



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.

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

(c) Except as provided in subsection (d), a protection order that is facially valid and issued by a court of a state (issuing state), **Canada**, or **an** Indian tribe shall be accorded full faith and credit by Indiana courts.

(d) A mutual foreign protection order is not entitled to full faith and credit if the order is issued by a state, **Canadian**, or tribal court against a person who has petitioned, filed a complaint, or otherwise filed a written pleading for protection against a family or household member, unless:

(1) a separate petition or motion was filed by a respondent;

(2) the issuing court has reviewed each motion separately and granted or denied each on its individual merits; and

(3) separate orders were issued and the issuing court made 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

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

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

(g) An Indiana law enforcement officer:

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

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

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

(A) inform the respondent of the order;

(B) serve the order on the respondent;

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

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

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

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1286 as introduced.)

and when so amended that said bill do pass.

Representative Jeter