

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1722 be amended to read as follows:

- 1 Page 29, between lines 16 and 17, begin a new paragraph and insert:
- 2 "SECTION 14. IC 31-34-20-1, AS AMENDED BY P.L.146-2008,
- 3 SECTION 602, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) Subject to this section and
- 5 section 1.5 of this chapter, if a child is a child in need of services, the
- 6 juvenile court may enter one (1) or more of the following dispositional
- 7 decrees:
- 8 (1) Order supervision of the child by the department.
- 9 (2) Order the child to receive outpatient treatment:
- 10 (A) at a social service agency or a psychological, a psychiatric,
- 11 a medical, or an educational facility; or
- 12 (B) from an individual practitioner.
- 13 (3) Remove the child from the child's home and authorize the
- 14 department to place the child in another home or shelter care
- 15 facility. Placement under this subdivision includes authorization
- 16 to control and discipline the child.
- 17 (4) Award wardship of the child to the department for
- 18 supervision, care, and placement.
- 19 (5) Partially or completely emancipate the child under section 6
- 20 of this chapter.
- 21 (6) Order the child's parent, guardian, or custodian to complete
- 22 services recommended by the department and approved by the
- 23 court under IC 31-34-16, IC 31-34-18, and IC 31-34-19.
- 24 (7) Order a person who is a party to refrain from direct or indirect

- 1 contact with the child.
 - 2 (8) Order a perpetrator of child abuse or neglect to refrain from
 - 3 returning to the child's residence.
 - 4 **(9) Order the department to place the child in the Morton**
 - 5 **Residential Academy established under IC 10-17-9.5-9.**
 - 6 (b) A juvenile court may not place a child in a home or facility that
 - 7 is located outside Indiana unless:
 - 8 (1) the placement is recommended or approved by the director of
 - 9 the department or the director's designee; or
 - 10 (2) the juvenile court makes written findings based on clear and
 - 11 convincing evidence that:
 - 12 (A) the out-of-state placement is appropriate because there is
 - 13 not a comparable facility with adequate services located in
 - 14 Indiana; or
 - 15 (B) the location of the home or facility is within a distance not
 - 16 greater than fifty (50) miles from the county of residence of
 - 17 the child.
 - 18 (c) If a dispositional decree under this section:
 - 19 (1) orders or approves removal of a child from the child's home or
 - 20 awards wardship of the child to the department; and
 - 21 (2) is the first juvenile court order in the child in need of services
 - 22 proceeding that authorizes or approves removal of the child from
 - 23 the child's parent, guardian, or custodian;
 - 24 the juvenile court shall include in the decree the appropriate findings
 - 25 and conclusions described in IC 31-34-5-3(b) and IC 31-34-5-3(c)."
 - 26 Renumber all SECTIONS consecutively.
- (Reference is to HB 1722 as printed February 20, 2009.)

Representative Reske