detention facility, and certain governmental entities 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 may only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology. Establishes a civil action for a violation of these provisions. Prohibits each public school, correctional facility, state educational institution, juvenile detention facility, and certain governmental entities from requiring certain individuals to share sleeping quarters with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology, 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.

King

January 8, 2026, read first time and referred to Committee on Judiciary.

Introduced

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.

HOUSE BILL No. 1362

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

SECTION 1. IC 4-1-15 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 15. Physical Privacy of Hoosiers

Sec. 1. (a) As used in this chapter, "multiple occupancy restroom or changing area" means a room or area in a public building that may be used by more than one (1) individual at a time and in which individuals 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. (a) As used in this chapter, "public building" means a structure or part of a structure owned or leased by:

(1) the state government;

(2) a county government; or

(3) the government of a city, town, or township.

(b) The term does not include a:

(1) correctional facility, as defined in IC 11-8-11-1;

(2) juvenile detention facility, as defined in IC 31-31-8-2;

(3) school, as defined in IC 20-33-13.6-2; or

(4) state educational institution.

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 governmental entity that owns or leases a public building subject to this chapter 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 may only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology.

(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 an individual needing assistance if the individual assisting the individual needing assistance is the individual's parent or caregiver.

Sec. 6. During any activity or event authorized by a governmental entity, a governmental entity may not require an individual less than eighteen (18) years of age to share sleeping quarters in a public building with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology, unless the individual who is a member of the opposite sex is a member of the individual less than eighteen (18) years of age's family.

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

(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;

as determined at birth in accordance with the individual's genetics and reproductive biology.

(b) If a governmental entity 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 governmental entity.

(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 governmental entity that leases or owns a public building subject to this chapter from:

(1) providing 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.

SECTION 2. IC 11-8-11 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 11. Physical Privacy in Correctional Facilities

Sec. 1. As used in this chapter, "correctional facility" has the meaning set forth in IC 5-1.2-2-11.

Sec. 2. (a) As used in this chapter, "multiple occupancy restroom or changing area" means a room or area in a correctional facility that may be used by more than one (1) individual at a time and in which individuals 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. 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 correctional facility 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 may only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology.

(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 an individual needing assistance if the individual assisting the individual needing assistance is the individual's parent or caregiver.

Sec. 6. A correctional facility may not require a committed person to share sleeping quarters with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology, unless the individual who is a member of the opposite sex is a member of the committed person's family.

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

(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;

as determined at birth in accordance with the individual's genetics and reproductive biology.

(b) If a correctional facility 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 correctional facility.

(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 correctional facility 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.

SECTION 3. 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 may only use a multiple occupancy restroom or changing area that is designated

for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology.

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

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

Sec. 6. During any activity or event authorized by a school in which students share sleeping quarters, a school may not require a student to share sleeping quarters with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology, 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;

as determined at birth in accordance with the individual's genetics and reproductive biology.

(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 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.

SECTION 4. 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 may only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology.

(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;

(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; or

(3) individual or student is entering a multiple occupancy restroom or changing area to assist the individual's or student's child.

Sec. 5. A state educational institution may not require a student to share sleeping quarters with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology:

(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;

as determined at birth in accordance with the individual's genetics and reproductive biology.

(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.

SECTION 5. IC 31-31-11 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 11. Physical Privacy in Juvenile Detention Facilities

Sec. 1. As used in this chapter, "juvenile detention facility" has the meaning set forth in IC 31-31-8-2.

Sec. 2. (a) As used in this chapter, "multiple occupancy restroom or changing area" means a room or area in a juvenile detention facility that may be used by more than one (1) individual at a time and in which individuals 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. 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 juvenile detention facility 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 may only use a multiple occupancy restroom or changing area that is designated for the sex that is the individual's sex, as determined at birth in accordance with the individual's genetics and reproductive biology.

(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 an individual needing assistance if the individual assisting the individual needing assistance is the

individual's parent or caregiver.

Sec. 6. A juvenile detention facility may not require a juvenile to share sleeping quarters with a member of the opposite sex, as determined at birth in accordance with the individual's genetics and reproductive biology, unless the individual who is a member of the opposite sex is a member of the juvenile's family.

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

(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;

as determined at birth in accordance with the individual's genetics and reproductive biology.

(b) If a juvenile detention facility 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 juvenile detention facility.

(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 juvenile detention facility 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.