

LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT

LS 6404

BILL NUMBER: SB 171

NOTE PREPARED: Jan 22, 2026

BILL AMENDED: Jan 20, 2026

SUBJECT: Family and Children Matters.

FIRST AUTHOR: Sen. Johnson T

BILL STATUS: As Passed Senate

FIRST SPONSOR: Rep. McGuire

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a court may grant postadoption contact privileges if the child is at least 12 months of age. (Current law requires the child to be at least two years of age.)

The bill requires the Department of Child Services (DCS) to consider certain factors when evaluating an out-of-home placement for a child in a child in need of services (CHINS) case. It provides that a placement with whom a child has resided with for at least 12 months, consecutively or nonconsecutively, is presumed to be an individual who has a significant relationship with the child.

The bill requires a court to write a formal order in certain circumstances and include specific information in the order. It requires any party seeking a change in placement for certain children to file a motion with the court, provide notice to all persons affected, and inform all persons affected of the right to file a written objection within 15 days. (Current law only allows the DCS to file the motion for a change of placement.) It also allows a court to rule on a party's motion for the change in placement without delay if exigent circumstances are alleged in the party's motion.

The bill provides that, if a motion for temporary custody of a child has been filed by a petitioner for adoption, a court shall not change the child's placement until the motion for temporary custody has been ruled on. The bill also allows for a petitioner for adoption to file a petition for temporary custody of a child sought to be adopted, and allows a court to grant the petition for temporary custody if the court makes certain findings. It provides that if the court declines to enter an ex-parte order granting the petitioner temporary custody, the court shall set the matter for a hearing not more than 15 days after the petitioner files the petition for temporary custody.

Effective Date: July 1, 2026.

Explanation of State Expenditures: The bill also provides additional considerations for DCS family case managers when making a determination for out-of-home placements. These considerations are not expected to impact DCS workload or expenditures.

Explanation of State Revenues: The bill expands individuals who can petition a court for a change in child placement. As a result, the state could receive additional revenue from civil court filings.

If additional civil cases occur and court fees are collected, revenue to the state General Fund will increase. The total revenue per case would range between \$100 and \$122. The amount deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases.](#)

Explanation of Local Expenditures: The bill would increase court workload to include specific information in opinions. Increases in workload are expected to be accomplished within existing resource and funding levels.

Explanation of Local Revenues: If additional cases occur, revenue will be collected by certain local units. If the case is filed in a court of record, the county will receive \$32 and qualifying municipalities will receive a share of \$3. If the case is filed in a municipal court, the county receives \$20, and the municipality will receive \$37. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in civil, probate, and small claims cases.](#)

State Agencies Affected: DCS.

Local Agencies Affected: Courts.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual

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