

**CONFERENCE COMMITTEE REPORT
DIGEST FOR HB 1210**

Citations Affected: IC 31-33.

Synopsis: Child abuse and neglect. Increases the penalty for neglect of a dependent from a Class D felony to: (1) a Class C felony if it results in bodily injury; and (2) a Class C felony if the offense involves cruel or unusual confinement or abandonment of the dependent. Adds a conviction of a child's parent, guardian, or custodian for neglect of a dependent as a Class B felony to the list of convictions for offenses in which reasonable efforts to reunify a child with the child's parent, guardian, or custodian or to preserve the child's family are not required. Provides that commission of neglect of a dependent as a Class B felony may be grounds for a school not to employ an individual. Makes a conforming change. Requires photographs, x-rays, and physical medical examination reports made with respect to a child who is the subject of a child in need of services investigation to be made available, upon request, to an appropriate law enforcement agency for use in a child abuse or neglect investigation or a proceeding relating to the subject matter of the report. (This conference committee report adds the provisions relating to making photographs, x-rays, and physical examination reports available to law enforcement agencies.)

Effective: July 1, 1999.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1210 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 3, between lines 4 and 5, begin a new paragraph and insert:
2 "SECTION 2. IC 31-33-2-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. The local child
4 protection service shall give notice of the existence and location of
5 photographs, x-rays, and physical medical examination reports to:
6 (1) the prosecuting attorney; and
7 (2) the appropriate law enforcement agency, **if the law**
8 **enforcement agency has not already received the items**
9 **described in this section under IC 31-33-10-3.**
10 SECTION 3. IC 31-33-2-5 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Photographs, x-rays,
12 or physical medical examination reports shall be made available to:
13 **(1) the law enforcement agency having jurisdiction;**
14 ~~(2)~~ **(2)** the county office of family and children;
15 ~~(3)~~ **(3)** the prosecuting attorney;
16 ~~(4)~~ **(4)** the guardian ad litem; or
17 ~~(5)~~ **(5)** the court appointed special advocate appointed by the
18 juvenile court;
19 for use in any judicial proceeding relating to the subject matter of a
20 report made under this article and, to the extent permissible under the
21 Indiana Rules of Trial Procedure, to the adverse party in any
22 proceeding arising under this article.
23 SECTION 4. IC 31-33-10-3 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. All photographs
25 taken and a summary of x-rays and other medical care shall be sent to
26 the local child protection service **and, upon request, to a law**

1 **enforcement agency that investigates the alleged child abuse or**
2 **neglect**, at the time the written report is sent or as soon thereafter as
3 possible. The local child protection service shall give notice of the
4 existence of photographs, x-rays, and physical medical examination
5 reports in accordance with IC 31-33-2-4."

6 Page 4, line 4, strike "(D)" and insert "(E)".

7 Renumber all SECTIONS consecutively.

(Reference is to EHB 1210 as printed March 26, 1999.)

Conference Committee Report
on
House Bill 1210

Signed by:

Senator Bray

Representative Cook

Senator Alexa

Representative Ruppel

Senate Conferees

House Conferees