

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 590 be amended to read as follows:

- 1 Page 35, between lines 35 and 36, begin a new paragraph and insert:
2 "SECTION 21. IC 31-9-2-14, AS AMENDED BY P.L.52-2007,
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2011]: Sec. 14. (a) **Except as provided in subsection (d),**
5 "child abuse or neglect", for purposes of IC 31-32-11-1, IC 31-33,
6 IC 31-34-7-4, and IC 31-39-8-4, refers to a child who is alleged to be
7 a child in need of services as described in IC 31-34-1-1 through
8 IC 31-34-1-5.
9 (b) For purposes of subsection (a), the term under subsection (a)
10 does not refer to a child who is alleged to be a child in need of services
11 if the child is alleged to be a victim of a sexual offense under
12 IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3 involves
13 the fondling or touching of the buttocks, genitals, or female breasts.
14 (c) "Child abuse or neglect", for purposes of IC 31-34-2.3, refers to
15 acts or omissions by a person against a child as described in
16 IC 31-34-1-1 through IC 31-34-1-9.
17 (d) **"Child abuse or neglect", for purposes of IC 31-33-5,**
18 **IC 31-33-6, and IC 31-33-22, refers to a child who is alleged to be**
19 **a:**
20 (1) **child in need of services as described in IC 31-34-1-1**
21 **through IC 31-34-1-5; or**
22 (2) **victim of a crime described in:**
23 (A) **IC 35-42-4 (sex crimes);**
24 (B) **IC 35-42-2-1 (battery);**

- 1 **(C) IC 35-46-1-4 (neglect of a dependent); or**
- 2 **(D) IC 35-42-3.5-1 (human trafficking).**

3 SECTION 22. IC 31-9-2-133 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 133. (a) **Except as**
 5 **provided in subsection (c), "victim of child abuse or neglect", for**
 6 **purposes of IC 31-32-11-1 and IC 31-33, refers to a child in need of**
 7 **services as described in:**

- 8 (1) IC 31-34-1-1 through IC 31-34-1-5;
- 9 (2) IC 31-34-1-10; or
- 10 (3) IC 31-34-1-11.

11 (b) The term does not include a child who is alleged to be a child in
 12 need of services if the child is alleged to be a victim of a sexual offense
 13 under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3
 14 involves the fondling or touching of the buttocks, genitals, or female
 15 breasts.

16 (c) **"Victim of child abuse or neglect", for purposes of**
 17 **IC 31-33-5, IC 31-33-6, and IC 31-33-22, refers to a child who is**
 18 **alleged to be a:**

- 19 **(1) child in need of services as described in IC 31-34-1-1**
 20 **through IC 31-34-1-5; or**
- 21 **(2) victim of a crime described in:**
 - 22 **(A) IC 35-42-4 (sex crimes);**
 - 23 **(B) IC 35-42-2-1 (battery);**
 - 24 **(C) IC 35-46-1-4 (neglect of a dependent); or**
 - 25 **(D) IC 35-42-3.5-1 (human trafficking)."**

26 Renumber all SECTIONS consecutively.
 (Reference is to ESB 590 as printed April 15, 2011.)

Representative Tyler