
SENATE BILL No. 359

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-19-26.5-14; IC 31-40-3-4.

Synopsis: Use of a federal adoption incentive payment. Requires that an adoption incentive payment that has been paid or is paid to Indiana after July 1, 2010, under the federal Adoption and Safe Families Act must be used to make adoption subsidy payments for the benefit of a child with special needs under the state adoption subsidy program. Provides that an adoption incentive payment is not required to be used to make adoption subsidy payments for the benefit of a child with special needs if there is no child with special needs eligible for an adoption subsidy under the state adoption subsidy program. Makes a technical correction.

Effective: Upon passage.

Broden

January 11, 2011, read first time and referred to Committee on Appropriations.

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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.

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SENATE BILL No. 359



A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

1 SECTION 1. IC 31-19-26.5-14 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) Except as otherwise**
4 **provided under federal law and subsection (b), an adoption**
5 **incentive payment that has been paid or is paid to Indiana after**
6 **July 1, 2010, under the federal Adoption and Safe Families Act (42**
7 **U.S.C. 673b) must be used to make adoption subsidy payments**
8 **under this chapter for the benefit of a child with special needs.**

9 (b) An adoption incentive payment paid to Indiana as described
10 in subsection (a) is not required to be used to make adoption
11 subsidy payments under this chapter for the benefit of a child with
12 special needs if there is no child with special needs eligible for an
13 adoption subsidy under this chapter.

14 SECTION 2. IC 31-40-3-4 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **Subject to**
16 **IC 31-19-26.5-14**, an adoption incentive payment that is paid to
17 Indiana under the federal Adoption and Safe Families Act ~~(42 U.S.C.~~



1 ~~473A(d)~~ **(42 U.S.C. 673b)** must be used for services to facilitate the
2 adoption of children who are in need of services and may be used for
3 postadoption services.

4 SECTION 3. **An emergency is declared for this act.**

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