



February 13, 2026

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# ENGROSSED HOUSE BILL No. 1092

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DIGEST OF HB 1092 (Updated February 11, 2026 3:27 pm - DI 149)

**Citations Affected:** IC 4-38; IC 31-14; IC 31-16; IC 31-19; IC 31-27; IC 31-33.

**Synopsis:** Child services matters. Requires a sports wagering certificate holder and vendor to withhold funds from a person who requests a certain type of withdrawal from the person's mobile sports wagering account if the person is delinquent in the person's child support payments. Requires an order establishing paternity to be obtained without further proceedings if certain conditions are met. Allows the state to approve additional payment facilities for purposes of accepting child support payments. Provides that if a child who is the  
(Continued next page)

**Effective:** July 1, 2026.

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## DeVon, Olthoff, Goss-Reaves

(SENATE SPONSOR — WALKER G)

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January 5, 2026, read first time and referred to Committee on Family, Children and Human Affairs.

January 22, 2026, amended, reported — Do Pass.

January 28, 2026, read second time, amended, ordered engrossed.

January 29, 2026, engrossed.

February 2, 2026, read third time, passed. Yeas 80, nays 0.

### SENATE ACTION

February 5, 2026, read first time and referred to Committee on Judiciary.

February 12, 2026, amended, reported favorably — Do Pass.

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EH 1092—LS 6542/DI 148



## Digest Continued

subject of an adoption petition is also the subject of an open or pending child in need of services (CHINS) or delinquency proceeding, the adoption petition must identify: (1) the court in which the CHINS or delinquency proceeding is open or pending; and (2) the case number of the CHINS or delinquency proceeding; if known to the petitioner. Requires a volunteer of an applicant for licensure as a child caring institution to undergo a criminal background check if the volunteer is likely to have unsupervised contact with children in the child caring institution or will have access to a child's medical records. Provides that the department may deny an application for licensure as a child caring institution, group home, or child placing agency if the applicant was previously licensed as a residential child care provider and the license was revoked within one year of the application. Provides that a department caseworker who wishes to interview a child at the child's school must provide the caseworker's department issued credential in order to interview the child alone.

**EH 1092—LS 6542/DI 148**



February 13, 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.

## ENGROSSED HOUSE BILL No. 1092

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A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

1 SECTION 1. IC 4-38-11-1, AS ADDED BY P.L.293-2019,  
2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 1. (a) The bureau (**as defined in IC 4-33-2-3.7**)  
4 shall provide information to a certificate holder **or vendor** concerning  
5 persons who are delinquent in child support.  
6 (b) Prior to:  
7 (1) a certificate holder disbursing a payout of six hundred dollars  
8 (\$600) or more; ~~in winnings, from sports wagering to a person~~  
9 ~~who is delinquent in child support and who is claiming the~~  
10 ~~winning sports wager in person at the certificate holder's facility;~~  
11 ~~the certificate holder; or~~  
12 (2) a vendor disbursing a payout that triggers the vendor's  
13 obligation to file Form W-2G or a substantially equivalent  
14 form with the United States Internal Revenue Service;  
15 the certificate holder or vendor shall check to determine if the  
16 person claiming the payout is delinquent in child support.  
17 (c) If the person claiming the payout described by subsection (b)

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1 **is delinquent in child support, the certificate holder or vendor:**

2 (1) may deduct and retain an administrative fee in the amount of  
3 the lesser of:

4 (A) three percent (3%) of the amount of delinquent child  
5 support withheld under subdivision (2)(A); or

6 (B) one hundred dollars (\$100); and

7 (2) shall:

8 (A) withhold the amount of delinquent child support owed  
9 from winnings;

10 (B) transmit to the bureau:

11 (i) the amount withheld for delinquent child support; and

12 (ii) identifying information, including the full name, address,  
13 and Social Security number of the obligor and the child  
14 support case identifier, the date and amount of the payment,  
15 and the name and location of the licensed owner, operating  
16 agent, **vendor**, or trustee; and

17 (C) issue the obligor a receipt in a form prescribed by the  
18 bureau with the total amount withheld for delinquent child  
19 support and the administrative fee.

20 ~~(e)~~ (d) The bureau shall notify the obligor at the address provided  
21 by the certificate holder **or vendor** that the bureau intends to offset the  
22 obligor's delinquent child support with the winnings.

23 ~~(d)~~ (e) The bureau shall hold the amount withheld from the  
24 winnings of an obligor for ten (10) business days before applying the  
25 amount as payment to the obligor's delinquent child support.

26 ~~(e)~~ (f) The delinquent child support required to be withheld under  
27 this section and an administrative fee described under subsection ~~(b)(1)~~  
28 (c)(1) have priority over any secured or unsecured claim on winnings  
29 except claims for federal or state taxes that are required to be withheld  
30 under federal or state law.

31 SECTION 2. IC 31-14-11-1 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. If:

33 (1) a paternity affidavit is executed under IC 16-37-2-2.1; and

34 (2) ~~the man who executed the paternity affidavit fails to set forth~~  
35 ~~evidence at a child support hearing that rebuts the man's paternity;~~  
36 ~~the paternity affidavit has not been set aside under~~  
37 ~~IC 16-37-2-2.1(k) or IC 16-37-2-2.1(l);~~

38 an order establishing paternity and child support for the child named  
39 in the paternity affidavit ~~may~~ **must** be obtained at a child support  
40 hearing without any further proceedings to establish the child's  
41 paternity.

42 SECTION 3. IC 31-16-9-1, AS AMENDED BY P.L.150-2018,

**EH 1092—LS 6542/DI 148**



1 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 1. (a) This subsection applies before January 1,  
3 2007. Upon entering an order for support in:

- 4 (1) a dissolution of marriage decree under IC 31-15-2;  
5 (2) a legal separation decree under IC 31-15-3; or  
6 (3) a child support decree under IC 31-16-2;

7 the court shall require that support payments be made through the clerk  
8 of the circuit court as trustee for remittance to the person entitled to  
9 receive payments, unless the court has reasonable grounds for  
10 providing or approving another method of payment.

11 (b) Beginning January 1, 2007, except as provided in subsection (c),  
12 upon entering an order for support in:

- 13 (1) a dissolution of marriage decree under IC 31-15-2;  
14 (2) a legal separation decree under IC 31-15-3; or  
15 (3) a child support decree under IC 31-14-11 or IC 31-16-2;

16 the court shall require that support payments be made through the clerk  
17 of ~~the a~~ circuit court, ~~or~~ the state central collection unit established by  
18 IC 31-25-3-1, **or a payment facility approved by the state**, as trustee  
19 for remittance to the person entitled to receive payments, unless the  
20 court has reasonable grounds for providing or approving another  
21 method of payment.

22 (c) The clerk of ~~the a~~ circuit court may only accept child support  
23 payments that are paid in cash, and all noncash child support payments  
24 must be paid to the state central collection unit established within the  
25 child support bureau by IC 31-25-3-1 **or a payment facility approved**  
26 **by the state.**

27 SECTION 4. IC 31-19-2-6, AS AMENDED BY P.L.206-2015,  
28 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2026]: Sec. 6. (a) A petition for adoption must specify the  
30 following:

- 31 (1) The:  
32 (A) name if known;  
33 (B) sex, race, and age if known, or if unknown, the  
34 approximate age; and  
35 (C) place of birth;  
36 of the child sought to be adopted.  
37 (2) The new name to be given the child if a change of name is  
38 desired.  
39 (3) Whether or not the child possesses real or personal property  
40 and, if so, the value and full description of the property.  
41 (4) The:  
42 (A) name, age, and place of residence of a petitioner for



- 1 adoption; and  
 2 (B) if married, place and date of their marriage.  
 3 (5) The name and place of residence, if known to the petitioner  
 4 for adoption, of:  
 5 (A) the parent or parents of the child;  
 6 (B) if the child is an orphan:  
 7 (i) the guardian; or  
 8 (ii) the nearest kin of the child if the child does not have a  
 9 guardian;  
 10 (C) the court or agency of which the child is a ward if the child  
 11 is a ward; or  
 12 (D) the agency sponsoring the adoption if there is a sponsor.  
 13 (6) The time, if any, during which the child lived in the home of  
 14 the petitioner for adoption.  
 15 (7) Whether the petitioner for adoption has been convicted of:  
 16 (A) a felony; or  
 17 (B) a misdemeanor relating to the health and safety of  
 18 children;  
 19 and, if so, the date and description of the conviction.  
 20 (8) Whether or not a current, ongoing child support order or  
 21 medical support order is in effect for the child sought to be  
 22 adopted.  
 23 **(9) If a child sought to be adopted is the subject of an open or**  
 24 **pending:**  
 25 **(A) child in need of services proceeding under IC 31-34; or**  
 26 **(B) delinquency proceeding under IC 31-37;**  
 27 **except an informal adjustment, the court in which the**  
 28 **proceeding is open or pending and the case number, if known.**  
 29 ~~(9)~~ **(10)** Additional information consistent with the purpose and  
 30 provisions of this article that is considered relevant to the  
 31 proceedings.  
 32 (b) If a current, ongoing child support order or medical support  
 33 order is in effect for the child as described in subsection (a)(8), all of  
 34 the following must be filed with the petition described under subsection  
 35 (a):  
 36 (1) A copy of the child support order or medical support order.  
 37 (2) A statement as to whether the child support order or medical  
 38 support order is enforced by the prosecuting attorney through the  
 39 Title IV-D child support program under IC 31-25-4.  
 40 SECTION 5. IC 31-27-3-3, AS AMENDED BY P.L.81-2025,  
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2026]: Sec. 3. (a) An applicant must apply for a child caring



- 1 institution license on forms provided by the department.
- 2 (b) An applicant must submit the required information as part of the  
3 application.
- 4 (c) The applicant must submit with the application a statement  
5 attesting the following:
- 6 (1) Whether the applicant has been convicted of:
- 7 (A) a felony; or
- 8 (B) a misdemeanor relating to the health and safety of  
9 children.
- 10 (2) Whether the applicant has been charged with:
- 11 (A) a felony; or
- 12 (B) a misdemeanor relating to the health and safety of  
13 children;
- 14 during the pendency of the application.
- 15 (d) The department, on behalf of an applicant, or, at the discretion  
16 of the department, an applicant, shall conduct a criminal history check  
17 of the following:
- 18 (1) Each individual who is an applicant.
- 19 (2) The director or manager of a facility where children will be  
20 placed.
- 21 (3) Each employee or volunteer of the applicant.
- 22 (4) Each contractor or individual working in the child caring  
23 institution who is likely to have unsupervised contact with  
24 children in the child caring institution.
- 25 **(5) Each volunteer of the applicant who is likely to have:**
- 26 **(A) unsupervised contact with children in the child caring**  
27 **institution; or**
- 28 **(B) access to a child's electronic or physical medical**  
29 **records.**
- 30 (e) If the applicant conducts a criminal history check under  
31 subsection (d), the applicant shall:
- 32 (1) maintain records of the information it receives concerning  
33 each individual who is the subject of a criminal history check; and
- 34 (2) submit to the department a copy of the information it receives  
35 concerning each person described in subsection (d)(1) through  
36 ~~(d)(4).~~ **(d)(5).**
- 37 (f) If the department conducts a criminal history check on behalf of  
38 an applicant under subsection (d), the department shall:
- 39 (1) determine whether the subject of a national fingerprint based  
40 criminal history check has a record of:
- 41 (A) a conviction for a felony;
- 42 (B) a conviction for a misdemeanor relating to the health and



- 1 safety of a child; or  
 2 (C) a juvenile adjudication for a nonwaivable offense, as  
 3 defined in IC 31-9-2-84.8 that, if committed by an adult,  
 4 would be a felony;  
 5 (2) notify the applicant of the determination under subdivision (1)  
 6 without identifying a specific offense or other identifying  
 7 information concerning a conviction or juvenile adjudication  
 8 contained in the national criminal history record information;  
 9 (3) submit to the applicant a copy of any state limited criminal  
 10 history report that the department receives on behalf of any person  
 11 described in subsection (d); and  
 12 (4) maintain a record of every report and all information the  
 13 department receives concerning a person described in subsection  
 14 (d).  
 15 (g) Except as provided in subsection (h), a criminal history check  
 16 described in subsection (d) is required only at the time an application  
 17 for a new license or the renewal of an existing license is submitted.  
 18 (h) Except as provided in subsection (i), a criminal history check of  
 19 each person described in subsection (d)(2) ~~(d)(3)~~; or ~~(d)(4)~~ **through**  
 20 **(d)(5)** must be completed on or before the date the person:  
 21 (1) is employed;  
 22 (2) is assigned as a volunteer; or  
 23 (3) enters into, or the person's employing entity enters into, a  
 24 contract with the applicant.  
 25 (i) An individual may be employed by a child caring institution as  
 26 an employee, volunteer, or contractor before a criminal history check  
 27 of the individual is completed as required under subsection (h) if all of  
 28 the following conditions are satisfied:  
 29 (1) The following checks have been completed regarding the  
 30 individual:  
 31 (A) A fingerprint based check of national crime information  
 32 data bases under IC 31-9-2-22.5(1).  
 33 (B) A national sex offender registry check under  
 34 IC 31-9-2-22.5(3).  
 35 (C) An in-state local criminal records check under  
 36 IC 31-9-2-22.5(4).  
 37 (D) An in-state child protection index check under  
 38 IC 31-33-26.  
 39 (2) If the individual has resided outside Indiana at any time during  
 40 the five (5) years preceding the individual's date of hiring by the  
 41 child caring institution, the following checks have been requested  
 42 regarding the individual:



- 1 (A) An out-of-state child abuse registry check under  
 2 IC 31-9-2-22.5(2).  
 3 (B) An out-of-state local criminal records check under  
 4 IC 31-9-2-22.5(4).  
 5 (3) The individual's employment before the completion of the  
 6 criminal history check required under subsection (h) is limited to  
 7 training during which the individual:  
 8 (A) does not have contact with children who are under the care  
 9 and control of the child caring institution; and  
 10 (B) does not have access to records containing information  
 11 regarding children who are under the care and control of the  
 12 child caring institution.  
 13 (4) The individual completes an attestation, under penalty of  
 14 perjury, disclosing:  
 15 (A) any abuse or neglect complaints made against the  
 16 individual with the child welfare agency of a state other than  
 17 Indiana in which the individual resided within the five (5)  
 18 years preceding the date of the attestation; and  
 19 (B) any contact the individual had with a law enforcement  
 20 agency in connection with the individual's suspected or alleged  
 21 commission of a crime in a state other than Indiana in which  
 22 the individual resided within the five (5) years preceding the  
 23 date of the attestation.  
 24 (j) The applicant or facility is responsible for any fees associated  
 25 with a criminal history check.  
 26 (k) The department shall, at the applicant's request, inform the  
 27 applicant whether the department has or does not have a record of the  
 28 person who is the subject of a criminal history check and if the  
 29 department has identified the person as an alleged perpetrator of abuse  
 30 or neglect. The department may not provide to the applicant any details  
 31 or personally identifying information contained in any child protective  
 32 services investigation report.  
 33 (l) A person who is the subject of a criminal history check  
 34 conducted in accordance with this section may request the state police  
 35 department to provide the person with a copy of any state or national  
 36 criminal history report concerning the person.  
 37 SECTION 6. IC 31-27-3-5, AS AMENDED BY P.L.243-2019,  
 38 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2026]: Sec. 5. (a) The following constitute sufficient grounds  
 40 for a denial of a license application:  
 41 (1) A determination by the department of child abuse or neglect  
 42 by:



- 1 (A) the applicant; or  
 2 (B) an employee, volunteer, or contractor of the applicant.  
 3 (2) A criminal conviction of the applicant, or the director or  
 4 manager of a facility where children will be placed by the  
 5 applicant, of:  
 6 (A) a felony;  
 7 (B) a misdemeanor related to the health and safety of a child;  
 8 (C) a misdemeanor for operating a child caring institution,  
 9 foster family home, group home, or child placing agency  
 10 without a license under this article (or IC 12-17.4 before its  
 11 repeal); or  
 12 (D) a misdemeanor for operating a child care center or child  
 13 care home without a license under IC 12-17.2.  
 14 (3) A determination by the department that the applicant made  
 15 false statements in the applicant's application for licensure.  
 16 (4) A determination by the department that the applicant made  
 17 false statements in the records required by the department.  
 18 (5) A determination by the department that:  
 19 (A) the applicant; or  
 20 (B) an employee, volunteer, or contractor of the applicant;  
 21 previously operated a home or facility without a license required  
 22 under any applicable provision of this article (or IC 12-17.4  
 23 before its repeal) or IC 12-17.2.  
 24 (6) A juvenile adjudication of the applicant for a nonwaivable  
 25 offense, as defined in IC 31-9-2-84.8 that, if committed by an  
 26 adult, would be a felony.  
 27 **(7) A determination by the department that the applicant was**  
 28 **previously licensed under this article and the license was**  
 29 **revoked within one (1) year of the current application.**  
 30 (b) An application for a license may also be denied if an employee,  
 31 volunteer, or contractor of the applicant has had any of the following:  
 32 (1) A conviction of a nonwaivable offense, as defined in  
 33 IC 31-9-2-84.8.  
 34 (2) A conviction of any other felony or a misdemeanor relating to  
 35 the health and safety of a child, unless the applicant is granted a  
 36 waiver by the department with regard to the employee, volunteer,  
 37 or contractor.  
 38 (3) A juvenile adjudication for a nonwaivable offense, as defined  
 39 in IC 31-9-2-84.8 that, if committed by an adult, would be a  
 40 felony, unless the applicant is granted a waiver by the department  
 41 with regard to the employee, volunteer, or contractor.  
 42 (c) In determining whether to grant a waiver under subsection (b),



- 1 the department shall consider the following factors:
- 2 (1) The length of time that has passed since the disqualifying
- 3 conviction.
- 4 (2) The severity, nature, and circumstances of the offense.
- 5 (3) Evidence of rehabilitation.
- 6 (4) The duties and qualifications required for the proposed
- 7 employment positions, volunteer assignment, or contract.
- 8 (d) Notwithstanding subsection (a) or (b), if:
- 9 (1) a license application could be denied due to a criminal
- 10 conviction of, or a determination of child abuse or neglect by, an
- 11 employee, volunteer, or contractor of the applicant; and
- 12 (2) the department determines that the employee, volunteer, or
- 13 contractor has been dismissed by the applicant within a
- 14 reasonable time after the applicant became aware of the
- 15 conviction or determination;
- 16 the criminal conviction of, or determination of child abuse or neglect
- 17 by, the former employee, former volunteer, or former contractor does
- 18 not constitute a sufficient basis for the denial of a license application.
- 19 (e) The department may adopt rules to implement this section.
- 20 SECTION 7. IC 31-27-5-6, AS AMENDED BY P.L.243-2019,
- 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2026]: Sec. 6. (a) The following constitute sufficient grounds
- 23 for a denial of a license application:
- 24 (1) A determination by the department of child abuse or neglect
- 25 by:
- 26 (A) the applicant; or
- 27 (B) an employee, volunteer, or contractor of the applicant.
- 28 (2) A criminal conviction of the applicant, or the director or
- 29 manager of a facility where children will be placed by the
- 30 applicant, for any of the following:
- 31 (A) A felony.
- 32 (B) A misdemeanor related to the health and safety of a child.
- 33 (C) A misdemeanor for operating a child caring institution,
- 34 foster family home, group home, or child placing agency
- 35 without a license under this article (or IC 12-17.4 before its
- 36 repeal).
- 37 (D) A misdemeanor for operating a child care center or child
- 38 care home without a license under IC 12-17.2.
- 39 (3) A determination by the department that the applicant made
- 40 false statements in the applicant's application for licensure.
- 41 (4) A determination by the department that the applicant made
- 42 false statements in the records required by the department.



- 1 (5) A determination by the department that:
- 2 (A) the applicant; or
- 3 (B) an employee, volunteer, or contractor of the applicant;
- 4 previously operated a home or facility without a license required
- 5 under any applicable provision of this article (or IC 12-17.4
- 6 before its repeal) or IC 12-17.2.
- 7 (6) A juvenile adjudication of the applicant for a nonwaivable
- 8 offense, as defined in IC 31-9-2-84.8 that, if committed by an
- 9 adult, would be a felony.
- 10 **(7) A determination by the department that the applicant was**
- 11 **previously licensed under this article and the license was**
- 12 **revoked within one (1) year of the current application.**
- 13 (b) An application for a license may also be denied if an employee,
- 14 volunteer, or contractor of the applicant has had any of the following:
- 15 (1) A conviction of a nonwaivable offense, as defined in
- 16 IC 31-9-2-84.8.
- 17 (2) A conviction of any other felony or a misdemeanor relating to
- 18 the health and safety of a child, unless the applicant is granted a
- 19 waiver by the department to employ or assign the person as a
- 20 volunteer in a position described in this subsection.
- 21 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 22 in IC 31-9-2-84.8 that, if committed by an adult, would be a
- 23 felony, unless the applicant is granted a waiver by the department
- 24 to employ or assign the person as a volunteer in a position
- 25 described in this subsection.
- 26 (c) In determining whether to grant a waiver under subsection (b),
- 27 the department shall consider the following factors:
- 28 (1) The length of time that has passed since the disqualifying
- 29 conviction.
- 30 (2) The severity, nature, and circumstances of the offense.
- 31 (3) Evidence of rehabilitation.
- 32 (4) The duties and qualifications required for the proposed
- 33 employment positions, volunteer assignment, or contract.
- 34 (d) Notwithstanding subsection (a) or (b), if:
- 35 (1) a license application could be denied due to a criminal
- 36 conviction of, or a determination of child abuse or neglect by, an
- 37 employee, volunteer, or contractor of the applicant; and
- 38 (2) the department determines that the employee, volunteer, or
- 39 contractor has been dismissed by the applicant within a
- 40 reasonable time after the applicant became aware of the
- 41 conviction or determination;
- 42 the criminal conviction of, or determination of child abuse or neglect



1 by, the former employee, former volunteer, or former contractor does  
2 not constitute a sufficient basis for the denial of a license application.

3 (e) The department may adopt rules to implement this section.

4 SECTION 8. IC 31-27-6-3, AS AMENDED BY P.L.243-2019,  
5 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds  
7 for denial of a license application:

8 (1) A determination by the department of child abuse or neglect  
9 by:

10 (A) the applicant; or

11 (B) an employee, volunteer, or contractor of the applicant.

12 (2) A criminal conviction of the applicant, or the director or  
13 manager of a facility where children will be placed by the  
14 licensee, for any of the following:

15 (A) A felony.

16 (B) A misdemeanor related to the health and safety of a child.

17 (C) A misdemeanor for operating a child caring institution,  
18 foster family home, group home, or child placing agency  
19 without a license under this article (or IC 12-17.4 before its  
20 repeal).

21 (D) A misdemeanor for operating a child care center or child  
22 care home without a license under IC 12-17.2.

23 (3) A determination by the department that the applicant made  
24 false statements in the applicant's application for licensure.

25 (4) A determination by the department that the applicant made  
26 false statements in the records required by the department.

27 (5) A determination by the department that:

28 (A) the applicant; or

29 (B) an employee, volunteer, or contractor of the applicant;  
30 previously operated a home or facility without a license required  
31 under any applicable provision of this article (or IC 12-17.4  
32 before its repeal) or IC 12-17.2.

33 (6) A juvenile adjudication of the applicant for a nonwaivable  
34 offense, as defined in IC 31-9-2-84.8 that, if committed by an  
35 adult, would be a felony.

36 **(7) A determination by the department that the applicant was**  
37 **previously licensed under this article and the license was**  
38 **revoked within one (1) year of the current application.**

39 (b) An application for a license may also be denied if an employee,  
40 volunteer, or contractor of the applicant has had any of the following:

41 (1) A conviction of a nonwaivable offense, as defined in  
42 IC 31-9-2-84.8.



- 1 (2) A conviction of any other felony or a misdemeanor relating to
- 2 the health and safety of a child, unless the applicant is granted a
- 3 waiver by the department with regard to the employee, volunteer,
- 4 or contractor.
- 5 (3) A juvenile adjudication for a nonwaivable offense, as defined
- 6 in IC 31-9-2-84.8 that, if committed by an adult, would be a
- 7 felony, unless the applicant is granted a waiver by the department
- 8 with regard to the employee, volunteer, or contractor.
- 9 (c) In determining whether to grant a waiver under subsection (b),
- 10 the department shall consider the following factors:
- 11 (1) The length of time that has passed since the disqualifying
- 12 conviction.
- 13 (2) The severity, nature, and circumstances of the offense.
- 14 (3) Evidence of rehabilitation.
- 15 (4) The duties and qualifications required for the proposed
- 16 employment positions, volunteer assignment, or contract.
- 17 (d) Notwithstanding subsection (a) or (b), if:
- 18 (1) a license application could be denied due to a criminal
- 19 conviction of, or a determination of child abuse or neglect by, an
- 20 employee, volunteer, or contractor of the applicant; and
- 21 (2) the department determines that the employee, volunteer, or
- 22 contractor has been dismissed by the applicant within a
- 23 reasonable time after the applicant became aware of the
- 24 conviction or determination;
- 25 the criminal conviction of, or determination of child abuse or neglect
- 26 by, the former employee, former volunteer, or former contractor does
- 27 not constitute a sufficient basis for the denial of a license application.
- 28 (e) The department may adopt rules to implement this section.
- 29 SECTION 9. IC 31-33-8-7, AS AMENDED BY P.L.213-2021,
- 30 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2026]: Sec. 7. (a) The department's assessment, to the extent
- 32 that is reasonably possible, must include the following:
- 33 (1) The nature, extent, and cause of the known or suspected child
- 34 abuse or neglect.
- 35 (2) The identity of the person allegedly responsible for the child
- 36 abuse or neglect.
- 37 (3) The names and conditions of other children in the home.
- 38 (4) An evaluation of the parent, guardian, custodian, or person
- 39 responsible for the care of the child.
- 40 (5) The home environment and the relationship of the child to the
- 41 parent, guardian, or custodian or other persons responsible for the
- 42 child's care.



- 1 (6) All other data considered pertinent.
- 2 (b) The assessment may include the following:
- 3 (1) A visit to the child's home.
- 4 (2) An interview with the subject child:
- 5 (A) upon receiving parental consent;
- 6 (B) upon receiving a court order; or
- 7 (C) if there are exigent circumstances as defined by
- 8 IC 31-9-2-44.1.
- 9 (3) A physical, psychological, or psychiatric examination of any
- 10 child in the home.
- 11 (c) If:
- 12 (1) admission to the home, the school, or any other place that the
- 13 child may be; or
- 14 (2) permission of the parent, guardian, custodian, or other persons
- 15 responsible for the child for the physical, psychological, or
- 16 psychiatric examination;
- 17 under subsection (b) cannot be obtained, the juvenile court, upon good
- 18 cause shown, shall follow the procedures under IC 31-32-12.
- 19 (d) If a custodial parent, a guardian, or a custodian of a child refuses
- 20 to allow the department to interview the child after the caseworker has
- 21 attempted to obtain the consent of the custodial parent, guardian, or
- 22 custodian to interview the child, the department may petition a court to
- 23 order the custodial parent, guardian, or custodian to make the child
- 24 available to be interviewed by the caseworker.
- 25 (e) If the court finds that:
- 26 (1) a custodial parent, a guardian, or a custodian has been
- 27 informed of the hearing on a petition described under subsection
- 28 (d); and
- 29 (2) the department has made reasonable and unsuccessful efforts
- 30 to obtain the consent of the custodial parent, guardian, or
- 31 custodian to interview the child;
- 32 the court shall specify in the order the efforts the department made to
- 33 obtain the consent of the custodial parent, guardian, or custodian and
- 34 may grant the motion to interview the child, either with or without the
- 35 custodial parent, guardian, or custodian being present.
- 36 (f) If the department requests to interview a child at the child's
- 37 school, the school, except a nonaccredited nonpublic school that has
- 38 less than one (1) employee, shall grant access to the department to
- 39 interview the child alone, if the department employee presents:
- 40 (1) their ~~credentials as a department case worker, department~~
- 41 **issued credential**, or other proof of employment with the
- 42 department, for inspection upon arrival at the school; and



- 1 (2) a written statement that the department "has parental consent
- 2 or a court order, or exigent circumstances exist as defined by
- 3 IC 31-9-2-44.1 to interview [insert child's name]". The written
- 4 statement under this subdivision shall not disclose any of the facts
- 5 of the allegations or evidence and may be transmitted to the
- 6 school electronically.
- 7 (g) If the department provides a written statement under subsection
- 8 (f)(2), the school shall:
- 9 (1) not maintain the written statement in the child's file; and
- 10 (2) protect the child and the child's family's confidentiality
- 11 regarding the written statement and the interview.
- 12 (h) If a parent, guardian, or custodian of a child who is the subject
- 13 of a substantiated investigation of abuse or neglect is an active duty
- 14 member of the military, the department shall notify the United States
- 15 Department of Defense Family Advocacy Program of the assessment
- 16 concerning the child of the active duty member of the military upon
- 17 request.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1092, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 20 through 30.

Page 3, line 35, after "Sec. 1." insert "(a)".

Page 3, line 38, delete "article." and insert "**article, including:**

**(1) dates of scheduled hearings and the purpose of each hearing;**

**(2) any placement order regarding the child; and**

**(3) any permanency plan for the child.**

**(b) Any communication between the courts under this section is for the purpose of ensuring the best interest of the child."**

Page 3, delete lines 39 through 42.

Page 4, delete lines 1 through 2.

Page 4, line 3, delete "Sec. 3." and insert "**Sec. 2.**".

Page 4, line 3, delete "sections" and insert "**section**".

Page 4, line 4, delete "and 2".

Page 5, line 8, delete "number." and insert "**number, if known.**".

Page 5, between lines 19 and 20, begin a new paragraph and insert: "SECTION 7. IC 31-19-2-12, AS AMENDED BY P.L.128-2012, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. As soon as a petition for adoption is found to be in proper form, the clerk of the court shall:

**(1) forward one (1) copy of the petition for adoption to a licensed child placing agency as described in IC 31-9-2-17.5, with preference to be given to the agency, if any, sponsoring the adoption, as shown by the petition for adoption; and**

**(2) if the child is in the care and custody of the department, forward an additional copy of the petition to the department."**

Page 6, delete lines 5 through 7.

Page 14, line 16, delete "(a) Subject to subsections (b)".

Page 14, delete lines 17 through 19.

Page 14, line 20, delete "(b)".

Page 14, run in lines 16 through 20.

Page 14, line 33, delete ":".

Page 14, delete lines 34 through 35.

Page 14, line 36, delete "(B)".

Page 14, run in lines 33 through 36.



Page 14, delete lines 38 through 41, begin a new paragraph and insert:

"SECTION 15. IC 31-33-8-7, AS AMENDED BY P.L.213-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The department's assessment, to the extent that is reasonably possible, must include the following:

- (1) The nature, extent, and cause of the known or suspected child abuse or neglect.
- (2) The identity of the person allegedly responsible for the child abuse or neglect.
- (3) The names and conditions of other children in the home.
- (4) An evaluation of the parent, guardian, custodian, or person responsible for the care of the child.
- (5) The home environment and the relationship of the child to the parent, guardian, or custodian or other persons responsible for the child's care.
- (6) All other data considered pertinent.

(b) The assessment may include the following:

- (1) A visit to the child's home.
- (2) An interview with the subject child:
  - (A) upon receiving parental consent;
  - (B) upon receiving a court order; or
  - (C) if there are exigent circumstances as defined by IC 31-9-2-44.1.
- (3) A physical, psychological, or psychiatric examination of any child in the home.

(c) If:

- (1) admission to the home, the school, or any other place that the child may be; or
- (2) permission of the parent, guardian, custodian, or other persons responsible for the child for the physical, psychological, or psychiatric examination;

under subsection (b) cannot be obtained, the juvenile court, upon good cause shown, shall follow the procedures under IC 31-32-12.

(d) If a custodial parent, a guardian, or a custodian of a child refuses to allow the department to interview the child after the caseworker has attempted to obtain the consent of the custodial parent, guardian, or custodian to interview the child, the department may petition a court to order the custodial parent, guardian, or custodian to make the child available to be interviewed by the caseworker.

(e) If the court finds that:

- (1) a custodial parent, a guardian, or a custodian has been

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informed of the hearing on a petition described under subsection (d); and

(2) the department has made reasonable and unsuccessful efforts to obtain the consent of the custodial parent, guardian, or custodian to interview the child;

the court shall specify in the order the efforts the department made to obtain the consent of the custodial parent, guardian, or custodian and may grant the motion to interview the child, either with or without the custodial parent, guardian, or custodian being present.

(f) If the department requests to interview a child at the child's school, the school, except a nonaccredited nonpublic school that has less than one (1) employee, shall grant access to the department to interview the child alone, if the department employee presents:

(1) their ~~credentials as a department case worker~~, **department issued credential**, or other proof of employment with the department, for inspection upon arrival at the school; and

(2) a written statement that the department "has parental consent or a court order, or exigent circumstances exist as defined by IC 31-9-2-44.1 to interview [insert child's name]". The written statement under this subdivision shall not disclose any of the facts of the allegations or evidence and may be transmitted to the school electronically.

(g) If the department provides a written statement under subsection (f)(2), the school shall:

(1) not maintain the written statement in the child's file; and

(2) protect the child and the child's family's confidentiality regarding the written statement and the interview.

(h) If a parent, guardian, or custodian of a child who is the subject of a substantiated investigation of abuse or neglect is an active duty member of the military, the department shall notify the United States Department of Defense Family Advocacy Program of the assessment concerning the child of the active duty member of the military upon request."

Renumber SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1092 as introduced.)

DEVON

Committee Vote: yeas 11, nays 0.

**EH 1092—LS 6542/DI 148**



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1092 be amended to read as follows:

- Page 3, delete lines 20 through 38.
- Page 5, delete lines 10 through 19.
- Page 5, delete lines 29 through 42.
- Page 6, delete lines 1 through 25.
- Page 14, delete lines 11 through 28.
- Re-number all SECTIONS consecutively.

(Reference is to HB 1092 as printed January 22, 2026.)

DEVON

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 COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1092, 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, delete lines 1 through 17, begin a new paragraph and insert:  
 "SECTION 1. IC 4-38-11-1, AS ADDED BY P.L.293-2019, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The bureau (**as defined in IC 4-33-2-3.7**) shall provide information to a certificate holder **or vendor** concerning persons who are delinquent in child support.

(b) Prior to:

(1) a certificate holder disbursing a payout of six hundred dollars (\$600) or more; ~~in winnings; from sports wagering to a person who is delinquent in child support and who is claiming the winning sports wager in person at the certificate holder's facility; the certificate holder: or~~

**(2) a vendor disbursing a payout that triggers the vendor's obligation to file Form W-2G or a substantially equivalent form with the United States Internal Revenue Service; the certificate holder or vendor shall check to determine if the person claiming the payout is delinquent in child support.**

**(c) If the person claiming the payout described by subsection (b) is delinquent in child support, the certificate holder or vendor:**

(1) may deduct and retain an administrative fee in the amount of the lesser of:

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- (A) three percent (3%) of the amount of delinquent child support withheld under subdivision (2)(A); or
  - (B) one hundred dollars (\$100); and
- (2) shall:
- (A) withhold the amount of delinquent child support owed from winnings;
  - (B) transmit to the bureau:
    - (i) the amount withheld for delinquent child support; and
    - (ii) identifying information, including the full name, address, and Social Security number of the obligor and the child support case identifier, the date and amount of the payment, and the name and location of the licensed owner, operating agent, **vendor**, or trustee; and
  - (C) issue the obligor a receipt in a form prescribed by the bureau with the total amount withheld for delinquent child support and the administrative fee.

~~(e)~~ **(d)** The bureau shall notify the obligor at the address provided by the certificate holder **or vendor** that the bureau intends to offset the obligor's delinquent child support with the winnings.

~~(d)~~ **(e)** The bureau shall hold the amount withheld from the winnings of an obligor for ten (10) business days before applying the amount as payment to the obligor's delinquent child support.

~~(e)~~ **(f)** The delinquent child support required to be withheld under this section and an administrative fee described under subsection ~~(b)~~**(1)** **(c)(1)** have priority over any secured or unsecured claim on winnings except claims for federal or state taxes that are required to be withheld under federal or state law."

Page 2, delete lines 1 through 23.

Page 4, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 6. IC 31-27-3-3, AS AMENDED BY P.L.81-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) An applicant must apply for a child caring institution license on forms provided by the department.

(b) An applicant must submit the required information as part of the application.

(c) The applicant must submit with the application a statement attesting the following:

- (1) Whether the applicant has been convicted of:
  - (A) a felony; or
  - (B) a misdemeanor relating to the health and safety of children.



- (2) Whether the applicant has been charged with:
- (A) a felony; or
  - (B) a misdemeanor relating to the health and safety of children;
- during the pendency of the application.

(d) The department, on behalf of an applicant, or, at the discretion of the department, an applicant, shall conduct a criminal history check of the following:

- (1) Each individual who is an applicant.
- (2) The director or manager of a facility where children will be placed.
- (3) Each employee ~~or volunteer~~ of the applicant.
- (4) Each contractor or individual working in the child caring institution who is likely to have unsupervised contact with children in the child caring institution.
- (5) Each volunteer of the applicant who is likely to have:**
  - (A) unsupervised contact with children in the child caring institution; or**
  - (B) access to a child's electronic or physical medical records.**

(e) If the applicant conducts a criminal history check under subsection (d), the applicant shall:

- (1) maintain records of the information it receives concerning each individual who is the subject of a criminal history check; and
- (2) submit to the department a copy of the information it receives concerning each person described in subsection (d)(1) through ~~(d)(4)~~ **(d)(5)**.

(f) If the department conducts a criminal history check on behalf of an applicant under subsection (d), the department shall:

- (1) determine whether the subject of a national fingerprint based criminal history check has a record of:
  - (A) a conviction for a felony;
  - (B) a conviction for a misdemeanor relating to the health and safety of a child; or
  - (C) a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony;
- (2) notify the applicant of the determination under subdivision (1) without identifying a specific offense or other identifying information concerning a conviction or juvenile adjudication contained in the national criminal history record information;
- (3) submit to the applicant a copy of any state limited criminal



history report that the department receives on behalf of any person described in subsection (d); and

(4) maintain a record of every report and all information the department receives concerning a person described in subsection (d).

(g) Except as provided in subsection (h), a criminal history check described in subsection (d) is required only at the time an application for a new license or the renewal of an existing license is submitted.

(h) Except as provided in subsection (i), a criminal history check of each person described in subsection (d)(2) ~~(d)(3)~~; or ~~(d)(4)~~ **through (d)(5)** must be completed on or before the date the person:

(1) is employed;

(2) is assigned as a volunteer; or

(3) enters into, or the person's employing entity enters into, a contract with the applicant.

(i) An individual may be employed by a child caring institution as an employee, volunteer, or contractor before a criminal history check of the individual is completed as required under subsection (h) if all of the following conditions are satisfied:

(1) The following checks have been completed regarding the individual:

(A) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1).

(B) A national sex offender registry check under IC 31-9-2-22.5(3).

(C) An in-state local criminal records check under IC 31-9-2-22.5(4).

(D) An in-state child protection index check under IC 31-33-26.

(2) If the individual has resided outside Indiana at any time during the five (5) years preceding the individual's date of hiring by the child caring institution, the following checks have been requested regarding the individual:

(A) An out-of-state child abuse registry check under IC 31-9-2-22.5(2).

(B) An out-of-state local criminal records check under IC 31-9-2-22.5(4).

(3) The individual's employment before the completion of the criminal history check required under subsection (h) is limited to training during which the individual:

(A) does not have contact with children who are under the care and control of the child caring institution; and



(B) does not have access to records containing information regarding children who are under the care and control of the child caring institution.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation.

(j) The applicant or facility is responsible for any fees associated with a criminal history check.

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective services investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person."

Delete pages 5 through 6.

Page 7, delete lines 1 through 34.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1092 as reprinted January 29, 2026.)

CARRASCO, Chairperson

Committee Vote: Yeas 10, Nays 0.

