



Adopted

Rejected

COMMITTEE REPORT

YES: 11
NO: 0

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:*

- 1 Page 3, delete lines 20 through 30.
- 2 Page 3, line 35, after "Sec. 1." insert "(a)".
- 3 Page 3, line 38, delete "article." and insert "article, including:
- 4 (1) dates of scheduled hearings and the purpose of each
- 5 hearing;
- 6 (2) any placement order regarding the child; and
- 7 (3) any permanency plan for the child.
- 8 (b) Any communication between the courts under this section is
- 9 for the purpose of ensuring the best interest of the child."
- 10 Page 3, delete lines 39 through 42.
- 11 Page 4, delete lines 1 through 2.
- 12 Page 4, line 3, delete "Sec. 3." and insert "Sec. 2."
- 13 Page 4, line 3, delete "sections" and insert "section".

- 1 Page 4, line 4, delete "and 2".
- 2 Page 5, line 8, delete "number." and insert "**number, if known.**".
- 3 Page 5, between lines 19 and 20, begin a new paragraph and insert:
- 4 "SECTION 7. IC 31-19-2-12, AS AMENDED BY P.L.128-2012,
- 5 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY 1, 2026]: Sec. 12. As soon as a petition for adoption is found to
- 7 be in proper form, the clerk of the court shall:
- 8 (1) forward one (1) copy of the petition for adoption to a licensed
- 9 child placing agency as described in IC 31-9-2-17.5, with
- 10 preference to be given to the agency, if any, sponsoring the
- 11 adoption, as shown by the petition for adoption; **and**
- 12 (2) **if the child is in the care and custody of the department,**
- 13 **forward an additional copy of the petition to the**
- 14 **department.**".
- 15 Page 6, delete lines 5 through 7.
- 16 Page 14, line 16, delete "(a) Subject to subsections (b)".
- 17 Page 14, delete lines 17 through 19.
- 18 Page 14, line 20, delete "(b)".
- 19 Page 14, run in lines 16 through 20.
- 20 Page 14, line 33, delete ":".
- 21 Page 14, delete lines 34 through 35.
- 22 Page 14, line 36, delete "(B)".
- 23 Page 14, run in lines 33 through 36.
- 24 Page 14, delete lines 38 through 41, begin a new paragraph and
- 25 insert:
- 26 "SECTION 15. IC 31-33-8-7, AS AMENDED BY P.L.213-2021,
- 27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2026]: Sec. 7. (a) The department's assessment, to the extent
- 29 that is reasonably possible, must include the following:
- 30 (1) The nature, extent, and cause of the known or suspected child
- 31 abuse or neglect.
- 32 (2) The identity of the person allegedly responsible for the child
- 33 abuse or neglect.
- 34 (3) The names and conditions of other children in the home.
- 35 (4) An evaluation of the parent, guardian, custodian, or person
- 36 responsible for the care of the child.
- 37 (5) The home environment and the relationship of the child to the
- 38 parent, guardian, or custodian or other persons responsible for the

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

- 1 less than one (1) employee, shall grant access to the department to
 2 interview the child alone, if the department employee presents:
- 3 (1) their ~~credentials as a department case worker~~, **department**
 4 **issued credential**, or other proof of employment with the
 5 department, for inspection upon arrival at the school; and
 - 6 (2) a written statement that the department "has parental consent
 7 or a court order, or exigent circumstances exist as defined by
 8 IC 31-9-2-44.1 to interview [insert child's name]". The written
 9 statement under this subdivision shall not disclose any of the facts
 10 of the allegations or evidence and may be transmitted to the
 11 school electronically.
 - 12 (g) If the department provides a written statement under subsection
 13 (f)(2), the school shall:
 - 14 (1) not maintain the written statement in the child's file; and
 - 15 (2) protect the child and the child's family's confidentiality
 16 regarding the written statement and the interview.
 - 17 (h) If a parent, guardian, or custodian of a child who is the subject
 18 of a substantiated investigation of abuse or neglect is an active duty
 19 member of the military, the department shall notify the United States
 20 Department of Defense Family Advocacy Program of the assessment
 21 concerning the child of the active duty member of the military upon
 22 request."
 - 23 Renumber SECTIONS consecutively.
 (Reference is to HB 1092 as introduced.)

and when so amended that said bill do pass.

Representative DeVon