

HOUSE BILL No. 1157

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-10-2-2; IC 31-14; IC 31-17.

Synopsis: Maximum practical parenting time. Requires a court in certain circumstances to make decisions to promote continuity of relationship by both parents with the child through maximum practical parenting time with each parent. Provides that the ability of the parties to encourage the sharing of love, affection, and contact between the child and the other party is a permissible factor to consider in weighing the best interests of a child. Provides that: (1) parents must be encouraged to develop the parents' own parenting plans and parenting time calendars, but if the parents cannot agree to a part of the plan, the court shall provide the required components according to the best interests of the child; (2) if the parents are in total disagreement, the parenting time guidelines apply; and (3) the court must make specific findings of fact and conclusions of law on the record to support any deviation of parenting time that falls below the minimum standards in the parenting time guidelines.

Effective: July 1, 2026.

VanNatter

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



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1157

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 31-10-2-2, AS ADDED BY P.L.210-2019,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 2. **(a) For purposes of:**

4 **(1) IC 31-14;**

5 **(2) IC 31-15-4-8; and**

6 **(3) IC 31-17;**

7 **the court shall consider the best interests of the child, which**
8 **includes promoting continuity of relationship by both parents with**
9 **the child through maximum practical parenting time with each**
10 **parent, when making any decision concerning the child.**

11 **(b) For purposes of:**

12 **(1) IC 31-33;**

13 **(2) IC 31-34; and**

14 **(3) IC 31-35;**

15 all decisions made by the department or the court shall be made in
16 consideration of the best interests of the child or children concerned.

17 SECTION 2. IC 31-14-13-2 IS AMENDED TO READ AS



FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The court shall determine custody in accordance with the best interests of the child. In determining the child's best interests, there is not a presumption favoring either parent. The court shall consider all relevant factors, including the following:

- (1) The age and sex of the child.
- (2) The wishes of the child's parents.
- (3) The wishes of the child, with more consideration given to the child's wishes if the child is at least fourteen (14) years of age.
- (4) The interaction and interrelationship of the child with:
 - (A) the child's parents;
 - (B) the child's siblings; and
 - (C) any other person who may significantly affect the child's best interest.
- (5) The child's adjustment to home, school, and community.
- (6) The mental and physical health of all individuals involved.
- (7) The ability of the parties to encourage the sharing of love, affection, and contact between the child and the other party.**
- ~~(7)~~ **(8)** Evidence of a pattern of domestic or family violence by either parent.
- ~~(8)~~ **(9)** Evidence that the child has been cared for by a de facto custodian, and if the evidence is sufficient, the court shall consider the factors described in section 2.5(b) of this chapter.

SECTION 3. IC 31-14-13-2.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.4. (a) Parents must be encouraged to develop the parents' own parenting plans and parenting time calendars to be submitted under joint signature for approval by the court. If the parents are unable to agree to a part of the plan, the court shall provide the required components according to the best interests of the child.**

(b) If the parents are in total disagreement under subsection (a), the parenting time guidelines apply.

(c) The court must make specific findings of fact and conclusions of law on the record to support any deviation of parenting time that falls below the minimum standards in the parenting time guidelines.

SECTION 4. IC 31-14-14-1, AS AMENDED BY P.L.223-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A noncustodial parent is entitled to ~~reasonable~~ **maximum practical** parenting time rights unless the court finds, after a hearing, that parenting time might:



(1) endanger the child's physical health and well-being; or

(2) significantly impair the child's emotional development.

(b) The court may interview the child in chambers to assist the court in determining the child's perception of whether parenting time by the noncustodial parent might endanger the child's physical health or significantly impair the child's emotional development.

(c) In a hearing under subsection (a), there is a rebuttable presumption that a person who has been convicted of:

(1) child molesting (IC 35-42-4-3); or

(2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)); might endanger the child's physical health and well-being or significantly impair the child's emotional development.

(d) Except as provided in subsection (e), if a court grants parenting time rights to a person who has been convicted of:

(1) child molesting (IC 35-42-4-3); or

(2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)); there is a rebuttable presumption that the parenting time with the child must be supervised.

(e) If a court grants parenting time rights to a person who has been convicted of:

(1) child molesting (IC 35-42-4-3); or

(2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)); within the previous five (5) years, the court shall order that the parenting time with the child must be supervised.

(f) The court may permit counsel to be present at the interview. If counsel is present:

(1) a record may be made of the interview; and

(2) the interview may be made part of the record for purposes of appeal.

SECTION 5. IC 31-17-2-8, AS AMENDED BY P.L.194-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. The court shall determine custody and enter a custody order in accordance with the best interests of the child. In determining the best interests of the child, there is no presumption favoring either parent. The court shall consider all relevant factors, including the following:

(1) The age and sex of the child.

(2) The wishes of the child's parent or parents.

(3) The wishes of the child, with more consideration given to the child's wishes if the child is at least fourteen (14) years of age.

(4) The interaction and interrelationship of the child with:

(A) the child's parent or parents;



- 1 (B) the child's sibling; and
 2 (C) any other person who may significantly affect the child's
 3 best interests.
 4 (5) The child's adjustment to the child's:
 5 (A) home;
 6 (B) school; and
 7 (C) community.
 8 (6) The mental and physical health of all individuals involved.
 9 **(7) The ability of the parties to encourage the sharing of love,**
 10 **affection, and contact between the child and the other party.**
 11 ~~(7)~~ **(8)** Evidence of a pattern of domestic or family violence by
 12 either parent.
 13 ~~(8)~~ **(9)** Evidence that the child has been cared for by a de facto
 14 custodian, and if the evidence is sufficient, the court shall
 15 consider the factors described in section 8.5(b) of this chapter.
 16 ~~(9)~~ **(10)** A designation in a power of attorney of:
 17 (A) the child's parent; or
 18 (B) a person found to be a de facto custodian of the child.

19 SECTION 6. IC 31-17-2-8.6 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 21 1, 2026]: **Sec. 8.6. (a) Parents must be encouraged to develop the**
 22 **parents' own parenting plans and parenting time calendars to be**
 23 **submitted under joint signature for approval by the court. If the**
 24 **parents are unable to agree to a part of the plan, the court shall**
 25 **provide the required components according to the best interests of**
 26 **the child.**

27 **(b) If the parents are in total disagreement under subsection (a),**
 28 **the parenting time guidelines apply.**

29 **(c) The court must make specific findings of fact and**
 30 **conclusions of law on the record to support any deviation of**
 31 **parenting time that falls below the minimum standards in the**
 32 **parenting time guidelines.**

33 SECTION 7. IC 31-17-4-1, AS AMENDED BY P.L.146-2021,
 34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 1. (a) Subject to subsections (d) and (e) and
 36 subject to section 1.1 of this chapter, a parent not granted custody of
 37 the child is entitled to ~~reasonable~~ **maximum practical** parenting time
 38 rights unless the court finds, after a hearing, that parenting time by the
 39 noncustodial parent might endanger the child's physical health or
 40 significantly impair the child's emotional development.

41 (b) The court may interview the child in chambers to assist the court
 42 in determining the child's perception of whether parenting time by the



1 noncustodial parent might endanger the child's physical health or
2 significantly impair the child's emotional development.

3 (c) The court may permit counsel to be present at the interview. If
4 counsel is present:

5 (1) a record may be made of the interview; and

6 (2) the interview may be made part of the record for purposes of
7 appeal.

8 (d) Except as provided in subsection (e), if a court grants parenting
9 time rights to a person who has been convicted of:

10 (1) child molesting (IC 35-42-4-3); or

11 (2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c));

12 there is a rebuttable presumption that the parenting time with the child
13 must be supervised.

14 (e) If a court grants parenting time rights to a person who has been
15 convicted of:

16 (1) child molesting (IC 35-42-4-3); or

17 (2) child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c));

18 within the previous five (5) years, the court shall order that the
19 parenting time with the child must be supervised.

