

HOUSE BILL No. 1164

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-33-18-6.

Synopsis: Disclosure of child abuse and neglect reports. Provides that an individual who makes a legally required report of suspected child abuse or neglect may bring a civil action against the department of child services if the department discloses the individual's report in a manner not authorized by law. Provides that the individual may recover: (1) actual damages resulting from the disclosure; and (2) reasonable attorney's fees, litigation expenses, and costs.

Effective: July 1, 2020.

Errington

January 8, 2020, read first time and referred to Committee on Judiciary.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

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A BILL FOR 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:

1 SECTION 1. IC 31-33-18-6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2020]: **Sec. 6. (a) An individual whose report made under this**
4 **article is disclosed by the department in violation of this chapter**
5 **may bring a civil action against the department.**
6 **(b) A plaintiff who prevails in an action brought under this**
7 **section is entitled to recover from the department:**
8 **(1) actual damages resulting from the disclosure; and**
9 **(2) reasonable attorney's fees, litigation expenses, and costs.**
10 **(c) Civil liability under this section is in addition to any other**
11 **penalty imposed for unauthorized disclosure of information**
12 **classified as confidential under this article.**

