

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 287 be amended to read as follows:

- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning
3 family law and juvenile law and to make an appropriation.
4 Page 1, between the enacting clause and line 1, begin a new
5 paragraph and insert:
6 "SECTION 1. IC 2-5.5-6 IS ADDED TO THE INDIANA CODE AS
7 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2012]:
9 **Chapter 6. Department of Child Services Oversight Committee**
10 **Sec. 1. As used in this chapter, "committee" refers to the**
11 **department of child services oversight committee established by**
12 **this chapter.**
13 **Sec. 2. The department of child services oversight committee is**
14 **established.**
15 **Sec. 3. (a) The committee shall do all of the following:**
16 **(1) Oversee the implementation of legislation enacted by the**
17 **general assembly concerning the department of child services.**
18 **(2) Review and study constituent issues concerning the**
19 **department of child services.**
20 **(3) Review best practices concerning child welfare, child**
21 **mental health, and delinquent children.**
22 **(4) Receive and review status reports from the department of**
23 **child services ombudsman.**
24 **(5) Study issues concerning the department of child services**

1 centralized hotline, including a review of the assessment and
 2 referral process that occurs after a telephone call is received
 3 by the hotline.

4 (6) Make legislative recommendations concerning the
 5 department of child services.

6 **Sec. 4. The committee consists of the following members:**

7 (1) Two (2) members of the house of representatives
 8 appointed by the speaker of the house of representatives.

9 (2) Two (2) members of the house of representatives
 10 appointed by the minority leader of the house of
 11 representatives.

12 (3) Two (2) members of the senate appointed by the president
 13 pro tempore of the senate.

14 (4) Two (2) members of the senate appointed by the minority
 15 leader of the senate.

16 (5) One (1) juvenile or family court judge appointed by the
 17 speaker of the house of representatives.

18 (6) One (1) juvenile or family court judge appointed by the
 19 minority leader of the house of representatives.

20 (7) One (1) juvenile or family court judge appointed by the
 21 president pro tempore of the senate.

22 (8) One (1) juvenile or family court judge appointed by the
 23 minority leader of the senate.

24 **Sec. 5. (a) The president pro tempore of the senate shall appoint**
 25 **a member of the committee to serve as chairperson of the**
 26 **commission from July 1, 2012 through June 30, 2013.**

27 **(b) The speaker of the house of representatives shall appoint a**
 28 **member of the committee to serve as chairperson of the**
 29 **commission from July 1, 2013 through July 1, 2014.**

30 **Sec. 6. (a) The legislative services agency shall provide**
 31 **administrative support for the committee.**

32 **(b) There is annually appropriated to the legislative services**
 33 **agency from the state general fund money necessary for the**
 34 **operation of the committee.**

35 **Sec. 7. Six (6) committee members constitute a quorum. The**
 36 **affirmative votes of at least six (6) committee members are**
 37 **necessary for the committee to take official action.**

38 **Sec. 8. The committee shall meet at the call of the chair and at**
 39 **other times as the committee considers necessary. The committee**
 40 **shall meet at least once every three (3) months.**

41 **Sec. 9. (a) Each member of the committee who is not a state**
 42 **employee and is not a member of the general assembly is entitled**
 43 **to the following:**

44 (1) The salary per diem provided under IC 4-10-11-2.1(b).

45 (2) Reimbursement for traveling expenses as provided under
 46 IC 4-13-1-4.

47 (b) Each member of the committee who is a state employee but

1 not a member of the general assembly is entitled to the following:

2 (1) Reimbursement for traveling expenses as provided under
3 IC 4-13-1-4.

4 (2) Other expenses actually incurred in connection with the
5 member's duties as provided in the state policies and
6 procedures established by the Indiana department of
7 administration and approved by the budget agency.

8 (c) Each member of the committee who is a member of the
9 general assembly is entitled to the same:

10 (1) per diem;

11 (2) mileage; and

12 (3) travel allowances;

13 paid to legislative members of interim study committees
14 established by the legislative council.

15 Sec. 10. (a) Except as provided in subsection (b), meetings of the
16 committee are open to the public.

17 (b) Except as provided in subsection (d), a meeting of the
18 committee that involves:

19 (1) confidential records; or

20 (2) identifying information regarding the death of a child that
21 is confidential under state or federal law;

22 shall be held as an executive session.

23 (c) If a meeting is held as an executive session under subsection
24 (b), each individual who:

25 (1) attends the meeting; and

26 (2) is not a member of the statewide child fatality review
27 committee;

28 shall sign a confidentiality statement prepared by the legislative
29 services agency. The committee shall keep all confidentiality
30 statements signed under this subsection.

31 (d) A majority of the members of the committee may vote to
32 disclose any report or part of a report regarding a fatality review
33 to the public if the information is in the general public interest as
34 determined by the committee.

35 Sec. 11. This chapter expires July 1, 2014."

36 Page 4, between lines 36 and 37, begin a new paragraph and insert:

37 "SECTION 4. IC 4-13-19-7.5 IS ADDED TO THE INDIANA
38 CODE AS A NEW SECTION TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2012]: Sec. 7.5. (a) The department of child
40 services ombudsman or the ombudsman's designee shall:

41 (1) attend meetings of; and

42 (2) provide status reports to;

43 the department of child services oversight committee established
44 by IC 2-5.5-6.

45 (b) This chapter expires July 1, 2014.

46 SECTION 5. IC 4-13-19-10, AS ADDED BY P.L.182-2009(ss),
47 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2012]: Sec. 10. (a) The office of the department of child
 2 services ombudsman shall prepare a report each year on the operations
 3 of the office.

4 (b) The office of the department of child services ombudsman shall
 5 include the following information in the annual report required under
 6 subsection (a):

7 (1) The office of the department of child services ombudsman's
 8 activities.

9 (2) The general status of children in Indiana, including:

10 (A) the health and education of children; and

11 (B) the administration or implementation of programs for
 12 children.

13 (3) Any other issues, concerns, or information concerning
 14 children.

15 (c) A copy of the report shall be provided to the following:

16 (1) The governor.

17 (2) The legislative council.

18 (3) The Indiana department of administration.

19 (4) The department of child services.

20 **(5) The members of the department of child services oversight**
 21 **committee established by IC 2-5.5-6.**

22 A report provided under this subsection to the legislative council must
 23 be in an electronic format under IC 5-14-6.

24 (d) A copy of the report shall be posted on the department of child
 25 services' Internet web site and on any Internet web site maintained by
 26 the office of the department of child services ombudsman.

27 ~~(e) An initial report summarizing the activities of the department of~~
 28 ~~child services ombudsman shall be completed by no later than~~
 29 ~~December 1, 2009, and a copy of the report shall be posted on the~~
 30 ~~department of child services' Internet web site and on any Internet web~~
 31 ~~site maintained by the office of the department of child services~~
 32 ~~ombudsman, and shall be provided to the following:~~

33 ~~(1) The governor.~~

34 ~~(2) The legislative council.~~

35 ~~(3) The Indiana department of administration.~~

36 ~~(4) The department of child services.~~

- 1 A report provided under this subsection to the legislative council must
- 2 be in an electronic format under IC 5-14-6. This subsection expires
- 3 December 31, 2009."
- 4 Renumber all SECTIONS consecutively.
(Reference is to ESB 287 as printed February 24, 2012.)

Representative Day