



March 4, 2011

**ENGROSSED  
HOUSE BILL No. 1422**

DIGEST OF HB 1422 (Updated March 2, 2011 4:19 pm - DI 106)

**Citations Affected:** IC 5-2.

**Synopsis:** Notice to parent, guardian, or custodian. Provides that if a child is named in a written report of a crime and the law enforcement agency that receives the report reasonably believes that the child may be a victim of a crime, the law enforcement agency shall make a reasonable attempt to: (1) notify the parent, guardian or custodian of the child about the report; and (2) provide the parent, guardian or custodian with certain contact information. Provides certain exceptions to the notification requirement.

**Effective:** July 1, 2011.

**Davisson, Riecken**

(SENATE SPONSORS — TOMES, KRUSE)

January 18, 2011, read first time and referred to Committee on Family, Children and Human Affairs.

February 10, 2011, amended, reported — Do Pass.

February 14, 2011, read second time, ordered engrossed.

February 15, 2011, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 17, 2011, read first time and referred to Committee on Judiciary.

March 3, 2011, amended, reported favorably — Do Pass.

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EH 1422—LS 6992/DI 110+



March 4, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1422

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A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-2-18 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2011]:  
4 **Chapter 18. Requirement to Notify Parent, Guardian, or**  
5 **Custodian of a Child**  
6 **Sec. 1. As used in this chapter, "child" means a person who is**  
7 **less than eighteen (18) years of age.**  
8 **Sec. 2. As used in this chapter, "law enforcement agency" has**  
9 **the meaning set forth IC 5-2-17-2.**  
10 **Sec. 3. Except as provided in section 4 of this chapter, if a child**  
11 **is named in a written report of a crime as a victim of the crime or**  
12 **in a written report of a crime, and the law enforcement agency that**  
13 **receives the report reasonably believes that the child may be a**  
14 **victim of a crime, the law enforcement agency that receives the**  
15 **report shall make a reasonable attempt to:**  
16 **(1) notify the parent, guardian, or custodian of the child that**  
17 **the child has been named:**

EH 1422—LS 6992/DI 110+



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1           (A) in the report as a victim of a crime; or  
 2           (B) in the report and the law enforcement agency  
 3           reasonably believes that the child may be a victim of a  
 4           crime; and  
 5           (2) provide the parent, guardian, or custodian of the child  
 6           with contact information, if available, for a victim rights  
 7           advocate or a nonprofit, community, or government  
 8           organization that assists victims.

9           Sec. 4. A law enforcement agency is not required to notify or  
 10          send a letter to the parent, guardian, or custodian of a child under  
 11          section 3 of this chapter if:  
 12          (1) the parent, guardian, or custodian is the alleged  
 13          perpetrator of the crime; or  
 14          (2) notification or sending a letter to the parent, guardian, or  
 15          custodian would not be in the best interests of the child due to  
 16          the relationship of the parent, guardian, or custodian with the  
 17          alleged perpetrator of the crime.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1422, 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:

Page 1, delete lines 10 through 17, begin a new paragraph and insert:

**"Sec. 3. Except as provided in section 4 of this chapter, if a child is named in a written report of a crime as a victim of the crime or in a written report of a crime, and the law enforcement agency that receives the report reasonably believes that the child may be a victim of a crime, the law enforcement agency that receives the report shall make a reasonable attempt to:**

**(1) notify the parent, guardian, or custodian of the child that the child has been named:**

**(A) in the report as a victim of a crime; or**

**(B) in the report and the law enforcement agency reasonably believes that the child may be a victim of a crime; and**

**(2) provide the parent, guardian, or custodian of the child with contact information, if available, for a victim rights advocate or a nonprofit, community, or government organization that assists victims."**

Page 2, delete lines 5 through 38.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1422 as introduced.)

NOE, Chair

Committee Vote: yeas 9, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1422, 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:

Page 2, line 11, after "if" insert ":

**(1)".**

**EH 1422—LS 6992/DI 110+**



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Page 2, line 12, delete "." and insert "; or

**(2) notification or sending a letter to the parent, guardian, or custodian would not be in the best interests of the child due to the relationship of the parent, guardian, or custodian with the alleged perpetrator of the crime."**

and when so amended that said bill do pass.

(Reference is to HB 1422 as printed February 11, 2011.)

BRAY, Chairperson

Committee Vote: Yeas 7, Nays 0.

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