

HOUSE BILL No. 1310

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-35.

Synopsis: Commission on improving the status of children. Establishes the commission on improving the status of children in Indiana (commission). Requires certain departments, agencies, and boards to submit an annual report concerning the status of children to the commission by June 30 of each year and to submit any other reports and information requested by the commission. Allows the commission to request information and reports regarding matters related to children from other state agencies.

Effective: July 1, 2012.

Crawford

January 11, 2012, read first time and referred to Committee on Family, Children and Human Affairs.

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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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1310



A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

- 1 SECTION 1. IC 2-5-35 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2012]:
- 4 **Chapter 35. Commission on Improving the Status of Children**
- 5 **in Indiana**
- 6 **Sec. 1. As used in this chapter, "commission" refers to the**
- 7 **commission on improving the status of children in Indiana**
- 8 **established by section 3 of this chapter.**
- 9 **Sec. 2. As used in this chapter, "state agency" has the meaning**
- 10 **set forth in IC 4-6-3-1.**
- 11 **Sec. 3. The commission on improving the status of children in**
- 12 **Indiana is established.**
- 13 **Sec. 4. (a) The commission shall consist of twenty-five (25)**
- 14 **members appointed as follows:**
- 15 **(1) The speaker of the house of representatives and the**
- 16 **president pro tempore of the senate shall each appoint two (2)**
- 17 **legislative members, not more than two (2) of whom may be**



- 1 affiliated with the same political party, to serve on the
 2 commission.
 3 **(2) The speaker of the house of representatives shall appoint**
 4 **the following two (2) members to serve on the commission for**
 5 **a term of four (4) years:**
 6 **(A) One (1) school teacher.**
 7 **(B) One (1) school administrator.**
 8 **(3) The minority leader of the house shall appoint the**
 9 **following two (2) members to serve on the commission for a**
 10 **term of four (4) years:**
 11 **(A) One (1) member of a faith-based organization.**
 12 **(B) One (1) university professor with expertise in**
 13 **childhood and adolescent development.**
 14 **(4) The president pro tempore of the senate shall appoint the**
 15 **following two (2) members to serve on the commission for a**
 16 **term of four (4) years:**
 17 **(A) One (1) child psychologist licensed under IC 25-33.**
 18 **(B) One (1) pediatric physician licensed under IC 25-22.5.**
 19 **(5) The minority leader of the senate shall appoint the**
 20 **following two (2) members to serve on the commission for a**
 21 **term of four (4) years:**
 22 **(A) One (1) social worker licensed under IC 25-23.6.**
 23 **(B) One (1) parent.**
 24 **(6) The governor shall appoint the following six (6) members**
 25 **to serve on the commission for a term of four (4) years:**
 26 **(A) One (1) parent or guardian of a child who is receiving**
 27 **services in the juvenile justice system or the child welfare**
 28 **system.**
 29 **(B) One (1) representative of a nonprofit children's**
 30 **organization.**
 31 **(C) One (1) member who represents child service providers**
 32 **in the juvenile justice system.**
 33 **(D) One (1) member who represents child service providers**
 34 **in the child welfare system.**
 35 **(E) One (1) member who represents a private**
 36 **philanthropic organization with a substantial interest in**
 37 **the well-being of children.**
 38 **(F) One (1) member who has formerly received services in**
 39 **the juvenile justice system or child welfare system.**
 40 **(7) The chief justice of the supreme court shall appoint the**
 41 **following seven (7) members of the legal community to serve**
 42 **on the commission for a term of four (4) years:**

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- 1 (A) Two (2) juvenile court judges, one (1) with experience
 2 handling a juvenile delinquency docket and one (1) with
 3 experience handling a child welfare docket.
 4 (B) One (1) prosecuting attorney who works in juvenile
 5 court.
 6 (C) One (1) public defender who works in juvenile court.
 7 (D) One (1) court appointed special advocate director.
 8 (E) One (1) attorney in private practice who is a member
 9 of the Indiana State Bar Association and whose work
 10 involves representing or litigating on behalf of children.
 11 (F) One (1) attorney with knowledge in the area of
 12 education law or special education law.
- 13 (b) In making appointments under subsection (a), the appointing
 14 authorities shall consider appointing members who represent
 15 diverse:
- 16 (1) geographic areas of Indiana; and
 17 (2) ethnic and racial backgrounds.
- 18 Sec. 5. Except for the members appointed under sections
 19 4(a)(6)(B), 4(a)(6)(C), and 4(a)(6)(D) of this chapter, the members
 20 of the commission shall not have a direct financial interest in the
 21 subject matter to be studied by the commission.
- 22 Sec. 6. The chairman of the legislative council shall designate
 23 two (2) legislative members of the commission who are not from
 24 the same political party to alternate annually as chairperson of the
 25 commission. The individual appointed under section 4(a)(3)(B) of
 26 this chapter shall serve as co-chairperson of the commission.
- 27 Sec. 7. (a) A legislative member of the commission may be
 28 removed at any time by the appointing authority who appointed
 29 the legislative member.
- 30 (b) If a vacancy exists on the commission, the appointing
 31 authority who appointed the former member whose position has
 32 become vacant shall appoint an individual to fill the vacancy.
- 33 Sec. 8. (a) Except as provided in subsection (b), the commission
 34 shall operate under the policies governing study committees
 35 adopted by the legislative council.
- 36 (b) The members appointed under sections 4(a)(2) through
 37 4(a)(7) of this chapter shall serve without receiving per diem or
 38 traveling expenses.
- 39 (c) Each member of the commission who is a member of the
 40 general assembly is entitled to receive the same per diem, mileage,
 41 and travel allowances paid to members of the general assembly
 42 serving on interim study committees created by the legislative

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1 council.

2 (d) The committee shall meet at the call of the chairperson. The
3 committee may meet any number of times during the year.

4 Sec. 9. The affirmative votes of a majority of the members
5 appointed to the commission are required for the commission to
6 take action on any measure, including final reports.

7 Sec. 10. The commission shall do the following:

8 (1) Study and evaluate:

9 (A) state agency policy and practice that impact the
10 well-being and best interests of children in Indiana; and

11 (B) proposed legislation that would affect policy and
12 practice described in clause (A).

13 (2) Review and make recommendations for legislation
14 regarding services provided by public and private entities to
15 children of all age groups, including children, youth, and
16 young adults, for all racial and ethnic populations.

17 (3) Review and make recommendations for legislation
18 regarding any unmet need or funding considerations for
19 children, with emphasis on prevention and early intervention
20 practices and programs that are evidence based, in the areas
21 of health, behavioral health, child welfare, juvenile justice,
22 and education in any specific geographic area or throughout
23 Indiana, and for specific racial or ethnic groups.

24 (4) Review and monitor progress on the implementation of
25 laws, programs, and services provided by state agencies,
26 organizations, and offices that impact children.

27 (5) Make recommendations regarding the commission's
28 findings to the appropriate state agencies, including legislative
29 committees and commissions that impact children.

30 (6) Review state rankings and outcomes concerning the status
31 of children annually, including rankings on:

32 (A) academic success;

33 (B) early childhood education;

34 (C) childhood poverty and hunger;

35 (D) health;

36 (E) school suspensions, expulsions, and school based
37 arrests;

38 (F) school drop outs;

39 (G) access to behavioral health care;

40 (H) child abuse and neglect;

41 (I) out-of-home placements;

42 (J) confinement in detention facilities and department of

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- 1 correction facilities;
 2 (K) immunizations; and
 3 (L) infant mortality rates.
- 4 (7) Track the progress made toward improving the rankings
 5 and outcomes described in subdivision (6).
 6 (8) Cooperate with other child related commissions, the
 7 judiciary, the executive branch of state government,
 8 stakeholders, and members of the community to develop long
 9 term plans that promote progress in areas of priority for the
 10 advancement of children.
- 11 Sec. 11. The legislative services agency shall provide staff
 12 support to the commission.
- 13 Sec. 12. The commission may appoint a study group comprised
 14 of commission members, legislators, and other individuals who
 15 have an interest in children's issues to study specific issues relating
 16 to children.
- 17 Sec. 13. (a) The following shall submit an annual report that
 18 includes the information described in subsection (b) to the
 19 commission by June 30 of each year, and shall submit any other
 20 reports and information requested by the commission:
- 21 (1) The department of education.
 22 (2) The department of correction.
 23 (3) The criminal justice institute.
 24 (4) The division of mental health and addiction.
 25 (5) The department of child services.
 26 (6) The office of Medicaid policy and planning.
 27 (7) The department of health.
 28 (8) The board for the coordination of programs serving
 29 vulnerable individuals created by IC 4-23-30.2-8.
- 30 (b) Each state agency listed under subsection (a) shall include in
 31 the state agency's report under subsection (a) the following
 32 information as it relates to the state agency:
- 33 (1) The status of children.
 34 (2) The state rankings and outcomes of children.
 35 (3) The measures taken to improve the status of children.
 36 (4) Any plans established to improve the status of children.
- 37 (c) The commission may request information and reports
 38 regarding matters related to children from a state agency not listed
 39 in subsection (a).

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