

# HOUSE BILL No. 1213

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-37-6-3.5.

**Synopsis:** Victim advocate. Allows certain agents or employees of a law enforcement agency to serve as a victim advocate.

**Effective:** July 1, 2022.

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## Teshka, Bauer M

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January 6, 2022, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

# HOUSE BILL No. 1213

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 35-37-6-3.5, AS AMENDED BY P.L.70-2016,  
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2022]: Sec. 3.5. (a) As used in this chapter, "victim advocate"  
4 means an individual:  
5 (1) employed or appointed by or who volunteers for:  
6 (1) (A) a victim services provider; or  
7 (2) (B) the student advocate office of a state educational  
8 institution or an approved postsecondary educational  
9 institution, if the individual provides services to a victim; **or**  
10 (2) **who is an agent or employee of a law enforcement agency**  
11 **who is employed by the law enforcement agency as a:**  
12 (A) **social worker;**  
13 (B) **social services provider;**  
14 (C) **social services coordinator;**  
15 (D) **domestic services provider;**  
16 (E) **domestic services coordinator; or**  
17 (F) **mental health services coordinator.**



- 1 (b) The term does not include:  
 2 (1) a law enforcement officer;  
 3 ~~(2) an employee or agent of a law enforcement officer;~~  
 4 **(2) an employee or agent of a law enforcement agency who**  
 5 **takes part in any process of a criminal investigation;**  
 6 (3) a prosecuting attorney; or  
 7 (4) an employee or agent of a prosecuting attorney's office.
- 8 (c) The term includes an employee, an appointee, or a volunteer of  
 9 a:
- 10 (1) victim services provider;  
 11 (2) domestic violence program;  
 12 (3) sexual assault program;  
 13 (4) rape crisis center;  
 14 (5) battered women's shelter;  
 15 (6) transitional housing program for victims of domestic violence;  
 16 or  
 17 (7) program that has as one (1) of its primary purposes to provide  
 18 services to an individual:
- 19 (A) against whom an act of:  
 20 (i) domestic or family violence;  
 21 (ii) dating violence;  
 22 (iii) sexual assault (as defined in IC 5-26.5-1-8);  
 23 (iv) human and sexual trafficking (IC 35-42-3.5); or  
 24 (v) stalking (IC 35-45-10-5);  
 25 is committed; or
- 26 (B) who:  
 27 (i) is not accused of committing an act of domestic or family  
 28 violence, dating violence, sexual assault (as defined in  
 29 IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5),  
 30 or stalking (IC 35-45-10-5); and  
 31 (ii) is a member of the family of an individual described in  
 32 clause (A) other than a family member who is accused of  
 33 committing an act of domestic or family violence, dating  
 34 violence, sexual assault (as defined in IC 5-26.5-1-8),  
 35 human and sexual trafficking (IC 35-42-3.5), or stalking (IC  
 36 35-45-10-5).

