

HOUSE BILL No. 1508

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-31; IC 12-17.4-6.

Synopsis: Foreign adoption agency regulation. Requires a person who offers advice, information, or assistance regarding the adoption of a child who is not a citizen of the United States to be licensed by the division of family and children as a child placing agency and to maintain a director's and officer's insurance policy of at least \$1,000,000. Makes it a Class D felony for the person to provide the adoption services without a license or to otherwise violate the provisions governing child placing agencies.

Effective: July 1, 1999.

Hasler

January 19, 1999, read first time and referred to Committee on Human Affairs.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

HOUSE BILL No. 1508

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 12-7-2-31 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 31. "Child placing
3 agency", for purposes of IC 12-17.4, means a person who provides
4 child welfare services to children and families. The services include
5 home studies, investigation, and recommendation of families for the
6 purpose of placing, arranging, or causing the placement of children for
7 adoption, foster care, or residential care and supervision of those
8 placements. **The term includes a person who offers advice,**
9 **information, or assistance regarding the adoption of a child who is**
10 **not a citizen of the United States.**

11 SECTION 2. IC 12-17.4-6-33 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 33. A person who
13 knowingly or intentionally violates this chapter commits a Class B
14 misdemeanor. **However, the offense is a Class D felony if the child**
15 **to be adopted is not a citizen of the United States before the**
16 **adoption.**

17 SECTION 3. IC 12-17.4-6-2.5 IS ADDED TO THE INDIANA

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1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: **Sec. 2.5. (a) This section applies to a**
3 **child placing agency that offers advice, information, or assistance**
4 **regarding the adoption of a child who is not a citizen of the United**
5 **States.**

6 (b) An applicant for a child placing agency license must submit
7 proof to the division that the applicant is insured under a director's
8 and officer's policy issued by an insurance company authorized to
9 do business in Indiana for the amount of one million dollars
10 (\$1,000,000).

11 (c) A licensee shall at all times maintain in force the insurance
12 required under subsection (b).

13 (d) The division shall revoke the license of a child placing agency
14 that does not comply with the insurance requirement under this
15 section.

16 (e) The division may not issue a license to a child placing agency
17 whose license has been revoked under subsection (d) unless the
18 child placing agency:

- 19 (1) files a new application that is accompanied by the proof
20 required under subsection (b);
21 (2) did not continue operation after the former license was
22 revoked; and
23 (3) is otherwise eligible for a license under this chapter.

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