



January 31, 2020

SENATE BILL No. 363

DIGEST OF SB 363 (Updated January 29, 2020 11:32 am - DI 128)

Citations Affected: Noncode.

Synopsis: Interim study committee. Urges the legislative council to assign the issue of liability and insurance coverage for nongovernmental entities that serve at-risk youth to an appropriate interim study committee.

Effective: Upon passage.

**Donato, Houchin,
Randolph Lonnie M**

January 13, 2020, read first time and referred to Committee on Judiciary.
January 30, 2020, amended, reported favorably — Do Pass.

SB 363—LS 6579/DI 128



January 31, 2020

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.

SENATE BILL No. 363

A BILL FOR AN ACT concerning civil procedure.

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

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
2 **SECTION, "legislative council" refers to the legislative council**
3 **created by IC 2-5-1.1-1.**

4 (b) **The legislative council is urged to assign to the appropriate**
5 **interim study committee during the 2020 legislative interim the**
6 **topic of liability and insurance coverage for nongovernmental**
7 **entities that serve at-risk youth. The interim study committee shall**
8 **consider the following topics:**

9 (1) **Insurance rates and coverage for those entities that**
10 **provide services to at-risk youth.**

11 (2) **Stabilizing the insurance market for those entities that**
12 **provide services to at-risk youth.**

13 (3) **Other options for those entities that provide services to**
14 **at-risk youth, including:**

15 (A) **possible immunity protections under the law;**

16 (B) **inclusion under the Indiana Tort Claims Act; and**

17 (C) **the creation of a statewide insurance mechanism for**

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1 **those entities that provide services to at-risk youth.**
2 **(c) If the topics described in subsection (b) are assigned to an**
3 **interim study committee, the interim study committee shall issue**
4 **a final report to the legislative council containing the interim study**
5 **committee's findings and recommendations, including any**
6 **recommended legislation, in an electronic format under IC 5-14-6,**
7 **not later than November 1, 2020.**
8 **(d) This SECTION expires December 31, 2020.**
9 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning civil procedure.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) The legislative council is urged to assign to the appropriate interim study committee during the 2020 legislative interim the topic of liability and insurance coverage for nongovernmental entities that serve at-risk youth. The interim study committee shall consider the following topics:

(1) Insurance rates and coverage for those entities that provide services to at-risk youth.

(2) Stabilizing the insurance market for those entities that provide services to at-risk youth.

(3) Other options for those entities that provide services to at-risk youth, including:

(A) possible immunity protections under the law;

(B) inclusion under the Indiana Tort Claims Act; and

(C) the creation of a statewide insurance mechanism for those entities that provide services to at-risk youth.

(c) If the topics described in subsection (b) are assigned to an interim study committee, the interim study committee shall issue a final report to the legislative council containing the interim study committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6, not later than November 1, 2020.

(d) This SECTION expires December 31, 2020.

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

Delete page 2.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 363 as introduced.)

KOCH, Chairperson



Committee Vote: Yeas 10, Nays 0.

