



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1102 be amended to read as follows:

- 1 Page 6, between lines 14 and 15, begin a new paragraph and insert:
2 "SECTION 4. IC 12-17.2-5-3, AS AMENDED BY P.L.183-2021,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 3. (a) An applicant must apply for a child care
5 home license on forms provided by the division.
6 (b) An applicant must submit the required information as part of the
7 application, including the following:
8 (1) If the county, city, or town in which the child care home is
9 located requires a business permit or license to operate a child
10 care home in the county, city, or town, proof that the applicant has
11 a valid business permit or license.
12 (2) If the county, city, or town in which the child care home is
13 located does not require a business permit or license described in
14 subdivision (1), a statement from the county, city, or town that a
15 business permit or license is not required.
16 (3) A current and valid electronic mail address for the applicant.
17 (c) An applicant must submit with the application a statement
18 attesting that the applicant has not been:
19 (1) convicted of:
20 (A) a felony:
21 (i) related to the health or safety of a child;
22 (ii) that is a sex offense (as defined in IC 11-8-8-5.2);
23 (iii) that is a dangerous felony; or
24 (iv) that is not a felony otherwise described in items (i)
25 through (iii), and less than ten (10) years have elapsed from
26 the date the person was discharged from probation,
27 imprisonment, or parole, whichever discharge date is latest;

- 1 (B) a misdemeanor relating to the health or safety of children;
 2 (C) a misdemeanor for operating a child care center without a
 3 license under IC 12-17.2-4-35, or of a substantially similar
 4 offense committed in another jurisdiction if the offense is
 5 directly or indirectly related to jeopardizing the health or
 6 safety of a child; or
 7 (D) a misdemeanor for operating a child care home without a
 8 license under section 35 of this chapter, or of a substantially
 9 similar offense committed in another jurisdiction if the offense
 10 is directly or indirectly related to jeopardizing the health or
 11 safety of a child; and
 12 (2) charged with:
 13 (A) a felony;
 14 (B) a misdemeanor relating to the health or safety of children;
 15 (C) a misdemeanor for operating a child care center without a
 16 license under IC 12-17.2-4-35, or with a substantially similar
 17 offense in another jurisdiction if the offense is directly or
 18 indirectly related to jeopardizing the health or safety of a child;
 19 or
 20 (D) a misdemeanor for operating a child care home without a
 21 license under section 35 of this chapter, or with a substantially
 22 similar offense in another jurisdiction if the offense is directly
 23 or indirectly related to jeopardizing the health or safety of a
 24 child;
 25 during the pendency of the application.
 26 (d) An applicant must submit:
 27 (1) the necessary information, forms, or consents; and
 28 (2) the fingerprints of the applicant and the applicant's spouse;
 29 for a national criminal history background check by the Federal Bureau
 30 of Investigation.
 31 (e) Subject to section 3.3 of this chapter, an applicant shall require:
 32 (1) an employee or volunteer of the applicant who may be present
 33 on the premises of the child care home during operating hours of
 34 the child care home; **and**
 35 (2) the applicant's household members who are:
 36 (A) at least eighteen (18) years of age; or
 37 (B) less than eighteen (18) years of age but have previously
 38 been waived from juvenile court to adult court; **and**
 39 **(3) any adult who spends time at the child care home during**
 40 **operating hours;**
 41 to submit fingerprints for a national criminal history background check
 42 by the Federal Bureau of Investigation. An applicant shall require an
 43 individual described in subdivision (1) to apply for a national criminal
 44 history background check before the individual is employed or allowed
 45 to volunteer and every three (3) years thereafter that the individual is
 46 continuously employed or allowed to volunteer.

1 (f) In addition to the requirements under subsections (d) and (e), an
2 applicant must report to the division any:
3 (1) police investigations;
4 (2) arrests; and
5 (3) criminal convictions;
6 of which the applicant is aware regarding the applicant, the applicant's
7 spouse, or a person described in subsection (e)."
8 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1102 as printed February 16, 2024.)

Senator FORD J.D.