

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

LS 6404
BILL NUMBER: SB 171

NOTE PREPARED: Feb 16, 2026
BILL AMENDED: Feb 16, 2026

SUBJECT: Family and Children Matters.

FIRST AUTHOR: Sen. Johnson T
FIRST SPONSOR: Rep. McGuire

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires the local office of the Department of Child Services (DCS) to provide notice of an adoption petition to the court in which a CHINS proceeding is open or pending. It provides that the consent to adoption may be executed or acknowledged at any time after the birth of the child in the presence of an attorney, in person, or by video conferencing.

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.) It provides certain exceptions to confidentiality requirements.

The bill requires the 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 also requires a court to write a formal order in certain circumstances and include specific information in the order. It provides that the objectives of the dispositional decree are not considered met solely because a court is prohibited from changing a child's placement under IC 31-34-23-6(g) and prohibits the court from considering certain information when deciding whether the objectives of the dispositional decree are met. It also 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 department to file the motion for a change of placement.) The bill 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, with certain exceptions, if a child is the subject of an adoption petition, the adoption petitioner is the child's current placement, and the adoption petitioner has been the child's placement for at least 12 months, the court shall not change the child's placement until the adoption petition has been ruled on. It provides that if the party seeking a change of placement is a parent, guardian ad litem, or a court appointed special advocate, the party must provide notice to the DCS, and the Department shall then provide

notice of the motion to the child's out-of-home placement.

Effective Date: (Amended) Upon passage

Explanation of State Expenditures: (Revised) The bill provides additional considerations for DCS family case managers when making a determination for out-of-home placements. The bill also requires additional notifications to be administered by the DCS in instances where a child is the subject to both a CHINS petition and adoption proceeding. The bill is 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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