



Adopted	Rejected
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## COMMITTEE REPORT

YES: 13  
NO: 0

### MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1286, 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 2, line 11, delete "must" and insert "**may**".
- 2       Page 6, after line 1, begin a new paragraph and insert:  
3       "SECTION 3. IC 34-26-5-17, AS AMENDED BY P.L.161-2018,  
4       SECTION 110, IS AMENDED TO READ AS FOLLOWS  
5       [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) A foreign protection order  
6       is facially valid if it:
  - 7           (1) identifies the protected person and the respondent;
  - 8           (2) is currently in effect;
  - 9           (3) was issued by a state, **Canadian**, or tribal court with  
10          jurisdiction over the:
    - 11           (A) parties; and
    - 12           (B) subject matter;
  - 13          under the law of the issuing state, **Canada**, or **the** Indian tribe;
  - 14          and

(4) was issued after a respondent was given reasonable notice and an opportunity to be heard sufficient to protect the respondent's right to due process. In the case of an ex parte order, notice and opportunity to be heard must be provided within the time required by state, **Canadian**, or tribal law and within a reasonable time after the order is issued sufficient to protect the respondent's due process rights.

8 (b) A facially valid foreign protection order is *prima facie* evidence  
9 of its validity. The protection order may be inscribed on a tangible  
10 medium or stored in an electronic or other medium if it is retrievable  
11 in perceptible form. Presentation of a certified copy of an order for  
12 protection is not required for enforcement.

22 (1) a separate petition or motion was filed by a respondent;  
23 (2) the issuing court has reviewed each motion separately and  
24 granted or denied each on its individual merits; and  
25 (3) separate orders were issued and the issuing court made  
26 specific findings that each party was entitled to an order.

(e) Registration or filing of a foreign protection order is not a prerequisite to enforcement of the order in Indiana, and a protection order that is consistent with this section shall be accorded full faith and credit notwithstanding a failure to register or file the order in Indiana. However, if a petitioner wishes to register a foreign protection order in Indiana, all Indiana courts of record shall accommodate the request. The office of judicial administration shall develop a form to be used by courts, clerks, and law enforcement agencies when a petitioner makes a request to register a foreign protection order. Except for a protective order issued to the Indiana protective order registry established by IC 5-2-9-5.5, the courts, clerks of the courts, and sheriffs or law enforcement agencies maintaining depositories shall employ the same

1       procedures required under IC 5-2-9-6 for entering, modifying,  
2       extending, or terminating a foreign protection order as those used for  
3       a protection order and a no contact order originating in Indiana.

4       (f) A facially valid foreign protection order shall be enforced by a  
5       law enforcement officer and a state court as if it were an order  
6       originating in Indiana. The order must be enforced if the foreign  
7       protection order contains relief that the state courts lack the power to  
8       provide in an order for protection issued in Indiana.

9       (g) An Indiana law enforcement officer:

10       (1) may not require notification, registration, or filing of a facially  
11       valid foreign order for protection as a prerequisite to enforcement  
12       of an order;

13       (2) if a foreign protection order is not presented, may consider  
14       other information to determine under a totality of the  
15       circumstances whether there is probable cause to believe that a  
16       valid foreign order for protection exists; and

17       (3) who determines that an otherwise valid foreign protection  
18       order cannot be enforced because a respondent has not been  
19       notified or served with the order, shall:

20       (A) inform the respondent of the order;

21       (B) serve the order on the respondent;

22       (C) ensure that the order and service of the order are entered  
23       into the state depository;

24       (D) allow the respondent a reasonable opportunity to comply  
25       with the order before enforcing the order; and

26       (E) ensure the safety of the protected person while giving the  
27       respondent the opportunity to comply with the order.

28       (h) After a foreign protective order is registered, the clerk shall enter  
29       the order in the Indiana protective order registry established by  
30       IC 5-2-9-5.5.".

31       Renumber all SECTIONS consecutively.

(Reference is to HB 1286 as introduced.)

**and when so amended that said bill do pass.**

**Representative Jeter**