

HOUSE BILL No. 1046

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-12-16.2-5; IC 33-23-16.5.

Synopsis: Family recovery court fund. Establishes the family recovery court fund (fund). Provides that the fund consists of money appropriated by the general assembly from the state unrestricted opioid settlement account as well as donations, gifts, and money received from other sources. Provides that money in the fund is continuously appropriated for the purpose of funding family recovery courts and safe baby courts. Provides that family recovery courts: (1) target cases of abuse or neglect wherein a parent or primary caregiver suffers from a substance use disorder or co-occurring disorders; and (2) are certified as problem solving courts by the office of judicial administration.

Effective: July 1, 2026.

Goss-Reaves, Garcia Wilburn

December 2, 2025, read first time and referred to Committee on Judiciary.



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. 1046

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.

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

1 SECTION 1. IC 4-12-16.2-5, AS ADDED BY P.L.201-2023,
2 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. The following accounts are established within
4 the fund:

5 (1) The state unrestricted opioid settlement account. The account
6 consists of money distributed to the account under
7 IC 4-6-15-4(a)(1) and any interest earnings that accrue to the fund
8 under section 7 of this chapter. Expenditures from the account
9 may be made only after appropriation of the money in the account
10 by the general assembly. Money in the account must be used by
11 the state for oversight and administration of programs for
12 treatment, education, recovery, and prevention of opioid use
13 disorder and any co-occurring substance use disorders or mental
14 health issues. **Money in the account may be used for the**
15 **funding of family recovery courts and safe baby courts (as**
16 **defined in IC 33-23-16-9.5) under IC 33-23-16.5.**

17 (2) The state abatement opioid settlement account. The account



consists of money distributed to the account under IC 4-6-15-4(a)(3) and the balance of any opioid litigation settlements remaining prior to the passage of P.L.72-2022. Money in the account is continuously appropriated to the office of the secretary of family and social services for treatment, education, recovery, and prevention programs for opioid use disorder and any co-occurring substance use disorder or mental health issues as defined or required by the settlement documents or court order. Before the funds received under this subdivision may be distributed, the office of the secretary of family and social services shall submit a distribution plan to the budget committee for review.

SECTION 2. IC 33-23-16.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 16.5. Family Recovery Court Fund

Sec. 1. As used in this chapter, "family recovery court" means a court that:

- (1) targets cases of abuse or neglect wherein a parent or primary caregiver suffers from a substance use disorder or co-occurring disorders; and
- (2) is certified as a problem solving court under IC 33-23-16-17 by the office of judicial administration.

Sec. 2. The family recovery court fund is established to carry out the purpose of funding family recovery courts and safe baby courts (as defined in IC 33-23-16-9.5) under IC 33-23-16.

Sec. 3. The office of judicial administration shall administer the fund.

Sec. 4. The expenses of administering the fund shall be paid from money in the fund.

Sec. 5. The fund consists of the following:

- (1) Money appropriated by the general assembly from the state unrestricted opioid settlement account established under IC 4-12-16.2-5(1).
- (2) Donations, gifts, and money received from any other source, including transfers from other funds or accounts.

Sec. 6. Money in the fund is continuously appropriated for the purpose of the fund.

Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from the investments shall be deposited in the fund.



1 **Sec. 8. Money in the fund at the end of a state fiscal year does**
2 **not revert to the state general fund.**

