

HOUSE MOTION

MR. SPEAKER:

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

- 1 Page 1, line 11, strike "perpetrator," and ", or witness," and
2 insert "**who produced the report**"
- 3 Page 1, line 12, strike "actively involved in investigating the crime"
- 4 Page 1, line 14, after "child" strike "about the child's involvement"
5 and insert "**that the child has been named**"
- 6 Page 1, line 15, strike "crime as the perpetrator, victim, or
7 witness" and insert "**report as a victim of a crime**"
- 8 Page 1, line 16, strike "send a copy of the victim rights laws under
9 IC 35-40 to" and insert "**notify**"
- 10 Page 1, line 17, following "child" insert "**of his right to access the
11 report and the contact information for the victims rights officer
12 of the local county prosecutor's office.**"
- 13 Page 2, between lines 4 and 5 begin a new paragraph and insert,
14 **Sec. 5. If the parents of the child are never married, divorced or
15 adoptive parents and have been identified in an action under I.C.
16 31-14, I.C. 31-15 or I.C. 31-19 the law enforcement agency shall
17 contact both parents except as provided for in section 4 of this
18 chapter. Requesting the Clerk of the Courts of the county where
19 the child is known to reside to provide contact information for
20 both parents shall constitute a reasonable attempt.**
- 21 Page 2, strike lines 5 through line 38
- 22 SECTION 2. IC 31-33-7-7, AS AMENDED BY P.L.131-2009,
23 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2011]: Sec. 7. (a) When a law enforcement agency receives
25 an initial report under IC 31-33-5-4 that a child may be a victim of
26 child abuse or neglect, **including a report from the perpetrator of
27 the abuse or neglect**, the law enforcement agency shall:
- 28 (1) immediately communicate the report to the department,
29 whether or not the law enforcement agency has reason to believe
30 there exists an imminent danger to the child's health or welfare;
31 and
- 32 (2) conduct an immediate, onsite assessment of the report along
33 with the department whenever the law enforcement agency has
34 reason to believe that an offense has been committed.
- 35 (b) In all cases, the law enforcement agency shall forward any
36 information, including copies of assessment reports, on incidents of
37 cases in which a child may be a victim of child abuse or neglect,
38 whether or not obtained under this article, to:
- 39 (1) the department; and
40 (2) the juvenile court under IC 31-34-7.

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(c) If the department receives a report from a law enforcement agency under subsection (a), the department shall contact the law enforcement agency to confirm that the department received the report.

(d) A law enforcement agency that is actively involved in investigating a report that a child may be a victim of child abuse or neglect shall:

(1) make a reasonable attempt to notify the parent, guardian, or custodian of the child about the report; and

(2) send a copy of the victim rights laws under IC 35-40 to the parent, guardian, or custodian of the child.

(e) A law enforcement agency is not required to notify or send a letter to the parent, guardian, or custodian of a child under subsection (d) if the parent, guardian, or custodian is the alleged perpetrator of the child abuse or neglect.