

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred House Bill No. 1165, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 8, line 22, delete "hospital;" and insert "**hospital or other**
- 2 **place not intended for general habitation;**".
- 3 Page 9, line 4, delete "newly".
- 4 Page 9, between lines 7 and 8, begin a new paragraph and insert:
- 5 "**Sec. 1. This chapter applies after June 30, 2009.**".
- 6 Page 9, line 8, delete "1." and insert "**2.**".
- 7 Page 9, line 10, delete "2." and insert "**3.**".
- 8 Page 10, line 3, after "staying;" insert "**and**".
- 9 Page 10, delete lines 4 through 6.
- 10 Page 10, line 7, delete "(3)" and insert "**(2)**".
- 11 Page 10, line 27, delete "shall" and insert "**may**".
- 12 Page 10, delete lines 36 through 42.
- 13 Page 11, delete lines 1 through 6, begin a new paragraph and insert:
- 14 "**SECTION 4. IC 31-9-2-13, AS AMENDED BY P.L.138-2007,**
- 15 **SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
- 16 **JULY 1, 2008]: Sec. 13. (a) "Child", for purposes of IC 31-15, IC 31-16**
- 17 **(excluding IC 31-16-12.5), and IC 31-17, means a child or children of**
- 18 **both parties to the marriage. The term includes the following:**
- 19 (1) Children born out of wedlock to the parties.
- 20 (2) Children born or adopted during the marriage of the parties.

- 1 (b) "Child", for purposes of the Uniform Interstate Family Support
2 Act under IC 31-18, has the meaning set forth in IC 31-18-1-2.
- 3 (c) "Child", for purposes of IC 31-19-5, includes an unborn child.
- 4 (d) **Except as otherwise provided in this section, "child", for**
5 **purposes of the juvenile law, means:**
- 6 (1) a person who is less than eighteen (18) years of age;
- 7 (2) a person:
- 8 (A) who is eighteen (18), nineteen (19), or twenty (20) years
9 of age; and
- 10 (B) who either:
- 11 (i) is charged with a delinquent act committed before the
12 person's eighteenth birthday; or
- 13 (ii) has been adjudicated a child in need of services before
14 the person's eighteenth birthday; or
- 15 (3) a person:
- 16 (A) who is alleged to have committed an act that would have
17 been murder if committed by an adult;
- 18 (B) who was less than eighteen (18) years of age at the time of
19 the alleged act; and
- 20 (C) who is less than twenty-one (21) years of age.
- 21 **(e) "Child", for purposes of IC 31-36-3, means a person who is**
22 **less than eighteen (18) years of age.**
- 23 ~~(f)~~ (f) "Child", for purposes of the Interstate Compact on Juveniles
24 under IC 31-37-23-1, has the meaning set forth in IC 31-37-23-1.
- 25 ~~(g)~~ (g) "Child", for purposes of IC 31-16-12.5, means an individual
26 to whom child support is owed under:
- 27 (1) a child support order issued under IC 31-14-10 or IC 31-16-6;
28 or
- 29 (2) any other child support order that is enforceable under
30 IC 31-16-12.5.
- 31 ~~(h)~~ (h) "Child", for purposes of IC 31-27 and IC 31-32-5, means a
32 individual who is less than eighteen (18) years of age.
- 33 ~~(i)~~ (i) "Child", for purposes of the Uniform Child Custody
34 Jurisdiction Act under IC 31-21, has the meaning set forth in
35 IC 31-21-2-3."
- 36 Page 12, delete lines 2 through 5, begin a new paragraph and insert:
37 "SECTION 9. IC 31-17-6-1 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. A court, in a

1 proceeding under IC 31-17-2, IC 31-17-4, this chapter, ~~or~~ IC 31-17-7,
 2 **or IC 31-28-5**, may appoint a guardian ad litem, a court appointed
 3 special advocate, or both, for a child at any time."

4 Page 12, line 18, delete "or".

5 Page 12, line 19, delete "litem or" and insert "**litem, a**".

6 Page 12, line 19, delete "advocate" and insert "**advocate, or an**
 7 **agency that has the legal responsibility or authorization to care for,**
 8 **treat, or supervise a child**".

9 Page 12, line 27, delete "any individual" and insert "**the child's**
 10 **guardian ad litem or court appointed special advocate**".

11 Page 12, line 38, delete "A guardian ad litem or court appointed
 12 special advocate" and insert "**The provisions of IC 31-17-6 apply to**
 13 **a guardian ad litem or court appointed special advocate appointed**
 14 **under this section.**".

15 Page 12, delete lines 39 through 42.

16 Page 13, delete lines 1 through 18.

17 Page 13, delete lines 25 through 36.

18 Page 13, line 37, delete "3. An individual who is at least sixteen (16)
 19 years of age and" and insert "**2. A child**".

20 Page 13, delete line 38.

21 Page 13, run in lines 37 through 39.

22 Page 13, line 40, delete "individual" and insert "**child**".

23 Page 14, line 4, delete "individual's" and insert "**child's**".

24 Page 14, between lines 5 and 6, begin a new paragraph and insert:

25 "**Sec. 3. (a) Except as provided in subsection (d), if a child**
 26 **voluntarily enters an emergency shelter or a shelter care facility,**
 27 **the shelter or facility shall notify the department, not later than**
 28 **twenty-four (24) hours after the child enters the shelter or facility,**
 29 **of the following:**

30 (1) **The name of the child.**

31 (2) **The location of the shelter or facility.**

32 (3) **Whether the child alleges that the child is the subject of**
 33 **abuse or neglect.**

34 (b) **The department shall conduct an investigation concerning**
 35 **the child not later than forty-eight (48) hours after receiving**
 36 **notification from the emergency shelter or shelter care facility**
 37 **under subsection (a).**

38 (c) **The department shall notify the child's parent, guardian, or**

1 **custodian that the child is in an emergency shelter or a shelter care**
2 **facility not later than seventy-two (72) hours after the child enters**
3 **the shelter or facility. However, the department may not notify the**
4 **child's parent, guardian, or custodian as to the specific shelter or**
5 **facility the child has entered.**

6 **(d) An emergency shelter or a shelter care facility is not**
7 **required to notify the department of a child who is an emancipated**
8 **minor."**

9 Page 14, delete lines 6 through 28.

10 Renumber all SECTIONS consecutively.

(Reference is to HB 1165 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

Riegsecker

Chairperson