

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 ENROLLED ACT No. 1092

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:

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:

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

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- (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.

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

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

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

SECTION 3. IC 31-16-9-1, AS AMENDED BY P.L.150-2018, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) This subsection applies before January 1, 2007. Upon entering an order for support in:

- (1) a dissolution of marriage decree under IC 31-15-2;
- (2) a legal separation decree under IC 31-15-3; or



(3) a child support decree under IC 31-16-2;
the court shall require that support payments be made through the clerk of the circuit court as trustee for remittance to the person entitled to receive payments, unless the court has reasonable grounds for providing or approving another method of payment.

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

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

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

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

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

- (1) The:
 - (A) name if known;
 - (B) sex, race, and age if known, or if unknown, the approximate age; and
 - (C) place of birth;
 of the child sought to be adopted.
- (2) The new name to be given the child if a change of name is desired.
- (3) Whether or not the child possesses real or personal property and, if so, the value and full description of the property.
- (4) The:
 - (A) name, age, and place of residence of a petitioner for adoption; and
 - (B) if married, place and date of their marriage.
- (5) The name and place of residence, if known to the petitioner for adoption, of:
 - (A) the parent or parents of the child;



- (B) if the child is an orphan:
 - (i) the guardian; or
 - (ii) the nearest kin of the child if the child does not have a guardian;
- (C) the court or agency of which the child is a ward if the child is a ward; or
- (D) the agency sponsoring the adoption if there is a sponsor.
- (6) The time, if any, during which the child lived in the home of the petitioner for adoption.
- (7) Whether the petitioner for adoption has been convicted of:
 - (A) a felony; or
 - (B) a misdemeanor relating to the health and safety of children;
 and, if so, the date and description of the conviction.
- (8) Whether or not a current, ongoing child support order or medical support order is in effect for the child sought to be adopted.

(9) If a child sought to be adopted is the subject of an open or pending:

- (A) child in need of services proceeding under IC 31-34; or**
 - (B) delinquency proceeding under IC 31-37;**
- except an informal adjustment, the court in which the proceeding is open or pending, the cause number, and the case number, if known.**

~~(9)~~ **(10)** Additional information consistent with the purpose and provisions of this article that is considered relevant to the proceedings.

(b) If a current, ongoing child support order or medical support order is in effect for the child as described in subsection (a)(8), all of the following must be filed with the petition described under subsection (a):

- (1) A copy of the child support order or medical support order.
- (2) A statement as to whether the child support order or medical support order is enforced by the prosecuting attorney through the Title IV-D child support program under IC 31-25-4.

SECTION 5. 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.

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

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

(A) the applicant; or

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

(2) A criminal conviction of the applicant, or the director or manager of a facility where children will be placed by the



applicant, of:

- (A) a felony;
 - (B) a misdemeanor related to the health and safety of a child;
 - (C) a misdemeanor for operating a child caring institution, foster family home, group home, or child placing agency without a license under this article (or IC 12-17.4 before its repeal); or
 - (D) a misdemeanor for operating a child care center or child care home without a license under IC 12-17.2.
- (3) A determination by the department that the applicant made false statements in the applicant's application for licensure.
- (4) A determination by the department that the applicant made false statements in the records required by the department.
- (5) A determination by the department that:
- (A) the applicant; or
 - (B) an employee, volunteer, or contractor of the applicant; previously operated a home or facility without a license required under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.
- (6) A juvenile adjudication of the applicant for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony.
- (7) A determination by the department that the applicant was previously licensed under this article and the license was revoked within one (1) year of the current application.**
- (b) An application for a license may also be denied if an employee, volunteer, or contractor of the applicant has had any of the following:
- (1) A conviction of a nonwaivable offense, as defined in IC 31-9-2-84.8.
 - (2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the applicant is granted a waiver by the department with regard to the employee, volunteer, or contractor.
 - (3) 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, unless the applicant is granted a waiver by the department with regard to the employee, volunteer, or contractor.
- (c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:
- (1) The length of time that has passed since the disqualifying conviction.
 - (2) The severity, nature, and circumstances of the offense.



(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

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

SECTION 7. IC 31-27-5-6, AS AMENDED BY P.L.243-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The following constitute sufficient grounds for a denial of a license application:

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

(A) the applicant; or

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

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

(A) A felony.

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

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

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

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

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

(5) A determination by the department that:

(A) the applicant; or

(B) an employee, volunteer, or contractor of the applicant; previously operated a home or facility without a license required



under any applicable provision of this article (or IC 12-17.4 before its repeal) or IC 12-17.2.

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

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

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

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

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the applicant is granted a waiver by the department to employ or assign the person as a volunteer in a position described in this subsection.

(3) 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, unless the applicant is granted a waiver by the department to employ or assign the person as a volunteer in a position described in this subsection.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

(1) The length of time that has passed since the disqualifying conviction.

(2) The severity, nature, and circumstances of the offense.

(3) Evidence of rehabilitation.

(4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

(1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and

(2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

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

SECTION 8. IC 31-27-6-3, AS AMENDED BY P.L.243-2019,



SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds for denial of a license application:

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

(A) the applicant; or

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

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

(A) A felony.

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

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

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

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

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

(5) A determination by the department that:

(A) the applicant; or

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

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

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

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

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

(2) A conviction of any other felony or a misdemeanor relating to the health and safety of a child, unless the applicant is granted a waiver by the department with regard to the employee, volunteer, or contractor.



(3) 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, unless the applicant is granted a waiver by the department with regard to the employee, volunteer, or contractor.

(c) In determining whether to grant a waiver under subsection (b), the department shall consider the following factors:

- (1) The length of time that has passed since the disqualifying conviction.
- (2) The severity, nature, and circumstances of the offense.
- (3) Evidence of rehabilitation.
- (4) The duties and qualifications required for the proposed employment positions, volunteer assignment, or contract.

(d) Notwithstanding subsection (a) or (b), if:

- (1) a license application could be denied due to a criminal conviction of, or a determination of child abuse or neglect by, an employee, volunteer, or contractor of the applicant; and
- (2) the department determines that the employee, volunteer, or contractor has been dismissed by the applicant within a reasonable time after the applicant became aware of the conviction or determination;

the criminal conviction of, or determination of child abuse or neglect by, the former employee, former volunteer, or former contractor does not constitute a sufficient basis for the denial of a license application.

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

SECTION 9. 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 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.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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