

HOUSE BILL No. 1020

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-19-9-1.

Synopsis: Adoption. Requires a man to be the biological parent of the child for purposes of consent to adopt for a child born out of wedlock.

Effective: July 1, 2023.

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January 9, 2023, read first time and referred to Committee on Judiciary.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1020

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 31-19-9-1, AS AMENDED BY P.L.128-2012,
2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 1. (a) Except as otherwise provided in this
4 chapter, a petition to adopt a child who is less than eighteen (18) years
5 of age may be granted only if written consent to adoption has been
6 executed by the following:

7 (1) Each living parent of a child born in wedlock, including a man
8 who is presumed to be the child's biological father under
9 IC 31-14-7-1(1) if the man is the biological or adoptive parent of
10 the child.

11 (2) The mother of a child born out of wedlock and the father of a
12 child whose paternity has been established by:

13 (A) a court proceeding other than the adoption proceeding,
14 except as provided in IC 31-14-20-2; or
15 (B) a paternity affidavit executed under IC 16-37-2-2.1;
16 **if the man is the biological parent of the child**, unless the
17 putative father gives implied consent to the adoption under



- 1 section 15 of this chapter.
- 2 (3) Each person, agency, or local office having lawful custody of
- 3 the child whose adoption is being sought.
- 4 (4) The court having jurisdiction of the custody of the child if the
- 5 legal guardian or custodian of the person of the child is not
- 6 empowered to consent to the adoption.
- 7 (5) The child to be adopted if the child is more than fourteen (14)
- 8 years of age.
- 9 (6) The spouse of the child to be adopted if the child is married.
- 10 (b) A parent who is less than eighteen (18) years of age may consent
- 11 to an adoption without the concurrence of:
- 12 (1) the individual's parent or parents; or
- 13 (2) the guardian of the individual's person;
- 14 unless the court, in the court's discretion, determines that it is in the
- 15 best interest of the child to be adopted to require the concurrence.

