

# SENATE BILL No. 331

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-37-25.

**Synopsis:** Interagency information sharing. Allows a county to establish an interagency information sharing committee to enable the juvenile justice system, schools, and social service agencies to share information to the extent not prohibited by federal law in order to provide appropriate services to delinquent children or children substantially at risk of becoming delinquent children.

**Effective:** Upon passage.

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January 8, 1998, read first time and referred to Committee on Judiciary.

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Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

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## SENATE BILL No. 331



A BILL FOR AN ACT to amend the Indiana Code concerning family law.

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

1 SECTION 1. IC 31-37-25 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 25. County Interagency Information Sharing**  
5 **Committee**

6 **Sec. 1. A county legislative body may by resolution establish an**  
7 **interagency information sharing committee to enable the juvenile**  
8 **justice system, schools, and social service agencies to share**  
9 **information in order to provide appropriate services to children**  
10 **who are:**

11 (1) **adjudicated as, or alleged in a proceeding initiated under**  
12 **this article to be, delinquent children; or**

13 (2) **identified by the committee to be substantially at risk of**  
14 **becoming delinquent children.**

15 **Sec. 2. (a) The interagency information sharing committee must**  
16 **consist of one (1) or more representatives of the following agencies**  
17 **in the county:**



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- (1) Law enforcement.
- (2) School corporations.
- (3) Probation.
- (4) Court having juvenile jurisdiction.
- (5) Office of family and children.
- (6) Community mental health center.

(b) In addition to the requirements of subsection (a), the interagency information sharing committee may include representatives of any agency or community organization serving children in the county.

**Sec. 3.** The interagency information sharing committee shall do the following:

- (1) Adopt criteria to identify those children that the committee will serve.
- (2) Adopt a written interagency information sharing agreement that must include the following:
  - (A) A requirement that all records pertaining to a child served by the committee are confidential.
  - (B) A requirement that each member agency shall designate an interagency contact person.
  - (C) A provision that authorizes a committee member to disclose confidential information concerning a child to another committee member to the extent that federal law does not prohibit the disclosure of the information.
  - (D) A requirement that a staff person from a member agency who receives information from the committee is:
    - (i) governed by the confidentiality of the information; and
    - (ii) a provider of direct services or supervision to a child served by the committee.
  - (E) A requirement that, notwithstanding the confidentiality of information received under the agreement, each staff person of a member agency is required to make a report under IC 31-33-5 if the staff person has reason to believe that a child is a victim of child abuse or neglect.

**Sec. 4.** The interagency information sharing agreement under section 5(2) of this chapter becomes effective for an agency represented on the committee when the agreement is signed by the chief executive officer of the agency.

**Sec. 5.** The judge of the court in the county having juvenile jurisdiction may issue a comprehensive information sharing court order to allow agencies that are represented on the interagency

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1 information sharing committee and whose chief executive officers  
2 have signed the interagency information sharing agreement to  
3 provide and disclose information to the committee.  
4       **Sec. 6. A person or agency who participates in good faith in the**  
5 **sharing of information under this chapter is immune from civil,**  
6 **criminal, or other liability that might result from the type of**  
7 **information exchanged.**  
8       **Sec. 7. All reports concerning interagency information sharing**  
9 **committee clients made available to members of the interagency**  
10 **information sharing committee and all records generated from**  
11 **these reports are confidential and may not be disclosed except as**  
12 **specifically authorized by this chapter or by applicable law.**  
13       **Sec. 8. A person who recklessly, knowingly, or intentionally**  
14 **permits, assists, or encourages the unauthorized release of**  
15 **information in committee records or reports commits a Class A**  
16 **misdemeanor.**  
17       **SECTION 2. An emergency is declared for this act.**

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