

HOUSE BILL No. 1357

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-26; IC 31-27.

Synopsis: Child services provider background checks. Requires an employee of: (1) a preventative provider that operates a child welfare program; (2) a provider of home based family preservation services; (3) a child caring institution; (4) a group home; or (5) a child placing agency; to undergo a background check once every four years.

Effective: July 1, 2026.

Rowray

January 8, 2026, read first time and referred to Committee on Family, Children and Human Affairs.



Introduced

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. 1357

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 31-26-3.5-5.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 5.5. An employee of a
4 preventative provider that operates a child welfare program shall
5 undergo a background check to which the employee is required by
6 federal law to submit for purposes of the employee's provision of
7 child welfare services:

8 (1) not later than four (4) years after the individual's date of
9 hire; and
10 (2) one (1) time every four (4) years thereafter.

11 SECTION 2. IC 31-26-5-7 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2026]: Sec. 7. An employee of a provider of home based family
14 preservation services shall undergo a background check to which
15 the employee is required by federal law to submit for purposes of
16 the employee's provision of child welfare services:

17 (1) not later than four (4) years after the individual's date of



hire; and

(2) one (1) time every four (4) years thereafter.

SECTION 3. IC 31-27-3-3, AS AMENDED BY P.L.81-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) An applicant must apply for a child caring institution license on forms provided by the department.

(b) An applicant must submit the required information as part of the application.

(c) The applicant must submit with the application a statement attesting the following:

(1) Whether the applicant has been convicted of:

(A) a felony; or

(B) a misdemeanor relating to the health and safety of children.

(2) Whether the applicant has been charged with:

(A) a felony; or

(B) a misdemeanor relating to the health and safety of children;

during the pendency of the application.

(1) Each individual who is an applicant.

(2) The director or manager of a facility where children will be placed.

(3) Each employee or volunteer of the applicant.

(4) Each contractor or individual working in the child caring institution who is likely to have unsupervised contact with children in the child caring institution.

(e) If the applicant conducts a criminal history check under subsection (d), the applicant shall:

(1) maintain records of the information it receives concerning each individual who is the subject of a criminal history check; and
(2) submit to the department a copy of the information it receives concerning each person described in subsection (d)(1) through (d)(4).

(f) If the department conducts a criminal history check on behalf of an applicant under subsection (d), the department shall:

(1) determine whether the subject of a national fingerprint based criminal history check has a record of:

(A) a conviction for a felony;

(B) a conviction for a misdemeanor relating to the health and



1 safety of a child; or
2 (C) a juvenile adjudication for a nonwaivable offense, as
3 defined in IC 31-9-2-84.8 that, if committed by an adult,
4 would be a felony;
5 (2) notify the applicant of the determination under subdivision (1)
6 without identifying a specific offense or other identifying
7 information concerning a conviction or juvenile adjudication
8 contained in the national criminal history record information;
9 (3) submit to the applicant a copy of any state limited criminal
10 history report that the department receives on behalf of any person
11 described in subsection (d); and
12 (4) maintain a record of every report and all information the
13 department receives concerning a person described in subsection
14 (d).
15 (g) Except as provided in subsection (h) **and section 3.5 of this**
16 **chapter**, a criminal history check described in subsection (d) is
17 required only at the time an application for a new license or the renewal
18 of an existing license is submitted.
19 (h) Except as provided in subsection (i), a criminal history check of
20 each person described in subsection (d)(2), (d)(3), or (d)(4) must be
21 completed on or before the date the person:
22 (1) is employed;
23 (2) is assigned as a volunteer; or
24 (3) enters into, or the person's employing entity enters into, a
25 contract with the applicant.
26 (i) An individual may be employed by a child caring institution as
27 an employee, volunteer, or contractor before a criminal history check
28 of the individual is completed as required under subsection (h) if all of
29 the following conditions are satisfied:
30 (1) The following checks have been completed regarding the
31 individual:
32 (A) A fingerprint based check of national crime information
33 data bases under IC 31-9-2-22.5(1).
34 (B) A national sex offender registry check under
35 IC 31-9-2-22.5(3).
36 (C) An in-state local criminal records check under
37 IC 31-9-2-22.5(4).
38 (D) An in-state child protection index check under
39 IC 31-33-26.
40 (2) If the individual has resided outside Indiana at any time during
41 the five (5) years preceding the individual's date of hiring by the
42 child caring institution, the following checks have been requested



regarding the individual:

(A) An out-of-state child abuse registry check under IC 31-9-2-22.5(2).

(B) An out-of-state local criminal records check under IC 31-9-2-22.5(4).

(3) The individual's employment before the completion of the criminal history check required under subsection (h) is limited to training during which the individual:

(A) does not have contact with children who are under the care and control of the child caring institution; and

(B) does not have access to records containing information regarding children who are under the care and control of the child caring institution.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation.

(j) The applicant or facility is responsible for any fees associated with a criminal history check

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective services investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 4. IC 31-27-3-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. An employee of a child caring institution shall undergo a background check to which the employee is required by federal law to submit for purposes of the employee's provision of**



1 **child welfare services:**

2 **(1) not later than four (4) years after the individual's date of**
3 **hire; and**
4 **(2) one (1) time every four (4) years thereafter.**

5 SECTION 5. IC 31-27-5-4, AS AMENDED BY P.L.81-2025,
6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 4. (a) An applicant must apply for a group home
8 license on forms provided by the department.

9 (b) An applicant must submit the required information as part of the
10 application.

11 (c) An applicant must submit with the application a statement
12 attesting the following:

13 (1) Whether the applicant has been convicted of:

14 (A) a felony; or
15 (B) a misdemeanor relating to the health and safety of
16 children.

17 (2) Whether the applicant has been charged with:

18 (A) a felony; or
19 (B) a misdemeanor relating to the health and safety of
20 children;

21 during the pendency of the application.

22 (d) The department on behalf of an applicant, or, at the discretion of
23 the department, an applicant, shall conduct a criminal history check of
24 the following:

25 (1) Each individual who is an applicant.

26 (2) The director or manager of a facility where children will be
27 placed.

28 (3) Each employee or volunteer of the applicant.

29 (4) Each contractor or individual working in the group home who
30 is likely to have unsupervised contact with children in the group
31 home.

32 (e) If the applicant conducts a criminal history check under
33 subsection (d), the applicant shall:

34 (1) maintain records of the information it receives concerning
35 each individual who is the subject of a criminal history check; and
36 (2) submit to the department a copy of the information the
37 applicant receives concerning each person described in subsection
38 (d)(1) through (d)(4).

39 (f) If the department conducts a criminal history check on behalf of
40 an applicant under subsection (d), the department shall:

41 (1) determine whether the subject of a national fingerprint based
42 criminal history check has a record of a:



(A) conviction for a felony;
(B) conviction for a misdemeanor relating to the health and safety of a child; or
(C) juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony;

(2) notify the applicant of the determination under subdivision (1) without identifying a specific offense or other identifying information concerning a conviction or juvenile adjudication contained in the national criminal history record information;

(3) submit to the applicant a copy of any state limited criminal history report that the department receives on behalf of any person described in subsection (d); and

(4) maintain a record of every report and all information it receives concerning a person described in subsection (d).

(g) Except as provided in subsection (h) **and section 4.5 of this chapter**, a criminal history check described in subsection (d) is required only at the time an application for a new license or the renewal of an existing license is submitted.

(h) Except as provided in subsection (i), a criminal history check of each person described in subsection (d)(2), (d)(3), or (d)(4) must be completed on or before the date the person:

(1) is employed;
(2) is assigned as a volunteer; or
(3) enters into, or the person's employing entity enters into, a contract with the applicant.

(i) An individual may be employed by a group home as an employee, volunteer, or contractor before a criminal history check of the individual is completed as required under subsection (h) if all of the following conditions are satisfied:

(1) The following checks have been completed regarding the individual:

(A) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1).

(B) A national sex offender registry check under IC 31-9-2-22.5(3).

(C) An in-state local criminal records check under IC 31-9-2-22.5(4).

(D) An in-state child protection index check under IC 31-33-26.

(2) If the individual has resided outside Indiana at any time during the five (5) years preceding the individual's date of hiring by the



1 group home, the following checks have been requested regarding
2 the individual:

3 (A) An out-of-state child abuse registry check under
4 IC 31-9-2-22.5(2).

5 (B) An out-of-state local criminal records check under
6 IC 31-9-2-22.5(4).

7 (3) The individual's employment before the completion of the
8 criminal history check required under subsection (h) is limited to
9 training during which the individual:

10 (A) does not have contact with children who are under the care
11 and control of the group home; and

12 (B) does not have access to records containing information
13 regarding children who are under the care and control of the
14 group home.

15 (4) The individual completes an attestation, under penalty of
16 perjury, disclosing:

17 (A) any abuse or neglect complaints made against the
18 individual with the child welfare agency of a state other than
19 Indiana in which the individual resided within the five (5)
20 years preceding the date of the attestation; and

21 (B) any contact the individual had with a law enforcement
22 agency in connection with the individual's suspected or alleged
23 commission of a crime in a state other than Indiana in which
24 the individual resided within the five (5) years preceding the
25 date of the attestation.

26 (j) The applicant is responsible for any fees associated with a
27 criminal history check.

28 (k) The department shall, at the applicant's request, inform the
29 applicant as to whether the department has or does not have a record of
30 the person who is the subject of a criminal history check and whether
31 the department has identified the person as an alleged perpetrator of
32 abuse or neglect. The department may not provide to the applicant any
33 details or personally identifying information contained in any child
34 protective services investigation report.

35 (l) A person who is the subject of a criminal history check
36 conducted in accordance with this section may request the state police
37 department to provide the person with a copy of any state or national
38 criminal history report concerning the person.

39 SECTION 6. IC 31-27-5-4.5 IS ADDED TO THE INDIANA CODE
40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
41 1, 2026]: **Sec. 4.5. An employee of a group home shall undergo a**
42 **background check to which the employee is required by federal law**



1 **to submit for purposes of the employee's provision of child welfare**
2 **services:**

3 **(1) not later than four (4) years after the individual's date of**
4 **hire; and**
5 **(2) one (1) time every four (4) years thereafter.**

6 SECTION 7. IC 31-27-6-2, AS AMENDED BY P.L.173-2022,
7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 2. (a) An applicant must apply for a child placing
9 agency license on forms provided by the department.

10 (b) An applicant must submit the required information as part of the
11 application.

12 (c) The applicant must submit with the application a statement
13 attesting the following:

14 (1) Whether the applicant has been convicted of:

15 (A) a felony; or

16 (B) a misdemeanor relating to the health and safety of
17 children.

18 (2) Whether the applicant has been charged with:

19 (A) a felony; or

20 (B) a misdemeanor relating to the health and safety of
21 children;

22 during the pendency of the application.

23 (d) The department on behalf of an applicant, or, at the discretion of
24 the department, an applicant, shall conduct a criminal history check of
25 the following:

26 (1) Each individual who is an applicant.

27 (2) The director or manager of a facility where children will be
28 placed.

29 (3) Each employee, volunteer, or contractor of the applicant.

30 (e) If the applicant conducts a criminal history check under
31 subsection (d), the applicant shall:

32 (1) maintain records of the information it receives concerning
33 each individual who is the subject of a criminal history check; and
34 (2) submit to the department a copy of the information it receives
35 concerning each person described in subsection (d)(1) through
36 (d)(3).

37 (f) If the department conducts a criminal history check on behalf of
38 an applicant under subsection (d), the department shall:

39 (1) determine whether the subject of a national fingerprint based
40 criminal history check has a record of a:

41 (A) conviction for a felony;

42 (B) conviction for a misdemeanor relating to the health and



safety of a child; or

(C) juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony;

- (2) notify the applicant of the determination under subdivision (1) without identifying a specific offense or other identifying information concerning a conviction or juvenile adjudication contained in the national criminal history record information;
- (3) submit to the applicant a copy of any state limited criminal history report that the department receives on behalf of any person described in subsection (d); and
- (4) maintain a record of every report and all information the

department receives concerning a person described in subsection (d).

(g) Except as provided in subsection (h) **and section 2.5 of this chapter**, a criminal history check described in subsection (d) is required only at the time an application for a new license or the renewal of an existing license is submitted.

(h) Except as provided in subsection (i), a criminal history check of each person described in subsection (d)(2) or (d)(3) must be completed on or before the date the person:

(1) is employed:

(2) is assigned as a volunteer; or

(3) enters into, or the person's employing entity enters into, a contract with the applicant.

(i) An individual may be employed by a child placing agency as an employee, volunteer, or contractor before a criminal history check of the individual is completed as required under subsection (h) if all of the following conditions are satisfied:

(1) The following checks have been completed regarding the individual:

(A) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1).

(B) A national sex offender registry check under IC 31-9-2-22.5(3).

(C) An in-state local criminal records check under IC 31-9-2-22.5(4).

(D) An in-state child protection index check under IC 31-33-26.

(2) If the individual has resided outside Indiana at any time during the five (5) years preceding the individual's date of hiring by the child placing agency, the following checks have been requested



regarding the individual:

(A) An out-of-state child abuse registry check under IC 31-9-2-22.5(2).

(B) An out-of-state local criminal records check under IC 31-9-2-22.5(4).

(3) The individual's employment before the completion of the criminal history check required under subsection (h) is limited to training during which the individual:

(A) does not have contact with children who are under the care and control of the child placing agency; and

(B) does not have access to records containing information regarding children who are under the care and control of the child placing agency.

(4) The individual completes an attestation, under penalty of perjury, disclosing:

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation

(j) The applicant or facility is responsible for any fees associated with a criminal history check.

(k) The department shall, at the applicant's request, inform the applicant whether the department has or does not have a record of the person who is the subject of a criminal history check and if the department has identified the person as an alleged perpetrator of abuse or neglect. The department may not provide to the applicant any details or personally identifying information contained in any child protective investigation report.

(l) A person who is the subject of a criminal history check conducted in accordance with this section may request the state police department to provide the person with a copy of any state or national criminal history report concerning the person.

SECTION 8. IC 31-27-6.2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. An employee of a child placing agency shall undergo a background check to which the employee is required by federal law to submit for purposes of the employee's provision of**



1 **child welfare services:**
2 (1) not later than four (4) years after the individual's date of
3 hire; and
4 (2) one (1) time every four (4) years thereafter.

