

# HOUSE BILL No. 1226

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-34-3-4.2.

**Synopsis:** Preservation of families. Requires the department of child services (department) to contact a child's grandparent as soon as possible after the removal of the child from the parents if the department has contact information or knows the location of the child's grandparent. Requires the department to provide certain information to the child's grandparent.

**Effective:** July 1, 2018.

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## Baird

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January 11, 2018, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

# HOUSE BILL No. 1226

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 31-34-3-4.2 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2018]: **Sec. 4.2. (a) If a child is removed from the child's parents**  
4 **under this chapter, and the department has contact information or**  
5 **knows the location of a grandparent of the child, the department**  
6 **shall exercise due diligence to identify and provide notice of the**  
7 **removal to the child's grandparent as soon as possible after the**  
8 **removal of the child from the parents.**  
9 (b) The department may not provide notice to a child's  
10 grandparent under subsection (a) if the department knows or  
11 suspects that the grandparent has caused family or domestic  
12 violence.  
13 (c) A notice under subsection (a) must:  
14 (1) provide the necessary steps required for the grandparent  
15 to request to have the child placed with the grandparent;  
16 (2) state that the child has been removed from the parents by  
17 the department;



- 1           **(3) set forth the options the grandparent may have under**  
2           **federal, state, or local laws, including the care and placement**  
3           **of the child and other options that may be lost if the**  
4           **grandparent fails to respond to the notice;**  
5           **(4) describe the requirements for the grandparent to become**  
6           **a foster parent;**  
7           **(5) describe additional services available to the child if the**  
8           **child is placed in foster care; and**  
9           **(6) describe how a grandparent guardian of a child may**  
10          **subsequently enter into an agreement with the department to**  
11          **receive financial assistance through the adoption assistance**  
12          **program or guardianship assistance program.**  
13          **(d) If the grandparent requests to have the child placed in the**  
14          **home of the grandparent, the department shall consider placement**  
15          **with the grandparent before another out of home placement.**  
16          **(e) Before a child is placed with a grandparent, the home**  
17          **evaluation and background checks described in IC 31-34-4-2 are**  
18          **required.**

