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*Legislative Session Update - - Priority Bills  
(as of January 22, 2010)*

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[HB 1003 Contracting of public assistance eligibility](#)

- Prohibits Family Social Services Administration (FSSA) from contracting out administer or conduct eligibility intake for Food Stamps, TANF and Medicaid
- Allows health care providers to make presumptive eligibility determinations according to the Medicaid state plan

**Most Recent Action:** This bill passed the Ways and Means committee 14-10.

[HB 1038 Release of pre-adoptive sibling information](#)

- An adoptee or a pre-adoptive sibling who is at least 21 years of age can make a written request to the State Registrar to be reunited with sibling and be notified of location of siblings, if they make a similar request.
- If a pre-adoptive sibling has not made a request for information regarding an adoptee, the State Registrar must look at adoption records to attempt to locate the pre-adoptive sibling and notify them that the adoptee is interested in making contact.
- The State Registrar may access records from child placing agencies to identify and locate pre-adoptive siblings if a request is made.

**Most Recent Action:** This bill has been assigned to the Public Policy committee.

[HB 1085 Disposition of certain children in need of services \(CHINS\)](#)

- Provides that reasonable efforts to reunify a child with the child's parent, guardian, or custodian or to preserve a child's family are not required with respect to a child who has been adjudicated a child in need of services (CHINS) if the court finds that the child has, on three separate occasions, been adjudicated a child in need of services because of an act or omission by the child's parent, guardian, or custodian.

**Most Recent Action:** This bill was heard in Courts and Criminal Code committee on 1/21/10.

[HB 1110 Early intervention services](#)

- Each county shall provide a community services plan for early intervention services that outlines the services that will be provided to children who have been alleged or adjudicated a child in need of services (CHINS) or been identified by other community organizations, individuals, or parent or guardian to be in need of early intervention services.
- Each county will have a team that will create the community services plan and various stakeholders in the county will appoint members.
- The team must provide a plan that examines all available early intervention services in the county to be submitted annually to the county juvenile court judges.
- Outlines the goals of the team on an annual basis and who must receive the county's final report each year.

**Most Recent Action:** This bill has been assigned to the Family, Children and Human Affairs committee.

[HB 1136 Moratorium on privatization contracts](#)

- Imposes a three-year moratorium on state agencies entering into or renewing contracts for privatization of state services if the amount of the contract is at least \$50,000,000.

**Most Recent Action:** This bill has been assigned to Ways and Means committee.

#### [HB 1157 Select joint commission on child welfare services oversight](#)

- Establishes the Select Joint Commission on Child Welfare Services Oversight. The commission is comprised of 12 voting members, in which 6 are appointed by the Senate and 6 appointed by the House of Representatives.
- The commission is responsible for the following:
  - Determining if CHINS and juveniles adjudicated delinquent are receiving quality appropriate services,
  - Determining if children in Indiana have appropriate levels of placement in all geographic areas,
  - Oversee efforts to maximize federal reimbursement and other funding mechanisms for the care of children,
  - Receive reports from the Department of Child Services Ombudsman to respond to trends and issues outlined in the reports,
  - Study and investigate any other issues related to child welfare and make recommendations for legislation.

**Most Recent Action:** This bill passed the Family, Children and Human Affairs committee 7-5.

#### [HB 1167 Placement of children outside Indiana](#)

- Removes a provision that states the Department of Child Services is responsible for payment of any costs or expenses for housing or services provided to or for the benefit of a child placed by a juvenile court in a home or facility located outside Indiana.
- Provides that the department is responsible for these costs and expenses if a juvenile court places a child in a home or facility that is located outside Indiana and the:
  - Juvenile court makes written findings based on clear and convincing evidence that the out-of-state placement is appropriate because there is not a comparable facility with adequate services located in Indiana or the location of the home or facility is within a distance not greater than 50 miles from the county of residence of the child; or
  - Placement is recommended or approved by the director of the department or the director's designee.

**Most Recent Action:** This bill is scheduled on 1/26/10 in the Judiciary committee at 8:30 am 156D.

#### [HB 1193 Juvenile, education, and law enforcement matters](#)

- Requires a minimum standard of training for individuals accepted into a law enforcement training academy to include training on interacting with juveniles and de-escalation techniques appropriate for juveniles.
- Establishes a law enforcement, school policing, and youth work group, which will be administered and staff support by the Indiana Criminal Justice Institute.
- The work group will have 26 voting members that are to prepare an annual report regarding training curricula and recommendations to improve the coordination between law enforcement and school corporations, and recommend best practices in reducing juveniles' involvement with the juvenile justice system.

**Most Recent Action:** This bill passed Third Reading in the House 94-1.

#### [HB 1276 Domestic violence, bullying, and sending sexually explicit material](#)

- Requires the sentencing policy study committee to study and make recommendations regarding the sending of sexually suggestive or sexually explicit material over the Internet or by use of a cell phone or similar device.
- Requires school corporations to provide instruction or programs regarding domestic violence.
- Amends the definition of "bullying" to include communications transmitted from an electronic communications device or through a social networking web site.
- Requires a person convicted of domestic battery to complete a batterers' intervention program and the court may require the individual to wear a GPS tracking device as a condition of bail.
- Provides that a court may require a person convicted of domestic battery to have only supervised visitation with the person's child. Requires the department of child services (DCS) to facilitate the supervised visitation.

- Increases the time a facility is required to have custody of a person arrested for domestic violence to 24 hours.
- Provides that any person at least 15 years of age may file for an order of protection.
- Requires each postsecondary educational institution to adopt policies regarding student notification of dangerous situations on and off campus.
- Requires the criminal justice institute to establish and administer a program to collect information regarding domestic violence that occurs in Indiana and to report it to the National Incident-Based Reporting System within the Federal Bureau of Investigation.

**Most Recent Action:** This bill is scheduled to be heard at 1/25/10 in the Judiciary committee at 10:00am in Rm 156D.

#### [HB 1307 Preventative programs for at-risk children](#)

- Allows the juvenile court to appoint a Guardian Ad Litem (GAL) for a child that is participating in a preventative program through the court for a child that is at risk of becoming involved in a juvenile proceeding, dropping out of school, or being suspended or expelled from school.
- Allows a court to create preventative programs for children that are determined to be at-risk.
- Provides procedures for a GAL to receive information regarding a child participating in the program and the plan that needs to be created for services.

**Most Recent Action:** This bill has been assigned to the Judiciary committee.

#### [SB 0062 Removal of FSSA expiration date](#)

- Removes the expiration dates for the office of the secretary of family and social services, the office of Medicaid policy and planning, the statutes concerning directors of divisions within family and social services (FSSA), and certain advisory committees under the FSSA statutes.

**Most Recent Action:** This bill passed the Senate 50-0.

#### [SB 0070 Adoption and paternity proceedings](#)

- Requires a petition to establish the paternity of a child who is the subject of an adoption proceeding to be filed in the court having jurisdiction over the adoption proceeding.
- Provides that a person contesting an adoption must file either a motion to contest the adoption or a petition to establish paternity.

**Most Recent Action:** This bill has been assigned to the Judiciary committee.

#### [SB 0124 Corporal punishment by parents](#)

- Specifies that a parent or guardian of a child has legal authority to do the following if the parent or guardian believes that it is necessary for the proper control, training, or education of the child:
  - (1) apply reasonable force to a child; or
  - (2) impose reasonable confinement on a child.
- Provides that the following factors are relevant in determining whether force or confinement is reasonable:
  - (1) The age of the child.
  - (2) The sex of the child.
  - (3) The physical and mental condition of the child.
  - (4) The nature of the child's misbehavior and the child's motive for the misbehavior.
  - (5) The influence that the child's example may have on other children of the same family or group. (
  - 6) Whether the force or confinement is reasonably necessary and appropriate to compel obedience to a proper command.
  - (7) Whether the force or confinement is disproportionate to the misbehavior, unnecessarily degrading, or likely to cause serious or permanent harm.

**Most Recent Action:** This bill has been assigned to the Corrections, Criminal, and Civil Matters committee.

#### [SB 0140 Adoption matters](#)

- Provides that a man who is barred from establishing paternity under the adoption statutes is prohibited from establishing paternity by filing a paternity action as next friend of the child or requesting a prosecuting attorney to file a paternity action.
- Prohibits a person who has a written consent to the adoption of a child from executing a second or subsequent written consent to the adoption of the child by another person, unless certain conditions apply.
- Removes provision that allows a father who receives a notice of adoption after the birth of the child to contest the adoption by filing a paternity action.
- Removes provision under which the consent of a putative father to the adoption of a child is implied if the putative father, after receiving a notice of adoption fails to file a paternity action.
- Provides that a putative father's motion to contest an adoption must be filed in the court in which the adoption is pending.
- Prohibits a court from granting an adoption if a petitioner for adoption has been convicted of an attempt to commit certain felonies.
- Authorizes a child placing agency and an attorney to advertise certain adoption information only if licensed under Indiana law.
- Provides that the crime of unauthorized adoption facilitation does not apply to child placing agencies licensed under Indiana law or attorneys licensed to practice law in Indiana.

**Most Recent Action:** This bill is scheduled to be heard on 1/27/10 in the Judiciary committee at 9:00am in Rm 130.

#### [SB 0149 Department of child services](#)

- Removes the Department of Child Services (DCS) as an entity that must be forwarded all petitions for adoption.
- Removes language regarding a child protection team being required to provide diagnostic and prognostic services for DCS or a juvenile court.
- Specifies how a child's death or near fatality may be determined to have been the result of abuse, abandonment, or neglect.
- Adds additional information required in a petition for the appointment of a guardian for an incapacitated person or minor and requires DCS be notified in situations where the child currently is or has been a CHINS. It also allows the court to provide certain requirements to be fulfilled by the parents to regain custody at a later date.
- Provides that DCS may petition a court if a parent, guardian, or custodian refuses to allow a child to be interviewed.
- Prohibits the state police department from charging a fee for: (1) fingerprinting expenses related to criminal history checks conducted by the department; and (2) certain limited criminal history background checks conducted by the department. Requires juvenile courts or the department to pay the Federal Bureau of Investigation for costs of certain fingerprinting.
- Provides that if a juvenile court issues an order: (1) establishing or modifying a guardianship; (2) modifying child custody or visitation; or (3) creating or modifying the establishment of paternity; the court in which the original action was filed, or an appropriate court, shall assume primary jurisdiction and shall conduct additional proceedings.

**Most Recent Action:** This bill is scheduled to be heard on 1/27/10 in the Judiciary committee at 9:00am in Rm 130.

#### [SB 0235 State employee caseworkers at township offices](#)

- Requires FSSA to have a full-time caseworker in every township office to assist residents in completing applications for Food Stamps, TANF, and Medicaid.

**Most Recent Action:** This bill was assigned to the Local Government committee.

#### [SB 0316 Dating violence policy and instruction](#)

- Dating partner and dating violence is defined.
- Requires schools in grades 7-12 to offer instruction regarding dating violence in health classrooms.

- The Department of Education is to establish guidelines regarding the curriculum to be utilized and requires the State Board of Education to approve the guidelines.
- The Department of Education is to develop a model school policy to assist schools in created a policy to address dating violence.
- Outlines what needs to be included in any curriculum and school policy related to dating violence.
- Requires schools to train staff, teachers, administrators, and parents regarding dating violence.

**Most Recent Action:** This bill is scheduled to be heard on 1/27/10 in the Education and Career Development committee at 1:30 pm in Rm 233.

[SB 0347 Administration of public assistance](#)

- Requires FSSA to ensure that public assistance services are provided in a timely and safe manner, provided in accordance with state and federal law, and appropriate to the needs of the individual.
- Makes various requirements on the Division of Family Resources concerning the provision of public assistance services.
- Prohibits the Division from denying public assistance services for an individual on the sole basis that a medical review team has failed to render a decision regarding the individual.
- Requires reimbursement to public assistance providers in a timely manner.

**Most Recent Action:** This bill was assigned to the Appropriations committee.

[SB 0355 Release of identifying adoption information](#)

- Repeals, effective July 1, 2011, provisions applicable to adoptions finalized before January 1, 1994, that prohibit the release of identifying adoption information unless a consent to release the information is on file.
- Provides that, beginning July 1, 2011, identifying adoption information may be released unless a nonrelease is on file, regardless of when the adoption was filed.

**Most Recent Action:** This bill was assigned to the Judiciary committee.

[SB 0389 Information on individual development accounts](#)

- Requires a caseworker of a foster child to provide information to the child concerning individual development accounts.

**Most Recent Action:** This bill is scheduled to be heard on 1/27/10 in the Education and Career Development committee at 1:30 pm in Rm 233.

[SB 0406 Relationship education; dating violence policies](#)

- Defines dating partner and dating violence
- Requires schools to provide age appropriate healthy relationship curriculum in Kindergarten through 12<sup>th</sup> grade.
- The Department of Education is to establish guidelines regarding the curriculum to be utilized and requires the State Board of Education to approve the guidelines.
- The Department of Education is to develop a model school policy to assist schools in created a policy to address dating violence.
- Outlines what needs to be included in any curriculum and school policy related to dating violence.
- Requires schools to train staff, teachers, administrators, and parents regarding dating violence.

**Most Recent Action:** This bill has been assigned to the Education and Career Development committee.