

Adopted Rejected

COMMITTEE REPORT

YES:	12
NO:	1

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1210, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 31-34-21-5.6 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5.6. (a) A court may
- 5 make a finding described in this section at any phase of a child in need
- 6 of services proceeding.
- 7 (b) Reasonable efforts to reunify a child with the child's parent,
- 8 guardian, or custodian or preserve a child's family as described in
- 9 section 5.5 of this chapter are not required if the court finds any of the
- 10 following:
- 11 (1) A parent, guardian, or custodian of a child who is a child in
- 12 need of services has been convicted of:
- 13 (A) an offense described in IC 31-35-3-4(1)(B) or
- 14 IC 31-35-3-4(1)(D) through IC 31-35-3-4(J) against a victim
- 15 who is:

- 1 (i) a child described in IC 31-35-3-4(2); or
 2 (ii) a parent of the child; or
 3 (B) a comparable offense as described in clause (A) in any
 4 other state, territory, or country by a court of competent
 5 jurisdiction.
- 6 (2) A parent, guardian, or custodian of a child who is a child in
 7 need of services:
- 8 (A) has been convicted of:
- 9 (i) the murder (IC 35-42-1-1) or voluntary manslaughter (IC
 10 35-42-1-3) of a victim who is a child described in
 11 IC 31-35-3-4(2)(B) or a parent of the child; or
 12 (ii) a comparable offense described in item (i) in any other
 13 state, territory, or country; or
 14 (B) has been convicted of:
- 15 (i) aiding, inducing, or causing another person;
 16 (ii) attempting; or
 17 (iii) conspiring with another person;
 18 to commit an offense described in clause (A).
- 19 (3) A parent, guardian, or custodian of a child who is a child in
 20 need of services has been convicted of:
- 21 (A) battery (IC 35-42-2-1 (a)(4)) as a Class B felony;
 22 (B) battery (IC 35-42-2-1(a)(3)) as a Class C felony;
 23 (C) aggravated battery (IC 35-42-2-1.5);
 24 (D) criminal recklessness (IC 35-42-2-2(c)) as a Class C
 25 felony; or
 26 **(E) neglect of a dependent (IC 35-46-1-4) as a Class B or**
 27 **Class C felony; or**
 28 ~~(E)~~ **(F)** a comparable offense described in clauses (A) through
 29 (D) in another state, territory, or country;
 30 against a child described in IC 31-35-3-4(2)(B).
- 31 (4) The parental rights of a parent with respect to a biological or
 32 adoptive sibling of a child who is a child in need of services have
 33 been involuntarily terminated by a court under:
- 34 (A) IC 31-35-2 (involuntary termination involving a
 35 delinquent child or a child in need of services);
 36 (B) IC 31-35-3 (involuntary termination involving an
 37 individual convicted of a criminal offense); or
 38 (C) any comparable law described in clause (A) or (B) in any

1 other state, territory, or country.
2 (5) The child is an abandoned infant, provided that the court:
3 (A) has appointed a guardian ad litem or court appointed
4 special advocate for the child; and
5 (B) after receiving a written report and recommendation from
6 the guardian ad litem or court appointed special advocate, and
7 after a hearing, finds that reasonable efforts to locate the
8 child's parents or reunify the child's family would not be in the
9 best interests of the child."

10 Page 1, line 14, before "Class B" insert "**Class C felony if it results**
11 **in bodily injury and a**".

12 Renumber all SECTIONS consecutively.
(Reference is to HB 1210 as introduced.)

and when so amended that said bill do pass.

Representative Dvorak