

HOUSE BILL No. 1391

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-46.

Synopsis: Kinship care oversight committee. Establishes the kinship care oversight committee (committee). Requires the committee to study all aspects of kinship care. Specifies other duties of the committee. Authorizes the committee to meet at any time at the call of the chairperson. Specifies other policies governing the committee. Establishes a kinship care oversight advisory board to advise the committee in carrying out its duties. Specifies the policies governing the kinship care oversight advisory board.

Effective: Upon passage.

Summers

January 14, 2021, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1391

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 2-5-46 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 46. Kinship Care Oversight Committee**

5 **Sec. 1. As used in this chapter, "committee" means the kinship**
6 **care oversight committee established by section 4 of this chapter.**

7 **Sec. 2. As used in this chapter, "department" means the**
8 **department of child services established by IC 31-25-1-1.**

9 **Sec. 3. As used in this chapter, "kinship care" refers to an**
10 **informal arrangement in which an adult who has a relationship or**
11 **bond with a child assumes the role of primary caregiver of the**
12 **child, regardless of whether the adult and the child are related by**
13 **blood, by marriage, or through an adoption.**

14 **Sec. 4. The kinship care oversight committee is established.**

15 **Sec. 5. The committee shall do the following:**

- 16 (1) **Study all aspects of kinship care.**
17 (2) **Develop data on the number of individuals providing**



- 1 kinship care and the number of children living in kinship care
 2 households.
 3 (3) Develop data on the outcomes experienced by children
 4 living in kinship care households.
 5 (4) Recommend policy and process changes to the department
 6 to increase the amount of services and support provided to
 7 families engaged in providing kinship care.
 8 (5) Recommend any necessary statutory changes to the
 9 legislative council to carry out recommendations made under
 10 subdivision (4).
 11 (6) Study and report on the implementation of the kinship
 12 care navigator program.
 13 (7) Study any topic assigned to the committee by the
 14 legislative council.

15 Sec. 6. (a) The committee consists of eight (8) members
 16 appointed as follows:

- 17 (1) Two (2) members of the house of representatives, not more
 18 than one (1) of whom may be affiliated with the same political
 19 party, appointed by the speaker of the house of
 20 representatives.
 21 (2) Two (2) members of the senate, not more than one (1) of
 22 whom may be affiliated with the same political party,
 23 appointed by the president pro tempore of the senate.
 24 (3) One (1) individual who is not a member of the general
 25 assembly appointed by the president pro tempore of the
 26 senate.
 27 (4) One (1) individual who is not a member of the general
 28 assembly appointed by the speaker of the house of
 29 representatives.
 30 (5) One (1) individual who is a court appointed special
 31 advocate appointed by the chief justice of the supreme court.
 32 (6) The director of the department or the director's designee.

33 The members of the general assembly appointed under this
 34 subsection must be members of either the senate committee on
 35 family and children services or the house committee on family,
 36 children, and human affairs. The individuals appointed under
 37 subdivisions (3) and (4) must be grandparents engaged in
 38 providing kinship care for a grandchild.

39 (b) Each year, the chairperson of the legislative council shall
 40 appoint a member of the committee to serve as chairperson of the
 41 committee.

42 (c) If a legislative member of the committee ceases being a



1 member of the chamber from which the member was appointed,
2 the member also ceases to be a member of the committee.

3 (d) A legislative member of the committee may be removed at
4 any time by the appointing authority who appointed the legislative
5 member.

6 (e) If a vacancy exists on the committee, the appointing
7 authority who appointed the former member whose position has
8 become vacant shall appoint an individual to fill the vacancy.

9 Sec. 7. The committee may meet at any time at the call of the
10 chairperson.

11 Sec. 8. The committee shall annually report the results of its
12 study in an electronic format under IC 5-14-6 to the legislative
13 council before November 1.

14 Sec. 9. (a) The legislative services agency shall provide staff
15 support to the committee.

16 (b) The committee may employ consultants to assist with its
17 study.

18 Sec. 10. Except as otherwise provided by this chapter, the
19 committee is subject to the policies governing interim study
20 committees established by the legislative council.

21 Sec. 11. (a) Each member of the committee is entitled to receive
22 the same per diem, mileage, and travel allowances paid to
23 individuals who serve as legislative and lay members, respectively,
24 of interim study committees established by the legislative council.

25 (b) The committee is not subject to either of the following:

26 (1) The maximum number of meetings that an interim study
27 committee may hold.

28 (2) The maximum amount of expenses that an interim study
29 committee may incur.

30 Sec. 12. The legislative council may refer any issue related to
31 kinship care to the committee for study. If a matter is referred to
32 the committee under this section, the committee shall study that
33 matter and report in an electronic format under IC 5-14-6 to the
34 legislative council as requested by the council.

35 Sec. 13. The expenses of the committee must be paid from
36 amounts appropriated to the legislative council.

37 Sec. 14. (a) The kinship care oversight advisory board is
38 established to advise the committee in carrying out this chapter.
39 The kinship care oversight advisory board consists of the following
40 members:

41 (1) One (1) individual appointed by the director of the
42 department who is an expert in collecting, analyzing, and



1 reporting data in the human services field.

2 (2) One (1) individual appointed by the chief justice of the
3 supreme court who is a licensed attorney with family law
4 expertise.

5 (3) Two (2) individuals appointed by the speaker of the house
6 of representatives who:

7 (A) are not members of the general assembly; and

8 (B) have provided kinship care to a child.

9 (4) Two (2) individuals appointed by the president pro
10 tempore of the senate who:

11 (A) are not members of the general assembly; and

12 (B) resided in a kinship care household as a child.

13 (b) Each year, the chairperson of the legislative council shall
14 appoint a member of the kinship care oversight advisory board to
15 serve as chairperson of the board.

16 (c) A member appointed to the kinship care oversight advisory
17 board under subsection (a) serves a two (2) year term and may be
18 reappointed. Each appointed member serves until the member's
19 successor is appointed and qualified.

20 (d) A member of the kinship care oversight advisory board
21 serves at the pleasure of the appointing authority.

22 (e) The kinship care oversight advisory board shall meet at least
23 one (1) time during a calendar year. Additional meetings may be
24 convened at the call of the chairperson if approved by the chair
25 and vice-chair of the legislative council in writing.

26 (f) Each member of the kinship care oversight advisory board
27 is entitled to receive the same per diem, mileage, and travel
28 allowances paid to individuals who serve as lay members of interim
29 study committees established by the legislative council.

30 (g) The expenses of the kinship care oversight advisory board
31 must be paid from amounts appropriated to the legislative council.

32 (h) The legislative services agency shall provide staff support to
33 the kinship care advisory board with respect to a meeting of the
34 board conducted after May 31 and before November 1.

35 SECTION 2. An emergency is declared for this act.

