
HOUSE BILL No. 1092

AM109207 has been incorporated into January 29, 2026 printing.

Synopsis: Child services matters.

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Reprinted
January 29, 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.

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HOUSE BILL No. 1092

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 shall provide information to a
4 certificate holder concerning persons who are delinquent in child
5 support.
6 (b) Prior to a certificate holder disbursing a payout of six hundred
7 dollars (\$600) or more, in winnings, from sports wagering to a person
8 who is delinquent in child support and who is claiming the winning
9 sports wager in person at the certificate holder's facility, **or is**
10 **requesting a withdrawal from the person's mobile sports wagering**
11 **account**, the certificate holder:
12 (1) may deduct and retain an administrative fee in the amount of
13 the lesser of:
14 (A) three percent (3%) of the amount of delinquent child
15 support withheld under subdivision (2)(A); or
16 (B) one hundred dollars (\$100); and
17 (2) shall:

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- 1 (A) withhold the amount of delinquent child support owed
- 2 from winnings;
- 3 (B) transmit to the bureau:
 - 4 (i) the amount withheld for delinquent child support;
 - 5 and
 - 6 (ii) identifying information, including the full name,
 - 7 address, and Social Security number of the obligor and
 - 8 the child support case identifier, the date and amount
 - 9 of the payment, and the name and location of the
 - 10 licensed owner, operating agent, or trustee; and
 - 11 (C) issue the obligor a receipt in a form prescribed by the
 - 12 bureau with the total amount withheld for delinquent child
 - 13 support and the administrative fee.

14 (c) The bureau shall notify the obligor at the address provided by
 15 the certificate holder that the bureau intends to offset the obligor's
 16 delinquent child support with the winnings.

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

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

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

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

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

36 SECTION 3. IC 31-16-9-1, AS AMENDED BY P.L.150-2018,
 37 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 1. (a) This subsection applies before January 1,
 39 2007. Upon entering an order for support in:

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

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

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

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

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

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

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

- 25 (1) The:
 - 26 (A) name if known;
 - 27 (B) sex, race, and age if known, or if unknown, the
 - 28 approximate age; and
 - 29 (C) place of birth;

30 of the child sought to be adopted.

31 (2) The new name to be given the child if a change of name is
 32 desired.

33 (3) Whether or not the child possesses real or personal property
 34 and, if so, the value and full description of the property.

35 (4) The:

- 36 (A) name, age, and place of residence of a petitioner for
- 37 adoption; and
- 38 (B) if married, place and date of their marriage.

39 (5) The name and place of residence, if known to the petitioner
 40 for adoption, of:

- 41 (A) the parent or parents of the child;
- 42 (B) if the child is an orphan:

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

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- 1 attesting the following:
- 2 (1) Whether the applicant has been convicted of:
- 3 (A) a felony; or
- 4 (B) a misdemeanor relating to the health and safety of
- 5 children.
- 6 (2) Whether the applicant has been charged with:
- 7 (A) a felony; or
- 8 (B) a misdemeanor relating to the health and safety of
- 9 children;
- 10 during the pendency of the application.
- 11 (d) The department, on behalf of an applicant, or, at the discretion
- 12 of the department, an applicant, shall conduct a criminal history check
- 13 of the following:
- 14 (1) Each individual who is an applicant.
- 15 (2) The director or manager of a facility where children will be
- 16 placed.
- 17 (3) Each employee ~~or volunteer~~ of the applicant.
- 18 (4) Each **volunteer**, contractor, or individual working in the
- 19 child caring institution who is likely to have unsupervised
- 20 contact with children in the child caring institution **or will have**
- 21 **access to the child's information.**
- 22 (e) If the applicant conducts a criminal history check under
- 23 subsection (d), the applicant shall:
- 24 (1) maintain records of the information it receives concerning
- 25 each individual who is the subject of a criminal history check;
- 26 and
- 27 (2) submit to the department a copy of the information it receives
- 28 concerning each person described in subsection (d)(1) through
- 29 (d)(4).
- 30 (f) If the department conducts a criminal history check on behalf
- 31 of an applicant under subsection (d), the department shall:
- 32 (1) determine whether the subject of a national fingerprint based
- 33 criminal history check has a record of:
- 34 (A) a conviction for a felony;
- 35 (B) a conviction for a misdemeanor relating to the health
- 36 and safety of a child; or
- 37 (C) a juvenile adjudication for a nonwaivable offense, as
- 38 defined in IC 31-9-2-84.8 that, if committed by an adult,
- 39 would be a felony;
- 40 (2) notify the applicant of the determination under subdivision
- 41 (1) without identifying a specific offense or other identifying
- 42 information concerning a conviction or juvenile adjudication

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- 1 contained in the national criminal history record information;
 2 (3) submit to the applicant a copy of any state limited criminal
 3 history report that the department receives on behalf of any
 4 person described in subsection (d); and
 5 (4) maintain a record of every report and all information the
 6 department receives concerning a person described in subsection
 7 (d).
- 8 (g) Except as provided in subsection (h), a criminal history check
 9 described in subsection (d) is required only at the time an application
 10 for a new license or the renewal of an existing license is submitted.
- 11 (h) Except as provided in subsection (i), a criminal history check
 12 of each person described in subsection (d)(2), (d)(3), or (d)(4) must be
 13 completed on or before the date the person:
 14 (1) is employed;
 15 (2) is assigned as a volunteer; or
 16 (3) enters into, or the person's employing entity enters into, a
 17 contract with the applicant.
- 18 (i) An individual may be employed by a child caring institution as
 19 an employee, volunteer, or contractor before a criminal history check
 20 of the individual is completed as required under subsection (h) if all of
 21 the following conditions are satisfied:
 22 (1) The following checks have been completed regarding the
 23 individual:
 24 (A) A fingerprint based check of national crime information
 25 data bases under IC 31-9-2-22.5(1).
 26 (B) A national sex offender registry check under
 27 IC 31-9-2-22.5(3).
 28 (C) An in-state local criminal records check under
 29 IC 31-9-2-22.5(4).
 30 (D) An in-state child protection index check under
 31 IC 31-33-26.
- 32 (2) If the individual has resided outside Indiana at any time
 33 during the five (5) years preceding the individual's date of hiring
 34 by the child caring institution, the following checks have been
 35 requested regarding the individual:
 36 (A) An out-of-state child abuse registry check under
 37 IC 31-9-2-22.5(2).
 38 (B) An out-of-state local criminal records check under
 39 IC 31-9-2-22.5(4).
- 40 (3) The individual's employment before the completion of the
 41 criminal history check required under subsection (h) is limited
 42 to training during which the individual:

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

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

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1 employment positions, volunteer assignment, or contract.

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

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

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

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

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

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

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

20 (A) the applicant; or

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

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

25 (A) A felony.

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

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

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

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

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

38 (5) A determination by the department that:

39 (A) the applicant; or

40 (B) an employee, volunteer, or contractor of the applicant;
41 previously operated a home or facility without a license required
42 under any applicable provision of this article (or IC 12-17.4

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1 before its repeal) or IC 12-17.2.
 2 (6) A juvenile adjudication of the applicant for a nonwaivable
 3 offense, as defined in IC 31-9-2-84.8 that, if committed by an
 4 adult, would be a felony.
 5 **(7) A determination by the department that the applicant**
 6 **was previously licensed under this article and the license was**
 7 **revoked within one (1) year of the current application.**
 8 (b) An application for a license may also be denied if an employee,
 9 volunteer, or contractor of the applicant has had any of the following:
 10 (1) A conviction of a nonwaivable offense, as defined in
 11 IC 31-9-2-84.8.
 12 (2) A conviction of any other felony or a misdemeanor relating
 13 to the health and safety of a child, unless the applicant is granted
 14 a waiver by the department to employ or assign the person as a
 15 volunteer in a position described in this subsection.
 16 (3) A juvenile adjudication for a nonwaivable offense, as defined
 17 in IC 31-9-2-84.8 that, if committed by an adult, would be a
 18 felony, unless the applicant is granted a waiver by the
 19 department to employ or assign the person as a volunteer in a
 20 position described in this subsection.
 21 (c) In determining whether to grant a waiver under subsection (b),
 22 the department shall consider the following factors:
 23 (1) The length of time that has passed since the disqualifying
 24 conviction.
 25 (2) The severity, nature, and circumstances of the offense.
 26 (3) Evidence of rehabilitation.
 27 (4) The duties and qualifications required for the proposed
 28 employment positions, volunteer assignment, or contract.
 29 (d) Notwithstanding subsection (a) or (b), if:
 30 (1) a license application could be denied due to a criminal
 31 conviction of, or a determination of child abuse or neglect by, an
 32 employee, volunteer, or contractor of the applicant; and
 33 (2) the department determines that the employee, volunteer, or
 34 contractor has been dismissed by the applicant within a
 35 reasonable time after the applicant became aware of the
 36 conviction or determination;
 37 the criminal conviction of, or determination of child abuse or neglect
 38 by, the former employee, former volunteer, or former contractor does
 39 not constitute a sufficient basis for the denial of a license application.
 40 (e) The department may adopt rules to implement this section.
 41 SECTION 8. IC 31-27-6-3, AS AMENDED BY P.L.243-2019,
 42 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 3. (a) The following constitute sufficient grounds
 2 for denial of a license application:
 3 (1) A determination by the department of child abuse or neglect
 4 by:
 5 (A) the applicant; or
 6 (B) an employee, volunteer, or contractor of the applicant.
 7 (2) A criminal conviction of the applicant, or the director or
 8 manager of a facility where children will be placed by the
 9 licensee, for any of the following:
 10 (A) A felony.
 11 (B) A misdemeanor related to the health and safety of a
 12 child.
 13 (C) A misdemeanor for operating a child caring institution,
 14 foster family home, group home, or child placing agency
 15 without a license under this article (or IC 12-17.4 before its
 16 repeal).
 17 (D) A misdemeanor for operating a child care center or
 18 child care home without a license under IC 12-17.2.
 19 (3) A determination by the department that the applicant made
 20 false statements in the applicant's application for licensure.
 21 (4) A determination by the department that the applicant made
 22 false statements in the records required by the department.
 23 (5) A determination by the department that:
 24 (A) the applicant; or
 25 (B) an employee, volunteer, or contractor of the applicant;
 26 previously operated a home or facility without a license required
 27 under any applicable provision of this article (or IC 12-17.4
 28 before its repeal) or IC 12-17.2.
 29 (6) A juvenile adjudication of the applicant for a nonwaivable
 30 offense, as defined in IC 31-9-2-84.8 that, if committed by an
 31 adult, would be a felony.
 32 **(7) A determination by the department that the applicant**
 33 **was previously licensed under this article and the license was**
 34 **revoked within one (1) year of the current application.**
 35 (b) An application for a license may also be denied if an employee,
 36 volunteer, or contractor of the applicant has had any of the following:
 37 (1) A conviction of a nonwaivable offense, as defined in
 38 IC 31-9-2-84.8.
 39 (2) A conviction of any other felony or a misdemeanor relating
 40 to the health and safety of a child, unless the applicant is granted
 41 a waiver by the department with regard to the employee,
 42 volunteer, or contractor.

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

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

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1 facts of the allegations or evidence and may be transmitted to the
2 school electronically.
3 (g) If the department provides a written statement under
4 subsection (f)(2), the school shall:
5 (1) not maintain the written statement in the child's file; and
6 (2) protect the child and the child's family's confidentiality
7 regarding the written statement and the interview.
8 (h) If a parent, guardian, or custodian of a child who is the subject
9 of a substantiated investigation of abuse or neglect is an active duty
10 member of the military, the department shall notify the United States
11 Department of Defense Family Advocacy Program of the assessment
12 concerning the child of the active duty member of the military upon
13 request.

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