

# HOUSE BILL No. 1277

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-7-2-149.1; IC 12-17.2; IC 16-38-5-3; IC 20-27-9-12; IC 31-9-2-31; IC 31-33.

**Synopsis:** Regulation of child care centers. Allows a provider to remain eligible to receive a voucher payment until a final determination is made that the provider's license or eligibility is no longer in good standing. Provides that a child care center is exempt from licensure if the child care center complies with all of the requirements for child care ministries, including registration. Makes conforming changes.

**Effective:** July 1, 2025.

---

---

## Manning

---

---

January 13, 2025, read first time and referred to Committee on Family, Children and Human Affairs.

---

---



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## HOUSE BILL No. 1277

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-7-2-149.1, AS AMENDED BY P.L.10-2019,
- 2 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2025]: Sec. 149.1. "Provider" means the following:
- 4 (1) For purposes of IC 12-10-7, the meaning set forth in
- 5 IC 12-10-7-3.
- 6 (2) For purposes of the following statutes, an individual, a
- 7 partnership, a corporation, or a governmental entity that is
- 8 enrolled in the Medicaid program under rules adopted under
- 9 IC 4-22-2 by the office of Medicaid policy and planning:
- 10 (A) IC 12-14-1 through IC 12-14-8.
- 11 (B) IC 12-15, except IC 12-15-32, IC 12-15-33, and
- 12 IC 12-15-34.
- 13 (C) IC 12-17.6.
- 14 (3) Except as provided in subdivisions (4) and (6), for purposes
- 15 of IC 12-17.2, a person who operates a child care center or child
- 16 care home under IC 12-17.2.
- 17 (4) For purposes of IC 12-17.2-3.5, a person that:



- 1 (A) provides child care; and  
 2 (B) is directly paid for the provision of the child care under the  
 3 federal Child Care and Development Fund voucher program  
 4 administered under 45 CFR 98 and 45 CFR 99.  
 5 The term does not include an individual who provides services to  
 6 a person described in clauses (A) and (B), regardless of whether  
 7 the individual receives compensation.  
 8 (5) For purposes of IC 12-21-1 through IC 12-29-2, an  
 9 organization:  
 10 (A) that:  
 11 (i) provides mental health services, as defined under 42  
 12 U.S.C. 300x-2(c);  
 13 (ii) provides addiction services; or  
 14 (iii) provides children's mental health services;  
 15 (B) that has entered into a provider agreement with the  
 16 division of mental health and addiction under IC 12-21-2-7 to  
 17 provide services in the least restrictive, most appropriate  
 18 setting; and  
 19 (C) that is operated by one (1) of the following:  
 20 (i) A city, town, county, or other political subdivision of the  
 21 state.  
 22 (ii) An agency of the state or of the United States.  
 23 (iii) A political subdivision of another state.  
 24 (iv) A hospital owned or operated by a unit of government  
 25 or a building authority that is organized for the purpose of  
 26 constructing facilities to be leased to units of government.  
 27 (v) A corporation incorporated under IC 23-7-1.1 (before its  
 28 repeal August 1, 1991) or IC 23-17.  
 29 (vi) An organization that is exempt from federal income  
 30 taxation under Section 501(c)(3) of the Internal Revenue  
 31 Code.  
 32 (vii) A university or college.  
 33 (6) For purposes of IC 12-17.2-2-10, the following:  
 34 (A) A person described in subdivision (4).  
 35 (B) A child care center licensed under IC 12-17.2-4 **or**  
 36 **registered under IC 12-17.2-6.**  
 37 (C) A child care home licensed under IC 12-17.2-5.  
 38 SECTION 2. IC 12-17.2-2-1, AS AMENDED BY THE  
 39 TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL  
 40 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2025]: Sec. 1. The division shall perform the following duties:  
 42 (1) Administer the licensing and monitoring of child care centers



- 1 or child care homes in accordance with this article.
- 2 (2) Ensure that a national criminal history background check of
- 3 the following is completed through the state police department
- 4 under IC 10-13-3-39 before issuing a license:
- 5 (A) An applicant for a license.
- 6 (B) An employee or volunteer of an applicant who may be
- 7 present on the premises of the child care center or child care
- 8 home during the operating hours of the child care center or
- 9 child care home.
- 10 (C) If an applicant is applying for a license to operate a child
- 11 care home, the following:
- 12 (i) The applicant's spouse.
- 13 (ii) The applicant's household members who are at least
- 14 eighteen (18) years of age or who are less than eighteen (18)
- 15 years of age but have previously been waived from juvenile
- 16 court to adult court.
- 17 (3) Ensure that a national criminal history background check of
- 18 the following is completed through the state police department
- 19 under IC 10-13-3-39 before registering a child care ministry:
- 20 (A) An applicant for a child care ministry registration.
- 21 (B) An employee or volunteer of an applicant who may be
- 22 present on the premises of the child care ministry during the
- 23 operating hours of the child care ministry.
- 24 (4) Provide for the issuance, denial, suspension, and revocation of
- 25 licenses.
- 26 (5) Cooperate with governing bodies of child care centers and
- 27 child care homes and their staffs to improve standards of child
- 28 care.
- 29 (6) Prepare at least biannually a directory of licensees with a
- 30 description of the program capacity and type of children served
- 31 that will be distributed to the legislature, licensees, and other
- 32 interested parties as a public document.
- 33 (7) Deposit all license application fees collected under section 2
- 34 of this chapter in the division of family resources child care fund
- 35 established by section 3 of this chapter.
- 36 (8) Require each child care center or child care home to record
- 37 proof of a child's date of birth before accepting the child. A child's
- 38 date of birth may be proven by the child's original birth certificate
- 39 or other reliable proof of the child's date of birth, including a duly
- 40 attested transcript of a birth certificate.
- 41 (9) Provide ~~an Internet web site~~ **a website** through which
- 42 members of the public may obtain the following information:



- 1 (A) Information concerning violations of this article by a  
 2 licensed child care provider, including:  
 3 (i) the identity of the child care provider;  
 4 (ii) the date of the violation; and  
 5 (iii) action taken by the division in response to the violation.  
 6 (B) Current status of a child care provider's license.  
 7 (C) Other relevant information.
- 8 The ~~Internet web site~~ **website** may not contain the address of a  
 9 child care home or information identifying an individual child.  
 10 However, the ~~site~~ **website** may include the county and ZIP code  
 11 in which a child care home is located.
- 12 (10) Provide or approve training concerning safe sleeping  
 13 practices for children to:  
 14 (A) a provider who operates a child care program in the  
 15 provider's home as described in IC 12-17.2-3.5-12.5;  
 16 (B) a child care home licensed under IC 12-17.2-5;  
 17 (C) a child care center licensed under IC 12-17.2-4 **or**  
 18 **registered under IC 12-17.2-6**; and  
 19 (D) a child care ministry registered under IC 12-17.2-6;  
 20 including practices to reduce the risk of sudden infant death  
 21 syndrome.
- 22 SECTION 3. IC 12-17.2-2-8, AS AMENDED BY P.L.134-2024,  
 23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2025]: Sec. 8. The division shall exempt from licensure the  
 25 following programs:  
 26 (1) A program for children enrolled in grades kindergarten  
 27 through 12 that is operated by the department of education or a  
 28 public or private school.  
 29 (2) A program for children who become at least three (3) years of  
 30 age as of December 1 of a particular school year (as defined in  
 31 IC 20-18-2-17) that is operated by the department of education or  
 32 a public or private school.  
 33 (3) A nonresidential program for a child that provides child care  
 34 for less than four (4) hours a day.  
 35 (4) A recreation program for children that operates for not more  
 36 than ninety (90) days in a calendar year.  
 37 (5) A program whose primary purpose is to provide social,  
 38 recreational, or religious activities for school age children, such  
 39 as scouting, boys club, girls club, sports, or the arts.  
 40 (6) A program operated to serve migrant children that:  
 41 (A) provides services for children from migrant worker  
 42 families; and



- 1 (B) is operated during a single period of less than one hundred  
 2 twenty (120) consecutive days during a calendar year.
- 3 (7) A child care ministry **or child care center** registered under  
 4 IC 12-17.2-6.
- 5 (8) A child care home if the provider operates to serve migrant  
 6 children.
- 7 (9) A child care program operated by a public or private school  
 8 that does the following:
- 9 (A) Provides day care on school property for children of  
 10 students or employees of schools in the school corporation in  
 11 which the public or private school is located.
- 12 (B) Complies with health, safety, and sanitation standards as  
 13 determined by the division under section 4 of this chapter for  
 14 child care centers or in accordance with a variance or waiver  
 15 of a rule governing child care centers approved by the division  
 16 under section 10 of this chapter.
- 17 (C) Substantially complies with the fire and life safety rules as  
 18 determined by the state fire marshal under rules adopted by the  
 19 division under section 4 of this chapter for child care centers  
 20 or in accordance with a variance or waiver of a rule governing  
 21 child care centers approved by the division under section 10 of  
 22 this chapter.
- 23 (10) A school age child care program (commonly referred to as a  
 24 latch key program) established under IC 20-26-5-2 that is  
 25 operated by:
- 26 (A) the department of education;  
 27 (B) a public or private school; or  
 28 (C) a public or private organization under a written contract  
 29 with:
- 30 (i) the department of education; or  
 31 (ii) a public or private school.
- 32 (11) A child care program that:
- 33 (A) is operated by a public or private organization under a  
 34 contract with a public or private school;
- 35 (B) serves children who are enrolled in the public or private  
 36 school in:
- 37 (i) grades kindergarten through 12; or  
 38 (ii) a preschool program offered by a public or private  
 39 school as described in this subdivision; and
- 40 (C) serves children who are:
- 41 (i) attending school through remote or e-learning due to a  
 42 disaster emergency declared under IC 10-14-3-12 or



- 1 IC 10-14-3-29; or  
 2 (ii) participating in a learning recovery program that  
 3 administers an assessment to measure student learning loss  
 4 and provides Indiana academic standards aligned  
 5 instruction.
- 6 (12) An educational program:  
 7 (A) consisting of a group of not more than ten (10) students  
 8 who attend the educational program in lieu of attending  
 9 prekindergarten or kindergarten through grade 12 at a public  
 10 or private school;  
 11 (B) whose students meet in a single classroom in person or  
 12 outside a classroom and which may include mixed age level  
 13 groupings; and  
 14 (C) that is under the supervision of a teacher or tutor.
- 15 (13) If located in the same public or private school building:  
 16 (A) a preschool program that is operated by the public or  
 17 private school; and  
 18 (B) either or both of the following:  
 19 (i) A child care program described in subdivision (9).  
 20 (ii) A school age child care program described in  
 21 subdivision (10).
- 22 (14) A child care program operated by a public or private school  
 23 that does the following:  
 24 (A) Provides day care on school property for children of  
 25 employees of a business or organization with which the school  
 26 has entered into a contract to provide services. If the school  
 27 property is owned by the school, the school property must have  
 28 been both:  
 29 (i) owned by the school; and  
 30 (ii) used for child care;  
 31 on or before January 1, 2024.  
 32 (B) Complies with health, safety, and sanitation standards as  
 33 determined by the division under section 4 of this chapter for  
 34 child care centers or in accordance with a variance or waiver  
 35 of a rule governing child care centers approved by the division  
 36 under section 10 of this chapter.  
 37 (C) Substantially complies with the fire and life safety rules as  
 38 determined by the state fire marshal under rules adopted by the  
 39 division under section 4 of this chapter for child care centers  
 40 or in accordance with a variance or waiver of a rule governing  
 41 child care centers approved by the division under section 10 of  
 42 this chapter.



1 SECTION 4. IC 12-17.2-3.5-4, AS AMENDED BY P.L.121-2020,  
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2025]: Sec. 4. (a) A provider is ineligible to receive a voucher  
 4 payment if the provider:

5 (1) has been convicted of a:

6 (A) felony:

7 (i) related to the health or safety of a child;

8 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

9 (iii) that is a dangerous felony; or

10 (iv) that is not a felony otherwise described in items (i)  
 11 through (iii), and less than ten (10) years have elapsed from  
 12 the date the person was discharged from probation,  
 13 imprisonment, or parole, whichever discharge date is latest;

14 (B) misdemeanor related to:

15 (i) the health or safety of a child; or

16 (ii) welfare fraud;

17 (C) misdemeanor for operating a child care center without a  
 18 license under IC 12-17.2-4-35, or of a substantially similar  
 19 offense committed in another jurisdiction if the offense is  
 20 directly or indirectly related to jeopardizing the health or  
 21 safety of a child; or

22 (D) misdemeanor for operating a child care home without a  
 23 license under IC 12-17.2-5-35, or of a substantially similar  
 24 offense committed in another jurisdiction if the offense is  
 25 directly or indirectly related to jeopardizing the health or  
 26 safety of a child;

27 (2) allows an individual who has been convicted of a crime  
 28 specified under subdivision (1) to reside with the provider, if the  
 29 provider operates a child care program in the provider's home;

30 (3) employs an individual or allows an individual to volunteer  
 31 who:

32 (A) may be on the premises of the facility where the provider  
 33 operates a child care program during operating hours of the  
 34 child care program; and

35 (B) has been convicted of a crime specified in subdivision (1);

36 (4) has had a revocation of eligibility under this chapter during  
 37 the immediately preceding two (2) years; or

38 (5) fails to meet the requirements of this chapter.

39 (b) A provider whose:

40 (1) license under IC 12-17.2-4 or IC 12-17.2-5; or

41 (2) compliance with this chapter;

42 is subject to an enforcement action is ~~ineligible~~ **eligible** to receive a





1 voucher payment, ~~regardless of whether~~ if the provider meets the  
 2 requirements of this chapter, until the outcome of any proceeding under  
 3 IC 4-21.5 reflects a final determination that the provider's license or  
 4 eligibility is **no longer** in good standing.

5 (c) **Subject to subsection (e)**, if the division decertifies a provider  
 6 under this chapter, the provider:

7 (1) may reapply for eligibility to receive a voucher payment at any  
 8 time that the provider is able to demonstrate compliance with this  
 9 chapter; and

10 (2) is not eligible to receive a voucher payment under this chapter  
 11 until the provider receives notice from the division that the  
 12 provider's application under subdivision (1) has been approved.

13 (d) In determining whether a provider meets the requirements of this  
 14 chapter, the division may not consider religious instruction or  
 15 activities.

16 (e) **The division may not decertify a provider until there has**  
 17 **been a final determination in a proceeding under IC 4-21.5 that the**  
 18 **provider's license or eligibility is no longer in good standing.**

19 SECTION 5. IC 12-17.2-4-1 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) **A child care**  
 21 **center is exempt from licensure under this article if the child care**  
 22 **center complies with all of the requirements in IC 12-17.2-6 for a**  
 23 **child care ministry.**

24 (a) A person may not operate a child care center without a license  
 25 issued under this article.

26 (b) The state or a political subdivision of the state may not operate  
 27 a child care center without a license issued under this article.

28 (c) A person may not operate a child care center where:

29 (1) the number of children maintained on the premises at any one

30 (1) time is greater than the number authorized by the license; and

31 (2) the children are maintained in a building or place not  
 32 designated by the license.

33 (b) **A child care center may apply for licensure under this**  
 34 **chapter. If a license is issued to the child care center, the child care**  
 35 **center shall comply with state laws and rules governing licensure**  
 36 **of the child care center.**

37 SECTION 6. IC 12-17.2-6-2, AS AMENDED BY P.L.187-2021,  
 38 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2025]: Sec. 2. (a) An:

40 (1) unlicensed child care ministry under section 1 of this chapter;

41 or

42 (2) **unlicensed child care center under IC 12-17.2-4;**



1 may not operate unless the child care ministry **or child care center** has  
 2 registered with and met the requirements of the division and the  
 3 department of homeland security. Registration application forms shall  
 4 be provided by the division and the department of homeland security.

5 (b) A registration application under this section must include a  
 6 current and valid electronic mail address for the applicant.

7 (c) Registration under this section expires two (2) years after the  
 8 date of issuance unless revoked, modified to a probationary or  
 9 suspended status, or voluntarily returned.

10 SECTION 7. IC 12-17.2-6-16, AS AMENDED BY P.L.121-2020,  
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2025]: Sec. 16. (a) The following constitute sufficient grounds  
 13 for denial of an application for registration under this chapter:

14 (1) A determination by the department of child services of child  
 15 abuse or neglect (as defined in IC 31-9-2-14) by:

16 (A) the applicant;

17 (B) an employee of the applicant who may be present on the  
 18 premises of the child care ministry during operating hours of  
 19 the child care ministry; or

20 (C) a volunteer of the applicant who may be present on the  
 21 premises of the child care ministry during operating hours of  
 22 the child care ministry.

23 (2) A criminal conviction of the applicant, or an employee or  
 24 volunteer of the applicant who may be present on the premises of  
 25 the child care ministry during operating hours of the child care  
 26 ministry, of any of the following:

27 (A) A felony:

28 (i) related to the health or safety of a child;

29 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);

30 (iii) that is a dangerous felony; or

31 (iv) that is not a felony otherwise described in items (i)  
 32 through (iii), and less than ten (10) years have elapsed from  
 33 the date the person was discharged from probation,  
 34 imprisonment, or parole, whichever discharge date is latest.

35 (B) A misdemeanor related to the health or safety of a child.

36 (C) A misdemeanor for operating a child care ministry without  
 37 a registration under this chapter, or a substantially similar  
 38 offense in another jurisdiction if the offense is directly or  
 39 indirectly related to jeopardizing the health or safety of a child.

40 (D) A misdemeanor for operating a child care center without  
 41 a license under IC 12-17.2-4-35, or a substantially similar  
 42 offense in another jurisdiction if the offense is directly or



- 1 indirectly related to jeopardizing the health or safety of a child.
- 2 (E) A misdemeanor for operating a child care home without a
- 3 license under IC 12-17.2-5-35, or a substantially similar
- 4 offense in another jurisdiction if the offense is directly or
- 5 indirectly related to jeopardizing the health or safety of a child.
- 6 (3) A determination by the division that the applicant made false
- 7 statements in the applicant's application for registration.
- 8 (4) A determination by the division that the applicant made false
- 9 statements in the records required by the division.
- 10 (5) A determination by the division that the applicant previously
- 11 operated a:
  - 12 (A) child care ministry without a registration under this
  - 13 chapter;
  - 14 (B) child care center without a license under IC 12-17.2-4 **or**
  - 15 **registration under this chapter;** or
  - 16 (C) child care home without a license under IC 12-17.2-5.
- 17 (b) Notwithstanding subsection (a)(2), if:
  - 18 (1) a registration application is denied due to a criminal
  - 19 conviction of an employee or a volunteer of the applicant; and
  - 20 (2) the division determines that the employee or volunteer has
  - 21 been dismissed by the applicant;
- 22 the criminal conviction of the former employee or former volunteer
- 23 does not require denial of the registration application.
- 24 SECTION 8. IC 12-17.2-6-19, AS AMENDED BY P.L.121-2020,
- 25 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2025]: Sec. 19. (a) The following constitute sufficient grounds
- 27 for revocation of a registration under this chapter:
  - 28 (1) A determination by the department of child services of child
  - 29 abuse or neglect (as defined in IC 31-9-2-14) by:
    - 30 (A) the operator of the child care ministry;
    - 31 (B) an employee of the child care ministry who may be present
    - 32 on the premises of the child care ministry during operating
    - 33 hours of the child care ministry; or
    - 34 (C) a volunteer of the child care ministry who may be present
    - 35 on the premises of the child care ministry during operating
    - 36 hours of the child care ministry.
  - 37 (2) A criminal conviction of the operator of the child care
  - 38 ministry, or an employee or volunteer of the child care ministry
  - 39 who may be present on the premises of the child care ministry
  - 40 during operating hours of the child care ministry, of any of the
  - 41 following:
    - 42 (A) A felony:



- 1 (i) related to the health or safety of a child;
- 2 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
- 3 (iii) that is a dangerous felony; or
- 4 (iv) that is not a felony otherwise described in items (i)
- 5 through (iii), and less than ten (10) years have elapsed from
- 6 the date the person was discharged from probation,
- 7 imprisonment, or parole, whichever discharge date is latest.
- 8 (B) A misdemeanor related to the health or safety of a child.
- 9 (C) A misdemeanor for operating a child care ministry without
- 10 a registration under this chapter, or a substantially similar
- 11 offense in another jurisdiction if the offense is directly or
- 12 indirectly related to jeopardizing the health or safety of a child.
- 13 (D) A misdemeanor for operating a child care center without
- 14 a license under IC 12-17.2-4-35, or a substantially similar
- 15 offense in another jurisdiction if the offense is directly or
- 16 indirectly related to jeopardizing the health or safety of a child.
- 17 (E) A misdemeanor for operating a child care home without a
- 18 license under IC 12-17.2-5-35, or a substantially similar
- 19 offense in another jurisdiction if the offense is directly or
- 20 indirectly related to jeopardizing the health or safety of a child.
- 21 (3) A determination by the division that the operator of the child
- 22 care ministry made false statements in the child care ministry's
- 23 registration application.
- 24 (4) A determination by the division that the operator of the child
- 25 care ministry made false statements in the records required by the
- 26 division.
- 27 (5) A determination by the division that the operator of the child
- 28 care ministry previously operated a:
- 29 (A) child care ministry without a registration under this
- 30 chapter;
- 31 (B) child care center without a license under IC 12-17.2-4 **or**
- 32 **registration under this chapter;** or
- 33 (C) child care home without a license under IC 12-17.2-5.
- 34 (b) Notwithstanding subsection (a)(2), if:
- 35 (1) a registration is revoked due to a criminal conviction of an
- 36 employee or a volunteer of the child care ministry; and
- 37 (2) the division determines that the employee or volunteer has
- 38 been dismissed by the child care ministry;
- 39 the criminal conviction of the former employee or former volunteer
- 40 does not require revocation of the registration.
- 41 SECTION 9. IC 12-17.2-7.2-2, AS AMENDED BY P.L.92-2024,
- 42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2025]: Sec. 2. As used in this chapter, "eligible provider"  
 2 refers to a provider that satisfies the following conditions:

3 (1) The provider is:

4 (A) a:

5 (i) child care center licensed under IC 12-17.2-4 **or**  
 6 **registered under IC 12-17.2-6;**

7 (ii) child care home licensed under IC 12-17.2-5; or

8 (iii) child care ministry registered under IC 12-17.2-6;

9 that meets the standards of quality recognized by a Level 3 or  
 10 Level 4 paths to QUALITY program rating;

11 (B) a public school, including a charter school;

12 (C) a nonpublic school that is accredited by the state board of  
 13 education or a national or regional accreditation agency that is  
 14 recognized by the state board of education; or

15 (D) a nonpublic school that is accredited to provide qualified  
 16 early education services by an accrediting agency approved by  
 17 the office of the secretary.

18 (2) The provider:

19 (A) provides qualified early education services to eligible  
 20 children, limited eligibility children, and children of child care  
 21 employees;

22 (B) complies with the agreement with the office concerning  
 23 the delivery of qualified education services and the use of a  
 24 prekindergarten voucher provided under this chapter; and

25 (C) complies with CCDF provider eligibility standards in  
 26 accordance with federal requirements for health and safety.

27 SECTION 10. IC 16-38-5-3, AS AMENDED BY P.L.130-2021,  
 28 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2025]: Sec. 3. (a) Records maintained as part of the  
 30 immunization data registry are confidential.

31 (b) The state department may release information from the  
 32 immunization data registry to the individual or to the individual's  
 33 parent or guardian if the individual is less than eighteen (18) years of  
 34 age.

35 (c) Subject to subsection (d), the state department may release  
 36 information in the immunization data registry concerning an individual  
 37 to the following persons or entities:

38 (1) The immunization data registry of another state.

39 (2) A provider or a provider's designee.

40 (3) A local health department.

41 (4) An elementary or secondary school that is attended by the  
 42 individual.



- 1 (5) A child care center that is:  
2 (A) licensed under IC 12-17.2-4; **or**  
3 (B) **registered under IC 12-17.2-6;**  
4 in which the individual is enrolled.  
5 (6) A child care home that is licensed under IC 12-17.2-5 in  
6 which the individual is enrolled.  
7 (7) A child care ministry that is registered under IC 12-17.2-6 in  
8 which the individual is enrolled.  
9 (8) The office of Medicaid policy and planning or a contractor of  
10 the office of Medicaid policy and planning.  
11 (9) A child placing agency licensed under IC 31-27.  
12 (10) A college or university (as defined in IC 21-7-13-10) that is  
13 attended by the individual.  
14 (11) An entity, including a private entity, for the purpose of  
15 outreach and education to increase immunization rates, if the  
16 following conditions are met:  
17 (A) The entity provides the following written information to  
18 the state department:  
19 (i) Information concerning the proposed outreach and  
20 education, including the information the entity needs from  
21 the immunization data registry.  
22 (ii) How the entity intends to use the information.  
23 (iii) The safeguards the entity will take to protect the identity  
24 of each individual whose records will be released.  
25 (B) The state department determines the proposed safeguards  
26 are adequate to protect the identity of each individual whose  
27 records will be released.  
28 (C) An agreement is executed between the state department  
29 and the entity that specifies the entity's permitted use of the  
30 records and prohibits the release of names of individuals or  
31 any facts that may lead to the identification of an individual.  
32 (12) The United States Centers for Disease Control and  
33 Prevention.  
34 (13) An Indiana nonprofit entity that performs health data services  
35 for health care providers, if the state department executes a data  
36 use agreement with the entity that specifies the permitted use and  
37 disclosure of any released information.  
38 (d) Before immunization data may be released to a person or an  
39 entity, the person or entity must enter into a data use agreement with  
40 the state department that provides that information that identifies a  
41 patient will not be released to any other person or entity without the  
42 written consent of the patient unless the release is to a person or entity



1 described in subsection (c).

2 (e) The state department may release summary statistics regarding  
3 information in the immunization data registry to a person or entity that  
4 has entered into a data use agreement with the state department.

5 SECTION 11. IC 20-27-9-12, AS AMENDED BY P.L.168-2022,  
6 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2025]: Sec. 12. (a) As used in this section, "child care center"  
8 means a nonresidential building where at least one (1) child receives  
9 child care from a provider licensed under IC 12-17.2-4 **or registered**  
10 **under IC 12-17.2-6:**

11 (1) while unattended by a parent;

12 (2) for regular compensation; and

13 (3) for more than four (4) hours but less than twenty-four (24)  
14 hours in each of ten (10) consecutive days per year, excluding  
15 intervening Saturdays, Sundays, and holidays.

16 (b) This subsection does not apply to a person with a developmental  
17 or physical disability who is provided transportation by a school  
18 corporation by means of a special purpose bus as provided in section  
19 5(a)(3) of this chapter. An individual or entity who transports children  
20 in the care of a:

21 (1) preschool operated by a school corporation;

22 (2) public elementary school; or

23 (3) public secondary school;

24 on a public highway (as defined in IC 9-25-2-4) within or outside  
25 Indiana shall transport the children only in a school bus, a special  
26 purpose bus, or an appropriate vehicle. The school bus, special purpose  
27 bus, or appropriate vehicle may be used for transportation of the  
28 children to activities or for regular transportation between the  
29 residences of the children and the school.

30 (c) An individual or entity that transports children in the care of a  
31 child care center on a public highway (as defined in IC 9-25-2-4)  
32 within or outside Indiana in a vehicle designed and constructed for the  
33 accommodation of more than ten (10) passengers shall transport the  
34 children only in a school bus or special purpose bus.

35 (d) The operator of a:

36 (1) school bus that transports children as required under  
37 subsection (b) or (c) must meet the requirements of IC 20-27-8;  
38 and

39 (2) special purpose bus or an appropriate vehicle that transports  
40 children as required under subsection (b) or (c) must meet the  
41 requirements of section 5(c) of this chapter.

42 (e) This section does not prohibit the use of a public transportation



1 system for the transportation of children if the motor carriage used is  
 2 designed to carry at least twenty (20) passengers.

3 (f) This section does not prohibit a:

- 4 (1) preschool operated by a school corporation;  
 5 (2) public elementary school;  
 6 (3) public secondary school; or  
 7 (4) child care center;

8 from contracting with a common carrier for incidental charter bus  
 9 service for nonregular transportation if the carrier and the carrier's  
 10 motor coach comply with the Federal Motor Carrier Safety Regulations  
 11 as prescribed by the United States Department of Transportation  
 12 Federal Highway Administration.

13 (g) Notwithstanding section 17 of this chapter, a person who  
 14 violates this section commits a Class B infraction.

15 SECTION 12. IC 31-9-2-31, AS AMENDED BY P.L.195-2018,  
 16 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2025]: Sec. 31. (a) "Custodian", for purposes of the juvenile  
 18 law, means a person with whom a child resides.

19 (b) "Custodian", for purposes of IC 31-34-1, includes any person  
 20 who is:

21 (1) a license applicant or licensee of:

22 (A) a foster home or residential child care facility that is  
 23 required to be licensed or is licensed under IC 31-27;

24 (B) a child care center that is required to be licensed or is  
 25 licensed under IC 12-17.2-4; or

26 (C) a child care home that is required to be licensed or is  
 27 licensed under IC 12-17.2-5;

28 (2) a person who is responsible for care, supervision, or welfare  
 29 of children while providing services as an owner, operator,  
 30 director, manager, supervisor, employee, or volunteer at:

31 (A) a home, center, or facility described in subdivision (1);

32 (B) a:

33 (i) child care ministry, as defined in IC 12-7-2-28.8; **or**

34 (ii) **child care center;**

35 that is exempt from licensing requirements and is registered or  
 36 required to be registered under IC 12-17.2-6;

37 (C) a home, center, or facility of a child care provider, as  
 38 defined in IC 12-7-2-149.1(5);

39 (D) a home, center, or facility that is the location of a program  
 40 that provides child care, as defined in section 16.3 of this  
 41 chapter, to serve migrant children and that is exempt from  
 42 licensing under IC 12-17.2-2-8(6), whether or not the program





- 1 is certified as described in IC 12-17.2-2-9; or  
 2 (E) a school, as defined in section 113.5 of this chapter;  
 3 (3) a child caregiver, as defined in section 16.4 of this chapter;  
 4 (4) a member of the household of the child's noncustodial parent;  
 5 or  
 6 (5) an individual who has or intends to have direct contact, on a  
 7 regular and continuing basis, with a child for whom the individual  
 8 provides care and supervision.
- 9 SECTION 13. IC 31-33-8-1, AS AMENDED BY P.L.198-2019,  
 10 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2025]: Sec. 1. (a) The department shall initiate an  
 12 appropriately thorough child protection assessment of every report of  
 13 known or suspected child abuse or neglect the department receives,  
 14 whether in accordance with this article or otherwise.
- 15 (b) If a report of known or suspected child abuse or neglect is  
 16 received from a judge or prosecutor requesting the department to  
 17 initiate a child protection assessment, the department shall initiate an  
 18 assessment in accordance with this section.
- 19 (c) If a report of known or suspected child abuse or neglect is  
 20 received from:
- 21 (1) medical personnel;
  - 22 (2) school personnel;
  - 23 (3) a social worker;
  - 24 (4) law enforcement officials or personnel;
  - 25 (5) judiciary personnel; or
  - 26 (6) prosecuting attorney personnel;
- 27 the department shall forward the report to the local office to determine  
 28 if the department will initiate an assessment in accordance with this  
 29 section.
- 30 (d) If the department believes that a child is in imminent danger of  
 31 serious bodily harm, the department shall initiate an onsite assessment  
 32 immediately, but not later than two (2) hours, after receiving the report.
- 33 (e) If the report alleges a child may be a victim of child abuse, the  
 34 assessment shall be initiated immediately, but not later than  
 35 twenty-four (24) hours after receipt of the report.
- 36 (f) If reports of child neglect are received, the assessment shall be  
 37 initiated within a reasonably prompt time, but not later than five (5)  
 38 days, with the primary consideration being the well-being of the child  
 39 who is the subject of the report.
- 40 (g) If the report alleges that a child lives with a parent, guardian, or  
 41 custodian who is married to or lives with a person who:  
 42 (1) has been convicted of:



- 1 (A) neglect of a dependent under IC 35-46-1-4; or  
 2 (B) a battery offense under IC 35-42-4; or  
 3 (2) is required to register as a sex or violent offender under  
 4 IC 11-8-8;

5 the department shall initiate an assessment within a reasonably prompt  
 6 time, but not later than five (5) days after the department receives the  
 7 report, with the primary consideration being the well-being of the child  
 8 who is the subject of the report.

9 (h) If the safety or well-being of a child appears to be endangered or  
 10 the facts otherwise warrant, the assessment shall be initiated regardless  
 11 of the time of day.

12 (i) If a report alleges abuse or neglect and involves a child care  
 13 ministry **or child care center** that is exempt from licensure under  
 14 IC 12-17.2-6, the department and the appropriate law enforcement  
 15 agency shall jointly conduct an investigation. The investigation shall  
 16 be conducted under the requirements of this section and section 2(b) of  
 17 this chapter.

18 SECTION 14. IC 31-33-18-2, AS AMENDED BY P.L.54-2024,  
 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2025]: Sec. 2. Except as otherwise prohibited by federal law,  
 21 the reports and other material described in section 1(a) of this chapter  
 22 and the unredacted reports and other material described in section 1(b)  
 23 of this chapter shall be made available only to the following:

- 24 (1) Persons authorized by this article.  
 25 (2) A legally mandated public or private child protective agency  
 26 investigating a report of child abuse or neglect or treating a child  
 27 or family that is the subject of a report or record.  
 28 (3) Any of the following who are investigating a report of a child  
 29 who may be a victim of child abuse or neglect:  
 30 (A) A police officer or other law enforcement agency.  
 31 (B) A prosecuting attorney.  
 32 (C) A coroner, in the case of the death of a child.  
 33 (4) A physician who has before the physician a child whom the  
 34 physician reasonably suspects may be a victim of child abuse or  
 35 neglect.  
 36 (5) An individual legally authorized to place a child in protective  
 37 custody if:  
 38 (A) the individual has before the individual a child whom the  
 39 individual reasonably suspects may be a victim of abuse or  
 40 neglect; and  
 41 (B) the individual requires the information in the report or  
 42 record to determine whether to place the child in protective



- 1 custody.
- 2 (6) An agency having the legal responsibility or authorization to
- 3 care for, treat, or supervise a child who is the subject of a report
- 4 or record or a parent, guardian, custodian, or other person who is
- 5 responsible for the child's welfare.
- 6 (7) An individual named in the report or record who is alleged to
- 7 be abused or neglected or, if the individual named in the report is
- 8 a child or is otherwise incompetent, the individual's guardian ad
- 9 litem or the individual's court appointed special advocate, or both.
- 10 (8) Each parent, guardian, custodian, or other person responsible
- 11 for the welfare of a child named in a report or record and an
- 12 attorney of the person described under this subdivision, with
- 13 protection for the identity of reporters and other appropriate
- 14 individuals.
- 15 (9) A court, for redaction of the record in accordance with section
- 16 1.5 of this chapter, or upon the court's finding that access to the
- 17 records may be necessary for determination of an issue before the
- 18 court. However, except for disclosure of a redacted record in
- 19 accordance with section 1.5 of this chapter, access is limited to in
- 20 camera inspection unless the court determines that public
- 21 disclosure of the information contained in the records is necessary
- 22 for the resolution of an issue then pending before the court.
- 23 (10) A grand jury upon the grand jury's determination that access
- 24 to the records is necessary in the conduct of the grand jury's
- 25 official business.
- 26 (11) An appropriate state or local official responsible for child
- 27 protection services or legislation carrying out the official's official
- 28 functions.
- 29 (12) The community child protection team appointed under
- 30 IC 31-33-3 (or IC 31-6-11-14 before its repeal), upon request, to
- 31 enable the team to carry out the team's purpose under IC 31-33-3.
- 32 (13) A person about whom a report has been made, with
- 33 protection for the identity of:
- 34 (A) any person reporting known or suspected child abuse or
- 35 neglect; and
- 36 (B) any other person if the person or agency making the
- 37 information available finds that disclosure of the information
- 38 would be likely to endanger the life or safety of the person.
- 39 (14) An employee of the department, a caseworker, or a juvenile
- 40 probation officer conducting a criminal history check under
- 41 IC 31-26-5, IC 31-34, or IC 31-37 to determine the
- 42 appropriateness of an out-of-home placement for a:



- 1 (A) child at imminent risk of placement;
- 2 (B) child in need of services; or
- 3 (C) delinquent child.
- 4 The results of a criminal history check conducted under this
- 5 subdivision must be disclosed to a court determining the
- 6 placement of a child described in clauses (A) through (C).
- 7 (15) A local child fatality review team established under
- 8 IC 16-49-2.
- 9 (16) The statewide child fatality review committee established by
- 10 IC 16-49-4.
- 11 (17) The department.
- 12 (18) The division of family resources, if the investigation report:
- 13 (A) is classified as substantiated; and
- 14 (B) concerns:
  - 15 (i) an applicant for a license to operate;
  - 16 (ii) a person licensed to operate;
  - 17 (iii) an employee of; ~~or~~
  - 18 (iv) a volunteer providing services at; **or**
  - 19 **(v) an applicant to register;**
- 20 a child care center licensed under IC 12-17.2-4, **a child care**
- 21 **center registered under IC 12-17.2-6**, or a child care home
- 22 licensed under IC 12-17.2-5.
- 23 (19) A citizen review panel established under IC 31-25-2-20.4.
- 24 (20) The department of child services ombudsman established by
- 25 IC 4-13-19-3.
- 26 (21) The secretary of education with protection for the identity of:
- 27 (A) any person reporting known or suspected child abuse or
- 28 neglect; and
- 29 (B) any other person if the person or agency making the
- 30 information available finds that disclosure of the information
- 31 would be likely to endanger the life or safety of the person.
- 32 (22) The state child fatality review coordinator employed by the
- 33 Indiana department of health under IC 16-49-5-1.
- 34 (23) A person who operates a child caring institution, group
- 35 home, or secure private facility if all the following apply:
  - 36 (A) The child caring institution, group home, or secure private
  - 37 facility is licensed under IC 31-27.
  - 38 (B) The report or other materials concern:
    - 39 (i) an employee of;
    - 40 (ii) a volunteer providing services at; or
    - 41 (iii) a child placed at;
    - 42 the child caring institution, group home, or secure private



- 1 facility.
- 2 (C) The allegation in the report occurred at the child caring
- 3 institution, group home, or secure private facility.
- 4 (24) A person who operates a child placing agency if all the
- 5 following apply:
- 6 (A) The child placing agency is licensed under IC 31-27.
- 7 (B) The report or other materials concern:
- 8 (i) a child placed in a foster home licensed by the child
- 9 placing agency;
- 10 (ii) a person licensed by the child placing agency to operate
- 11 a foster family home;
- 12 (iii) an employee of the child placing agency or a foster
- 13 family home licensed by the child placing agency; or
- 14 (iv) a volunteer providing services at the child placing
- 15 agency or a foster family home licensed by the child placing
- 16 agency.
- 17 (C) The allegations in the report occurred in the foster family
- 18 home or in the course of employment or volunteering at the
- 19 child placing agency or foster family home.
- 20 (25) The National Center for Missing and Exploited Children.
- 21 (26) A local domestic violence fatality review team established
- 22 under IC 12-18-8, as determined by the department to be relevant
- 23 to the death or near fatality that the local domestic violence
- 24 fatality review team is reviewing.
- 25 (27) The statewide domestic violence fatality review committee
- 26 established under IC 12-18-9-3, as determined by the department
- 27 to be relevant to the death or near fatality that the statewide
- 28 domestic violence fatality review committee is reviewing.
- 29 (28) The statewide maternal mortality review committee
- 30 established under IC 16-50-1-3, as determined by the department
- 31 to be relevant to the case of maternal morbidity or maternal
- 32 mortality that the statewide maternal mortality review committee
- 33 is reviewing.
- 34 (29) A local fetal-infant mortality review team established under
- 35 IC 16-49-6, as determined by the department to be relevant to the
- 36 case of fetal or infant fatality that the local fetal-infant mortality
- 37 review team is reviewing.
- 38 (30) A suicide and overdose fatality review team established
- 39 under IC 16-49.5-2, as determined by the department to be
- 40 relevant to the case of a suicide or overdose fatality that the
- 41 suicide and overdose fatality review team is reviewing.
- 42 (31) The office of administrative law proceedings for a matter that



1 is the subject of an administrative proceeding before the office of  
2 administrative law proceedings.  
3 (32) A tribal representative, agency, or organization authorized by  
4 the Indian child's tribe to care for, diagnose, treat, review,  
5 evaluate, or monitor active efforts regarding an Indian child, and  
6 the Indian child's parent, guardian, or custodian.  
7 (33) The United States Department of State and foreign  
8 governments to comply with federal law and treaties.  
9 (34) A child advocacy center when the child advocacy center has  
10 before it an investigation of child abuse or neglect in which it is  
11 facilitating a forensic interview or facilitating a case discussion or  
12 case review.

