

## SENATE BILL No. 135

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-33-8-11.5; IC 31-34-3.

**Synopsis:** Required DCS notifications for schools. Requires a law enforcement agency that participates in a child abuse or neglect assessment (assessment) involving a child who attends kindergarten through grade 12 to provide information to the department of child services (DCS) if a person who resides in the home of the child is arrested during the course of the assessment. Requires DCS to provide information to the school a child attends if a person who resides in the home of the child is arrested during the course of an assessment. Requires DCS to notify a child's school if the child is removed from the child's home. Makes conforming amendments.

**Effective:** July 1, 2018.

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## Bohacek

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January 3, 2018, read first time and referred to Committee on Family and Children Services.

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Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

# SENATE BILL No. 135

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 31-33-8-11.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2018]: **Sec. 11.5. (a) If:**  
4 (1) a law enforcement agency participates in a child abuse or  
5 neglect assessment;  
6 (2) the subject of the assessment is a child who is a student  
7 attending kindergarten through grade 12; and  
8 (3) during the course of the assessment, a person who resides  
9 in the home of the child is arrested by the law enforcement  
10 agency;  
11 the law enforcement agency shall immediately provide the  
12 department with information that identifies the person arrested  
13 and concerns any charges on which the arrest is based.  
14 (b) If:  
15 (1) a law enforcement agency participates in a child abuse or  
16 neglect assessment;  
17 (2) the subject of the assessment is a child who is a student



1           **attending kindergarten through grade 12; and**  
 2           **(3) during the course of the assessment, a person who resides**  
 3           **in the home of the child is arrested by the law enforcement**  
 4           **agency;**  
 5           **the department shall, before the start of the next school day,**  
 6           **provide written or verbal notice of the arrest of the person,**  
 7           **including information that identifies the person arrested and**  
 8           **concerns any charges on which the arrest is based, to the principal,**  
 9           **or the designee of the principal, of the school that the child attends.**  
 10          SECTION 2. IC 31-34-3-4 IS AMENDED TO READ AS  
 11          FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. The notice **to the**  
 12          **parent, guardian, or custodian** required by this chapter must:  
 13                  (1) identify a person or an entity that the parent, guardian, or  
 14                  custodian may contact to obtain more information regarding the  
 15                  child's removal from the child's residence; and  
 16                  (2) be given to each of the child's parents as described in sections  
 17                  1 through 3 of this chapter.  
 18          SECTION 3. IC 31-34-3-4.7 IS ADDED TO THE INDIANA CODE  
 19          AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
 20          1, 2018]: **Sec. 4.7. If a child who is a student attending kindergarten**  
 21          **through grade 12 is taken into custody under IC 31-34-2, the**  
 22          **department shall, before the start of the next school day, provide**  
 23          **written or verbal notice to the principal, or the designee of the**  
 24          **principal, of the school that the child attends that the child has**  
 25          **been removed from the child's home.**

