



February 15, 2024

ENGROSSED
SENATE BILL No. 109

DIGEST OF SB 109 (Updated February 15, 2024 9:57 am - DI 148)

Citations Affected: IC 12-10.

Synopsis: Adult protective services. Allows the division of aging to contract with a person qualified to provide adult protective services. Removes language that allowed the division to contract with a governmental entity if a prosecuting attorney decides not to enter into a contract.

Effective: July 1, 2024.

Crider, Johnson T,
Randolph Lonnie M
(HOUSE SPONSOR — DEVON)

January 8, 2024, read first time and referred to Committee on Family and Children Services.
January 22, 2024, reported favorably — Do Pass.
January 25, 2024, read second time, ordered engrossed.
January 26, 2024, engrossed.
January 29, 2024, read third time, passed. Yeas 49, nays 0.
HOUSE ACTION
February 6, 2024, read first time and referred to Committee on Family, Children and Human Affairs.
February 15, 2024, reported — Do Pass.

ES 109—LS 6356/DI 104



February 15, 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 SENATE BILL No. 109

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 12-10-3-7, AS AMENDED BY P.L.116-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 7. (a) The division shall provide coverage for the
4 services required in each county under this chapter and may contract
5 with:
6 (1) a prosecuting attorney;
7 **(2) a person qualified to provide the services required; or**
8 ~~(2) (3)~~ **(3) a prosecuting attorney to perform part of the services and**
9 **a person described in subdivision (2) or a governmental entity**
10 **qualified to perform the remainder of the services required. or**
11 ~~(3) if a prosecuting attorney decides not to enter into a contract;~~
12 ~~a governmental entity qualified to provide the services required.~~
13 (b) The contracts entered into by the division under this section
14 must specify that the notification provisions described in sections 21(4)
15 and 28(b)(5) of this chapter must be followed.
16 (c) A prosecuting attorney who is contracted to provide services
17 under this section may perform services under this chapter in

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1 accordance with ~~subsection~~ **subsections** (d) and (e).
2 (d) Except as provided in subsection (e), a prosecuting attorney who
3 has contracted to provide services under this section may provide
4 services in another county if:
5 (1) the prosecuting attorney of the other county has not entered
6 into a contract with the division to provide services; or
7 (2) the prosecuting attorney of the other county requests the
8 prosecuting attorney to provide services.
9 (e) Services provided by a prosecuting attorney who is providing
10 services in another county under this section may include the
11 investigation of matters related to the abuse, neglect, or exploitation of
12 an endangered adult. However, a prosecuting attorney who is providing
13 services in another county under this section may not initiate any
14 judicial proceeding (including seeking a temporary restraining order,
15 an order for protection, or a similar order from a court) in the other
16 county.



COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 109 as introduced.)

WALKER G, Chairperson

Committee Vote: Yeas 6, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 109, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 109 as printed January 23, 2024.)

DEVON

Committee Vote: Yeas 10, Nays 0

