

HOUSE BILL No. 1380

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-37-6-18.

Synopsis: Right to a victim advocate. Provides that a sexual assault or domestic violence victim has the right to the presence of a victim advocate during legal proceedings and during an investigation by law enforcement.

Effective: July 1, 2020.

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January 15, 2020, read first time and referred to Committee on Courts and Criminal Code.



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 criminal law and procedure.

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

1 SECTION 1. IC 35-37-6-18 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2020]: **Sec. 18. (a) A victim has the right to have a victim
4 advocate present during all legal proceedings where the victim is
5 present and during every phase of an investigation conducted by
6 a law enforcement agency where the victim is present. This right
7 includes the right to the presence of a victim advocate:**
8 **(1) at an interview conducted by a law enforcement agency;**
9 **(2) at a deposition; and**
10 **(3) before, during, and after a forensic medical examination
11 of the victim.**
12 **(b) The failure to provide a right described in this section to a
13 victim may not be used by a defendant to seek to have the
14 conviction or sentence set aside.**

