



February 16, 2024

ENGROSSED HOUSE BILL No. 1101

DIGEST OF HB 1101 (Updated February 14, 2024 5:14 pm - DI 149)

Citations Affected: IC 33-23.

Synopsis: Courts for children three years of age and younger in need of services. Establishes a safe baby court as a type of problem solving court. Provides that a child in need of services is an eligible individual for purposes of a problem solving court program.

Effective: July 1, 2024.

Lauer, McGuire, Davis, Bauer M

(SENATE SPONSORS — KOCH, BROWN L, DONATO)

January 8, 2024, read first time and referred to Committee on Judiciary.
January 29, 2024, amended, reported — Do Pass.
January 31, 2024, read second time, ordered engrossed. Engrossed.
February 1, 2024, read third time, passed. Yeas 94, nays 3.

SENATE ACTION

February 7, 2024, read first time and referred to Committee on Judiciary.
February 15, 2024, amended, reported favorably — Do Pass.

EH 1101—LS 6750/DI 148



February 16, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1101

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-23-16-9.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 9.5. As used in this chapter, "safe**
4 **baby court" means a problem solving court focused on addressing**
5 **the needs of families who have a child in need of services who is**
6 **three (3) years of age or younger by surrounding the family with**
7 **support services to:**
8 (1) **reduce:**
9 (A) **time to permanency;**
10 (B) **incidences of repeat maltreatment; and**
11 (C) **the long term and short term effects of traumatic**
12 **experiences occurring on a child's brain development;**
13 (2) **promote:**
14 (A) **public safety through the reductions described in**
15 **subdivision (1); and**
16 (B) **effective interaction and the use of resources among**
17 **both public and private stakeholders; and**

EH 1101—LS 6750/DI 148



1 **(3) increase the personal, familial, and societal accountability**
 2 **of families.**

3 SECTION 2. IC 33-23-16-11, AS AMENDED BY P.L.9-2022,
 4 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2024]: Sec. 11. A city court or county court may establish a
 6 problem solving court. A problem solving court established under this
 7 section may be:

- 8 (1) a drug court;
 9 (2) a mental health court;
 10 (3) a family dependency drug court;
 11 (4) a community court;
 12 (5) a reentry court;
 13 (6) a domestic violence court;
 14 (7) a veterans' court; ~~or~~
 15 **(8) a safe baby court; or**
 16 ~~(8)~~ **(9)** any other court certified as a problem solving court by the
 17 office of judicial administration under section 17 of this chapter.

18 SECTION 3. IC 33-23-16-13, AS AMENDED BY P.L.95-2013,
 19 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 13. An individual is eligible to participate in a
 21 problem solving court program only if:

- 22 (1) the individual meets all of the eligibility criteria established by
 23 the board under section 12 of this chapter;
 24 (2) the judge of the problem solving court approves the admission
 25 of the individual to the problem solving court program; and
 26 (3) the individual is referred to the problem solving court as a
 27 result of at least one (1) of the following:
 28 (A) A condition of a pretrial diversion program authorized by
 29 statute or authorized by the judge of the problem solving court
 30 and the prosecuting attorney.
 31 (B) The procedure described in section 14 of this chapter.
 32 (C) The procedure described in section 15 of this chapter.
 33 (D) A condition of probation.
 34 (E) A condition of participation in a community corrections
 35 program under IC 11-12-1.
 36 (F) A condition of participation in a forensic diversion
 37 program under IC 11-12-3.7.
 38 (G) A condition of a community transition program under
 39 IC 11-10-11.5.
 40 (H) A condition of parole.
 41 (I) An order in a dispositional decree under IC 31-34-20 to
 42 participate in a family dependency drug court if the individual



- 1 is a parent, guardian, or another household member of a child
- 2 adjudicated a child in need of services.
- 3 (J) A condition of an informal adjustment program under
- 4 IC 31-37-9.
- 5 (K) Involvement in:
 - 6 **(i) a child in need of services proceeding;**
 - 7 ~~(i)~~ **(ii)** a child support proceeding;
 - 8 ~~(ii)~~ **(iii)** a mental health commitment; or
 - 9 ~~(iii)~~ **(iv)** a civil protection proceeding.
- 10 (L) A condition of an informal adjustment program under
- 11 IC 31-34-8.
- 12 (M) A condition of a misdemeanor sentence.
- 13 (N) A condition of a program authorized by the:
 - 14 (i) judge of a problem solving court; and
 - 15 (ii) department of correction or the county sheriff.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1101, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 16 through 42.

Page 4, delete lines 1 through 7.

and when so amended that said bill do pass.

(Reference is to HB 1101 as introduced.)

JETER

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "at-risk".

Page 1, line 6, delete "at-risk".

and when so amended that said bill do pass.

(Reference is to HB 1101 as printed January 29, 2024.)

BROWN L, Chairperson

Committee Vote: Yeas 9, Nays 2.

