

HOUSE BILL No. 1224

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-33-6-1; IC 35-46-1-14.5.

Synopsis: Reporting crimes against children. Makes it a Class D felony for a person who believes or has reason to believe that a child is the victim of a violent crime to fail to immediately report the crime to the local child protection service or local law enforcement agency. Specifies that the reporting requirement does not apply to the reporting of reasonable corporal punishment. Provides that a person making the report in good faith is immune from civil or criminal liability.

Effective: July 1, 2000.

Villalpando

January 10, 2000, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1224

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

- 1 SECTION 1. IC 31-33-6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. Except as provided
3 in section 2 of this chapter, a person, other than a person accused of
4 child abuse or neglect, who:
5 (1) makes or causes to be made a report of a child who may be a
6 victim of child abuse or neglect;
7 (2) is a health care provider and detains a child for purposes of
8 causing photographs, x-rays, or a physical medical examination
9 to be made under IC 31-33-10;
10 (3) makes any other report of a child who may be a victim of child
11 abuse and neglect; ~~or~~
12 (4) participates in any judicial proceeding or other proceeding:
13 (A) resulting from a report that a child may be a victim of
14 child abuse or neglect; or
15 (B) relating to the subject matter of the report; **or**
16 **(5) reports the facts supporting the person's belief or reason**
17 **to believe that a child is the victim of a violent crime, as**



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1 **required by IC 35-46-1-14.5;**
 2 is immune from any civil or criminal liability that might otherwise be
 3 imposed because of such actions.
 4 SECTION 2. IC 35-46-1-14.5 IS ADDED TO THE INDIANA
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2000]: **Sec. 14.5. (a) This section does not**
 7 **require a person to report the use of reasonable corporal**
 8 **punishment by a parent, guardian, or custodian when disciplining**
 9 **a child.**
 10 **(b) As used in this section, "child" means a person who is less**
 11 **than eighteen (18) years of age.**
 12 **(c) As used in this section, "violent crime" has the meaning set**
 13 **forth in IC 5-2-6.1-8.**
 14 **(d) A person who:**
 15 **(1) believes or has reason to believe that a child is the victim**
 16 **of a violent crime; and**
 17 **(2) fails to immediately report the facts supporting the belief**
 18 **to the local child protection service or a local law enforcement**
 19 **agency having jurisdiction over the crime;**
 20 **commits a Class D felony.**
 21 **(e) A person acting in good faith who makes a report of the facts**
 22 **supporting the person's belief or reason to believe that a child is**
 23 **the victim of a violent crime, as required by this section, is immune**
 24 **from any civil or criminal liability in accordance with IC 31-33-6-1.**

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