

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 202 be amended to read as follows:

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

1 **child services".**  
2 Page 2, line 14, delete "department of child services  
3 involving the".  
4 Page 2, line 21, delete "A" and insert "**If a**".  
5 Page 2, line 21, after "person" delete "who".  
6 Page 2, line 22, delete "child or parenting" and insert  
7 "**child, any person who:**".  
8 Page 2, delete lines 23 through 42, begin a new line block  
9 indented and insert:  
10 "**(1) is a party to the custody proceeding; and**  
11 **(2) has knowledge that:**  
12 **(A) a party to the custody proceeding has been**  
13 **determined to be a perpetrator of a substantiated**  
14 **assessment of child abuse or neglect;**  
15 **(B) the child named in the petition has been the subject**  
16 **of a substantiated report of child abuse or neglect;**  
17 **(C) the child named in the petition has been determined**  
18 **to be a child in need of services under IC 31-34; or**  
19 **(D) the child named in the petition has been involved in**  
20 **an informal adjustment under IC 31-34-8;**  
21 **shall submit to the court in writing under seal that a party to the**  
22 **custody proceeding is a person described in subdivision (2)(A) or**  
23 **the child named in the petition is a child described in subdivision**  
24 **(2)(B), (2)(C), or (2)(D)."**  
25 Page 3, delete lines 1 through 4.  
26 Page 3, line 5, delete "(d)" and insert "**(b)**".  
27 Page 3, line 5, before "modify" insert "**establish or**".  
28 Page 3, line 6, delete "or parenting time with a child".  
29 Page 3, line 7, before "assessment" insert "**department of child**  
30 **services**".  
31 Page 3, line 7, after "case of the" delete "department of child  
32 services involving".  
33 Page 3, line 8, before "person" delete "the".  
34 Page 3, line 14, delete "A" and insert "**If a**".  
35 Page 3, line 14, after "person" delete "who".  
36 Page 3, line 15, delete "time must set forth in a verified petition  
37 whether," and insert "**time, any person who:**".  
38 Page 3, delete lines 16 through 38, begin a new line block indented  
39 and insert:  
40 "**(1) is a party to the parenting time proceeding; and**  
41 **(2) has knowledge that:**  
42 **(A) a party to the parenting time proceeding has been**  
43 **determined to be a perpetrator of a substantiated**  
44 **assessment of child abuse or neglect;**  
45 **(B) the child named in the petition has been the subject**  
46 **of a substantiated report of child abuse or neglect;**  
47 **(C) the child named in the petition has been determined**  
48 **to be a child in need of services under IC 31-34; or**  
49 **(D) the child named in the petition has been involved in**  
50 **an informal adjustment under IC 31-34-8;**

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

5 Page 3, line 39, delete "(d)" and insert "(b)".

6 Page 3, line 39, before "modify" insert "establish or".

7 Page 3, line 40, after "services" insert "assessment or".

8 Page 3, line 41, delete "involving" and insert "of".

9 Page 4, line 5, delete "A" and insert "If a".

10 Page 4, line 5, delete "who".

11 Page 4, line 6, delete "child must set forth in a verified  
 12 petition" and insert "child, any person who:".

13 Page 4, delete lines 7 through 29, begin a new line block  
 14 indented and insert:

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

16 (2) has knowledge that:

17 (A) a party to the custody proceeding has been  
 18 determined to be a perpetrator of a substantiated  
 19 assessment of child abuse or neglect;

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

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

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

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

30 Page 4, line 30, delete "(d)" and insert "(b)".

31 Page 4, line 30, before "modify" insert "establish or".

32 Page 4, line 32, before "case or" insert "assessment for".

33 Page 4, line 32, delete "or the child in need of services  
 34 case".

35 Page 4, after line 35, begin a new paragraph and insert:

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

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

41 (2) has knowledge that:

42 (A) a party to the parenting time proceeding has been  
 43 determined to be a perpetrator of a substantiated  
 44 assessment of child abuse or neglect;

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

47 (C) the child named in the petition has been determined

1                   to be a child in need of services under IC 31-34; or  
2                   (D) the child named in the petition has been involved in  
3                   an informal adjustment under IC 31-34-8;  
4           shall submit to the court in writing under seal that a party to the  
5           parenting time proceeding is a person described in subdivision  
6           (2)(A) or the child named in the petition is a child described in  
7           subdivision (2)(B), (2)(C), or (2)(D).  
8           (b) A court reviewing a petition to establish or modify  
9           parenting time of a child may request information regarding the  
10          department of child services assessment or case of the person filing  
11          the petition or the child. The department shall provide a response  
12          under seal to the court's request for information not later than ten  
13          (10) days after the court requests the information."

(Reference is to SB 202 as printed February 22, 2013.)

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Senator BRAY