

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 2012 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 202

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:

SECTION 1. IC 29-3-2-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 7. (a) If a person files a petition to establish or modify guardianship of a minor, any person who:**

- (1) is a party to the guardianship proceeding; and**
- (2) has knowledge that:**
 - (A) a party to the guardianship proceeding has been determined to be a perpetrator of a substantiated report of child abuse or neglect;**
 - (B) the child named in the petition has been the subject of a substantiated report of child abuse or neglect;**
 - (C) the child named in the petition has been determined to be a child in need of services under IC 31-34; or**
 - (D) the child named in the petition has been involved in an informal adjustment under IC 31-34-8;**

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

(b) A court reviewing a petition to establish or modify a guardianship may request information from the department of child services regarding a petition or proceeding described in



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subsection (a)(2). The department shall provide a response under seal to the court's request for information not later than ten (10) days after the department receives the court's request for the information.

SECTION 2. IC 31-14-13-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. (a) If a person files a petition to establish or modify custody of a child, any person who:

- (1) is a party to the custody proceeding; and
- (2) has knowledge that:
 - (A) a party to the custody proceeding has been determined to be a perpetrator of a substantiated report of child abuse or neglect;
 - (B) the child named in the petition has been the subject of a substantiated report of child abuse or neglect;
 - (C) the child named in the petition has been determined to be a child in need of services under IC 31-34; or
 - (D) the child named in the petition has been involved in an informal adjustment under IC 31-34-8;

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

(b) A court reviewing a petition to establish or modify the custody of a child may request information from the department of child services regarding a petition or proceeding described in subsection (a)(2). The department shall provide a response under seal to the court's request for information not later than ten (10) days after the department receives the court's request for the information.

SECTION 3. IC 31-14-14-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) If a person files a petition to establish or modify parenting time with a child, any person who:

- (1) is a party to the parenting time proceeding; and
- (2) has knowledge that:
 - (A) a party to the parenting time proceeding has been determined to be a perpetrator of a substantiated report of child abuse or neglect;
 - (B) the child named in the petition has been the subject of a substantiated report of child abuse or neglect;
 - (C) the child named in the petition has been determined to

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be a child in need of services under IC 31-34; or
 (D) the child named in the petition has been involved in an informal adjustment under IC 31-34-8;
 shall submit to the court in writing under seal that a party to the parenting time proceeding is a person described in subdivision (2)(A) or the child named in the petition is a child described in subdivision (2)(B), (2)(C), or (2)(D).

(b) A court reviewing a petition to establish or modify parenting time may request information from the department of child services regarding a petition or proceeding described in subsection (a)(2). The department shall provide a response under seal to the court's request for information not later than ten (10) days after the department receives the court's request for the information.

SECTION 4. IC 31-17-2-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 26. (a) If a person files a petition to establish or modify custody of a child, any person who:**

- (1) is a party to the custody proceeding; and
- (2) has knowledge that:

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

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

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

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

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

(b) A court reviewing a petition to establish or modify custody of a child may request information from the department of child services regarding a petition or proceeding described in subsection (a)(2). The department shall provide a response under seal to the court's request for information not later than ten (10) days after the department receives the court's request for the information.

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

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

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

(b) A court reviewing a petition to establish or modify parenting time of a child may request information from the department of child services regarding a petition or proceeding described in subsection (a)(2). The department shall provide a response under seal to the court's request for information not later than ten (10) days after the department receives the court's request for the information.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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