

# SENATE BILL No. 201

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-9-2-42; IC 31-34-5-3; IC 33-24-6-16; IC 35-31.5-2-76.

**Synopsis:** Protecting children from family violence. Amends the definition of "domestic or family violence" to include additional acts or behaviors that are not necessarily physical. Prohibits a court from returning certain children to the child's parent, guardian, or custodian unless appropriate safety conditions are ordered. Requires the office of judicial administration to develop a training program, which must include certain topics relating to domestic or family violence. Makes technical and conforming changes.

**Effective:** July 1, 2026.

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

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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.

## SENATE BILL No. 201

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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 31-9-2-42, AS AMENDED BY P.L.141-2019,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 42. (a) "Domestic or family violence" means,  
4 except for an act of self-defense, the occurrence of one (1) or more of  
5 the following acts committed by a family or household member:

6 (1) Attempting to cause, threatening to cause, or causing ~~physical~~  
7 harm to another family or household member without legal  
8 justification.  
9 (2) Placing a family or household member in fear of ~~physical~~  
10 harm without legal justification.  
11 (3) Causing a family or household member to involuntarily  
12 engage in sexual activity by force, threat of force, or duress.  
13 (4) Abusing (as described in IC 35-46-3-0.5), torturing (as  
14 described in IC 35-46-3-0.5), mutilating (as described in  
15 IC 35-46-3-0.5), or killing a vertebrate animal without  
16 justification with the intent to threaten, intimidate, coerce, harass,  
17 or terrorize a family or household member.



1 For purposes of IC 22-4-15-1 and IC 34-26-5, domestic or family  
2 violence also includes stalking (as defined in IC 35-45-10-1) or a sex  
3 offense under IC 35-42-4, whether or not the stalking or sex offense is  
4 committed by a family or household member.

5 **(b) The term includes the following:**

6     **(1) Verbal, emotional, economic, litigious, or psychological  
7 abuse.**

8     **(2) Isolation.**

9     **(3) Threats, including threats to seek child custody or joint  
10 custody as a means to coerce an individual to return or punish  
11 an individual for leaving.**

12     **(4) Controlling behavior.**

13     **(5) Monitoring.**

14     **(6) Stalking (as defined in IC 35-45-10-1).**

15     **(7) A sex offense (as defined in IC 11-8-8-5.2).**

16 SECTION 2. IC 31-34-5-3, AS AMENDED BY P.L.179-2025,  
17 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2026]: Sec. 3. (a) **Subject to subsection (d)**, the juvenile  
19 court shall release the child to the child's parent, guardian, or custodian.  
20 However, the court may order the child detained if the court makes  
21 written findings of fact upon the record of probable cause to believe  
22 that the child is a child in need of services and that any of the following  
23 factors applies:

24     (1) Detention is necessary to protect the child.

25     (2) The child is unlikely to appear before the juvenile court for  
26 subsequent proceedings.

27     (3) The child has a reasonable basis for requesting that the child  
28 not be released.

29     (4) The parent, guardian, or custodian:

30         (A) cannot be located; or

31         (B) is unable or unwilling to take custody of the child.

32     (5) Consideration for the safety of the child precludes the use of  
33 family services to prevent removal of the child. In considering this  
34 factor, the court shall:

35         (A) give great weight to evidence:

36             (i) of the presence in the child's residence of; or

37             (ii) that the child has been exposed to;

38             a fentanyl containing substance or fentanyl related substance  
39             for which the child's parent, guardian, or custodian does not  
40             have a valid prescription; and

41         (B) evaluate whether the evidence described in clause (A)(i)  
42         or (A)(ii) necessitates removal in consideration of the



1 following factors:

2 (i) The age of the child.

3 (ii) Whether the child is particularly vulnerable to the

4 harmful effects of the fentanyl containing substance or

5 fentanyl related substance due to the child's medical or

6 developmental condition.

7 (iii) The risk of the child accidentally ingesting the fentanyl

8 containing substance or fentanyl related substance.

9 (b) The juvenile court shall include in any order approving or

10 requiring detention of a child all findings and conclusions required

11 under:

12 (1) applicable provisions of Title IV-E of the federal Social

13 Security Act (42 U.S.C. 670 et seq.); or

14 (2) any applicable federal regulation, including 45 CFR 1356.21;

15 as a condition of eligibility of a child in need of services for assistance

16 under Title IV-E or any other federal law.

17 (c) Inclusion in a juvenile court order of language approved and

18 recommended by the judicial conference of Indiana, in relation to:

19 (1) removal from the child's home; or

20 (2) detention;

21 of a child who is alleged to be, or adjudicated as, a child in need of

22 services constitutes compliance with subsection (b).

23 **(d) Unless the juvenile court orders appropriate conditions**

24 **under section 3.5 of this chapter to ensure the child's safety after**

25 **being released, the juvenile court may not release a child who is**

26 **alleged to be, or adjudicated as, a child in need of services under:**

27 (1) IC 31-34-1-1;

28 (2) IC 31-34-1-2;

29 (3) IC 31-34-1-3;

30 (4) IC 31-34-1-3.5;

31 (5) IC 31-34-1-4; or

32 (6) IC 31-34-1-5;

33 **to the child's parent, guardian, or custodian.**

34 SECTION 3. IC 33-24-6-16 IS ADDED TO THE INDIANA CODE

35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

36 1, 2026]: Sec. 16. (a) **The office shall develop and implement an**

37 **ongoing education and training program for the following persons:**

38 (1) **A judge.**

39 (2) **A magistrate.**

40 (3) **Any other court personnel, including:**

41 (A) **a guardian ad litem;**

42 (B) **a court appointed special advocate; and**





