

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1041 be amended to read as follows:

- 1 Page 1, line 3, delete "A person who files a petition to establish or"
- 2 and insert "**If a person files a petition to establish or modify**
- 3 **guardianship of an individual who is less than eighteen (18) years**
- 4 **of age, any person who:**
- 5 **(1) is a party to the guardianship proceeding; and**
- 6 **(2) has knowledge that:**
- 7 **(A) a party to the guardianship proceeding has been**
- 8 **determined to be a perpetrator of a substantiated**
- 9 **assessment of child abuse or neglect;**
- 10 **(B) the child named in the petition has been the subject of**
- 11 **a substantiated report of child abuse or neglect;**
- 12 **(C) the child named in the petition has been determined to**
- 13 **be a child in need of services under IC 31-34; or**
- 14 **(D) the child named in the petition has been involved in an**
- 15 **informal adjustment under IC 31-34-8;**
- 16 **shall inform the court in writing that a party to the guardianship**
- 17 **proceeding is a person described in subdivision (2)(A) or the child**
- 18 **named in the petition is a child described in subdivision (2)(B),**
- 19 **(2)(C), or (2)(D)."**
- 20 Page 1, delete lines 4 through 17.
- 21 Page 2, delete lines 1 through 9.
- 22 Page 2, line 10, delete "(d)" and insert "**(b)**".
- 23 Page 2, line 10, after "to" insert "**establish or**".
- 24 Page 2, line 18, delete "A person who files a" and insert "**If a**

1 person files a petition to establish or modify the custody of a child,
2 any person who:

3 (1) is a party to the custody proceeding; and

4 (2) has knowledge that:

5 (A) a party to the custody proceeding has been determined
6 to be a perpetrator of a substantiated assessment of child
7 abuse or neglect;

8 (B) the child named in the petition has been the subject of
9 a substantiated report of child abuse or neglect;

10 (C) the child named in the petition has been determined to
11 be a child in need of services under IC 31-34; or

12 (D) the child named in the petition has been involved in an
13 informal adjustment under IC 31-34-8;

14 shall submit to the court in writing under seal that a party to the
15 custody proceeding is a person described in subdivision (2)(A) or
16 the child named in the petition is a child described in subdivision
17 (2)(B), (2)(C), or (2)(D)."

18 Page 2, delete lines 19 through 41.

19 Page 2, line 42, delete "(d)" and insert "(b)".

20 Page 3, line 1, delete "or parenting time with a child".

21 Page 3, line 8, delete "A person who files a petition to establish or"
22 and insert "**If a person files a petition to establish or modify**
23 **parenting time, any person who:**

24 (1) is a party to the parenting time proceeding; and

25 (2) has knowledge that:

26 (A) a party to the parenting time proceeding has been
27 determined to be a perpetrator of a substantiated
28 assessment of child abuse or neglect;

29 (B) the child named in the petition has been the subject of
30 a substantiated report of child abuse or neglect;

31 (C) the child named in the petition has been determined to
32 be a child in need of services under IC 31-34; or

33 (D) the child named in the petition has been involved in an
34 informal adjustment under IC 31-34-8;

35 shall submit to the court in writing under seal that a party to the
36 parenting time proceeding is a person described in subdivision
37 (2)(A) or the child named in the petition is a child described in
38 subdivision (2)(B), (2)(C), or (2)(D)."

39 Page 3, delete lines 9 through 30.

40 Page 3, line 31, delete "(d)" and insert "(b)".

41 Page 3, line 39, delete "A person who files a petition to establish or"
42 and insert "**If a person files a petition to establish or modify custody**
43 **of a child, any person who:**

44 (1) is a party to the custody proceeding; and

45 (2) has knowledge that:

46 (A) a party to the custody proceeding has been determined

1 to be a perpetrator of a substantiated assessment of child
2 abuse or neglect;
3 **(B) the child named in the petition has been the subject of**
4 **a substantiated report of child abuse or neglect;**
5 **(C) the child named in the petition has been determined to**
6 **be a child in need of services under IC 31-34; or**
7 **(D) the child named in the petition has been involved in an**
8 **informal adjustment under IC 31-34-8;**
9 **shall submit to the court in writing under seal that a party to the**
10 **custody proceeding is a person described in subdivision (2)(A) or**
11 **the child named in the petition is a child described in subdivision**
12 **(2)(B), (2)(C), or (2)(D)."**

13 Page 3, delete lines 40 through 42.
14 Page 4, delete lines 1 through 20.
15 Page 4, line 21, delete "(d)" and insert "(b)".
16 Page 4, line 23, before "or" insert "**or assessment**".
17 Page 4, line 23, delete "or the child in need of services case".
18 Page 4, after line 26, begin a new paragraph and insert:

19 "SECTION 5. IC 31-17-4-1.1 IS ADDED TO THE INDIANA CODE
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2013]: **Sec. 11. (a) If a person files a petition to establish or**
22 **modify parenting time, any person who:**

- 23 **(1) is a party to the parenting time proceeding; and**
- 24 **(2) has knowledge that:**
 - 25 **(A) a party to the parenting time proceeding has been**
 - 26 **determined to be a perpetrator of a substantiated**
 - 27 **assessment of child abuse or neglect;**
 - 28 **(B) the child named in the petition has been the subject of**
 - 29 **a substantiated report of child abuse or neglect;**
 - 30 **(C) the child named in the petition has been determined to**
 - 31 **be a child in need of services under IC 31-34; or**
 - 32 **(D) the child named in the petition has been involved in an**
 - 33 **informal adjustment under IC 31-34-8;**

34 **shall submit to the court in writing under seal that a party to the**
35 **parenting time proceeding is a person described in subdivision**
36 **(2)(A) or the child named in the petition is a child described in**
37 **subdivision (2)(B), (2)(C), or (2)(D).**

38 **(b) A court reviewing a petition to modify parenting time of a**
39 **child may request information regarding the department of child**
40 **services case or assessment of the person filing the petition or the**

1 **child. The department shall provide a response under seal to the**
2 **court's request for information not later than ten (10) days after**
3 **the court requests the information."**

(Reference is to HB 1041 as printed February 15, 2013.)

Representative McMillin