

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred Senate Bill 294, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 3. IC 9-26-2-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. **(a) Except as**
- 4 **provided under subsections (b) and (c),** a report filed by a law
- 5 enforcement officer under section 2 of this chapter is ~~not~~ a confidential
- 6 record. ~~and shall be made available for inspection and copying under~~
- 7 ~~IC 5-14-3.~~
- 8 **(b) A report filed by a law enforcement officer under section 2**
- 9 **of this chapter may be inspected or copied without a court order by**
- 10 **a person who certifies under the penalties for perjury that the**
- 11 **person is any of the following:**
- 12 **(1) A person named in the report or involved in the accident.**
- 13 **(2) A relative of a person named in the report or involved in**
- 14 **the accident.**
- 15 **(3) An appointed guardian of a person named in the report or**
- 16 **involved in the accident.**

- 1 **(4) An insurance carrier of a person named in the report or**
2 **involved in the accident.**
- 3 **(5) An attorney who represents a person named in the report**
4 **or involved in the accident, or an attorney who is authorized**
5 **to obtain the report by a person involved in the accident.**
- 6 **(6) A party to a civil action arising from the accident.**
- 7 **(7) The executor or administrator of a person named in the**
8 **report or involved in the accident, if the person is deceased.**
- 9 **(8) An attorney representing the executor or administrator of**
10 **a person named in the report or involved in the accident, if**
11 **the person is deceased.**
- 12 **(9) A member of a news gathering organization, solely for the**
13 **purpose of publishing or broadcasting the news. The news**
14 **gathering organization shall not use or distribute the report,**
15 **or knowingly allow its use or distribution, for a purpose other**
16 **than the news gathering organization's publication or**
17 **broadcasting of information in the report.**
- 18 **(c) A report filed by a law enforcement officer under section 2**
19 **of this chapter may be inspected or copied without a court order by**
20 **the general public, but only if personal information of a person**
21 **named in the report or involved in the accident is not disclosed. For**
22 **purposes of this subsection, personal information means:**
- 23 **(1) the name of a person named in the report or involved in**
24 **the accident;**
- 25 **(2) the address of a person named in the report or involved in**
26 **the accident;**
- 27 **(3) the Social Security number of a person named in the**
28 **report or involved in the accident;**
- 29 **(4) the date of birth of a person named in the report or**
30 **involved in the accident;**
- 31 **(5) the driver's license number or identification document**
32 **number of a person named in the report or involved in the**
33 **accident;**
- 34 **(6) the license plate number of a person named in the report**
35 **or involved in the accident; and**
- 36 **(7) any other information that would identify, or lead to the**
37 **identification of, a person named in the report or involved in**
38 **the accident.**

- 1 **(d) This section does not prevent access by governmental entities**
- 2 **or agencies to reports as otherwise provided in this title."**
- 3 Page 7, line 34, delete "the following".
- 4 Page 7, line 36, after "(A)" delete "A" and insert "a".
- 5 Page 7, line 37, delete "." and insert "; and".
- 6 Page 7, line 38, delete "Either:" and insert "**either:**".
- 7 Page 18, line 32, after "person;" delete "or".
- 8 Page 18, line 34, after "information;" insert "**or**
- 9 **(3) a person described in both subdivisions (1) and (2)."**
- 10 Page 18, delete lines 35 through 36.
- 11 Page 19, line 24, delete "the person's child." and insert "**a person**
- 12 **who is less than eighteen (18) years of age and:**
- 13 **(A) is the person's son or daughter;**
- 14 **(B) is a dependent of the person;**
- 15 **(C) is a ward of the person; or**
- 16 **(D) the other person is a guardian of the person less than**
- 17 **eighteen (18) years of age."**
- 18 Renumber all SECTIONS consecutively.
(Reference is to SB 294 as printed February 6, 2009.)

and when so amended that said bill do pass.

Representative Lawson L