



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 301 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 2-5-1.3-4, AS AMENDED BY P.L.231-2019,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 UPON PASSAGE]: Sec. 4. The following interim study committees are
- 5 established:
- 6 (1) Agriculture and Natural Resources.
- 7 (2) Commerce and Economic Development.
- 8 (3) Corrections and Criminal Code.
- 9 (4) Courts and the Judiciary.
- 10 (5) Education.
- 11 (6) Elections.
- 12 (7) Employment and Labor.
- 13 (8) Energy, Utilities, and Telecommunications.
- 14 (9) Environmental Affairs.
- 15 (10) Financial Institutions and Insurance.
- 16 (11) Government.
- 17 (12) Public Safety and Military Affairs.
- 18 (13) Pension Management Oversight.
- 19 (14) Public Health, Behavioral Health, and Human Services.
- 20 (15) Public Policy.

1 (16) Roads and Transportation.

2 (17) Fiscal Policy.

3 **(18) Child Services.**

4 SECTION 2. IC 2-5-1.3-5, AS ADDED BY P.L.53-2014, SECTION
5 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
6 PASSAGE]: Sec. 5. **Except as provided in section 5.1 of this**
7 **chapter**, a study committee has the following members:

8 (1) Four (4) members of the senate, appointed by the president
9 pro tempore, who preferably are members of the standing
10 committee of the senate that has subject matter jurisdiction most
11 closely relating to the subject matter for the study committee, as
12 determined by the president pro tempore.

13 (2) Three (3) members, appointed by the minority leader of the
14 senate, who preferably are members of the standing committee of
15 the senate that has subject matter jurisdiction most closely
16 relating to the subject matter for the study committee, as
17 determined by the president pro tempore.

18 (3) Four (4) members, appointed by the speaker, who preferably
19 are members of the standing committee of the house of
20 representatives that has subject matter jurisdiction most closely
21 relating to the subject matter for the study committee, as
22 determined by the speaker.

23 (4) Three (3) members, appointed by the minority leader of the
24 house of representatives, who preferably are members of the
25 standing committee of the house of representatives that has
26 subject matter jurisdiction most closely relating to the subject
27 matter for the study committee, as determined by the speaker.

28 (5) The members (if any) appointed under section 6 of this
29 chapter.

30 SECTION 3. IC 2-5-1.3-5.1 IS ADDED TO THE INDIANA CODE
31 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
32 UPON PASSAGE]: **Sec. 5.1. (a) The interim study committee on**
33 **child services consists of sixteen (16) members appointed as**
34 **follows:**

35 **(1) Three (3) members of the senate appointed by the**
36 **president pro tempore of the senate.**

37 **(2) Two (2) members of the senate appointed by the minority**
38 **leader of the senate.**

39 **(3) Three (3) members of the house of representatives**
40 **appointed by the speaker of the house of representatives.**

41 **(4) Two (2) members of the house of representatives**
42 **appointed by the minority leader of the house of**
43 **representatives.**

44 **(5) Two (2) individuals who are not members of the general**
45 **assembly, appointed by the president pro tempore of the**
46 **senate.**

- 1 **(6) Two (2) individuals who are not members of the general**
 2 **assembly, appointed by the speaker of the house of**
 3 **representatives.**
 4 **(7) A juvenile court judge appointed by the chief justice.**
 5 **(8) One (1) individual appointed by the governor.**
 6 **The members of the general assembly appointed under this**
 7 **subsection must be members of either the senate committee on**
 8 **family and children services or the house committee on family,**
 9 **children, and human affairs. The individuals appointed under**
 10 **subdivisions (5) and (6) must be experts in the area of family and**
 11 **child services.**
 12 **(b) If a legislative member of the interim study committee on**
 13 **child services ceases to be a member of the chamber from which**
 14 **the member was appointed, the member also ceases to be a**
 15 **member of the committee.**
 16 SECTION 4. IC 2-5-1.3-13, AS AMENDED BY P.L.138-2020,
 17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 13. (a) A study committee shall study the
 19 issues assigned by the legislative council that are within the subject
 20 matter for the study committee, as described in section 4 of this
 21 chapter.
 22 (b) In addition to the issues assigned under subsection (a), the
 23 interim study committee on roads and transportation shall advise the
 24 bureau of motor vehicles regarding the suitability of a special group (as
 25 defined in IC 9-13-2-170) to receive a special group recognition license
 26 plate for the special group (as defined in IC 9-13-2-170) for the first
 27 time under IC 9-18.5-12-4 and the suitability of a special group (as
 28 defined in IC 9-13-2-170) to continue participating in the special group
 29 recognition license plate program under IC 9-18.5-12-5.
 30 (c) In addition to the issues assigned under subsection (a), the
 31 interim study committee on corrections and criminal code shall review
 32 current trends with respect to criminal behavior, sentencing,
 33 incarceration, and treatment and may:
 34 (1) identify particular needs of the criminal justice system that can
 35 be addressed by legislation; and
 36 (2) prepare legislation to address the particular needs found by the
 37 committee.
 38 (d) In each even-numbered year, in addition to the issues assigned
 39 under subsection (a), the interim study committee on courts and the
 40 judiciary shall review, consider, and make recommendations
 41 concerning all requests for new courts, new judicial officers, and
 42 changes in jurisdiction of existing courts. A request under this
 43 subsection must include at least the following information to receive
 44 full consideration by the committee:
 45 (1) The level of community support for the change, including
 46 support from the local fiscal body.

- 1 (2) The results of a survey that shall be conducted by the county
 2 requesting the change, sampling members of the bar, members of
 3 the judiciary, and local officials to determine needs and concerns
 4 of existing courts.
- 5 (3) Whether the county is already using a judge or magistrate
 6 from an overserved area of the judicial district.
- 7 (4) The relative severity of need based on the most recent
 8 weighted caseload measurement system report published by the
 9 office of judicial administration.
- 10 (5) Whether the county is using any problem solving court as
 11 described in IC 33-23-16-11, and, if so, the list of problem solving
 12 courts established in the county, and any evaluation of the impact
 13 of the problem solving courts on the overall judicial caseload.
- 14 (6) A description of the:
- 15 (A) county's population growth in the ten (10) years before the
 16 date of the request; and
- 17 (B) projected population growth in the county for the ten (10)
 18 years after the date of the request, to the extent available;
 19 and any documentation to support the information provided under
 20 this subdivision.
- 21 (7) A description of the county's use of pre-incarceration
 22 diversion services and post-incarceration reentry services in an
 23 effort to decrease recidivism.
- 24 (8) If the request is a request for a new court or new courts, an
 25 acknowledgment from the county fiscal body (as defined in
 26 IC 36-1-2-6) with the funding sources and estimated costs the
 27 county intends to pay toward the county's part of the operating
 28 costs associated with the new court or new courts.
- 29 The office of judicial administration shall post the list of required
 30 information provided under this subsection on its Internet web site.
- 31 (e) In each even-numbered year, in addition to the issues assigned
 32 under subsection (a), the interim study committee on courts and the
 33 judiciary shall review the most recent weighted caseload measurement
 34 system report published by the office of judicial administration and do
 35 the following:
- 36 (1) Identify each county in which the number of courts or judicial
 37 officers exceeds the number used by the county in that report
 38 year.
- 39 (2) Determine the number of previous report years in which the
 40 number of courts or judicial officers in a county identified in
 41 subdivision (1) exceeded the number used by the county in that
 42 particular report year.
- 43 (3) Make a recommendation on whether the number of courts or
 44 judicial officers in the county should be decreased.
- 45 The office of judicial administration shall post a list of the number of
 46 courts or judicial officers used in each county for each report year, and

1 the number of years in which the number of courts or judicial officers
2 in the county has exceeded the number used by the county, on its
3 Internet web site.

4 **(f) In addition to studying the issues assigned under subsection**
5 **(a), the interim study committee on child services shall:**

6 **(1) review the annual reports submitted by:**

7 **(A) each local child fatality review team under**
8 **IC 16-49-3-7;**

9 **(B) the statewide child fatality review committee under**
10 **IC 16-49-4-11; and**

11 **(C) the department of child services under IC 31-25-2-24;**
12 **during the immediately preceding twelve (12) month period,**
13 **and may make recommendations regarding changes in**
14 **policies or statutes to improve child safety; and**

15 **(2) report to the legislative council before November 1 of each**
16 **interim, in an electronic format under IC 5-14-6, the results**
17 **of:**

18 **(A) the committee's review under subdivision (1); and**

19 **(B) the committee's study of any issue assigned to the**
20 **committee under subsection (a)."**

21 Delete pages 2 through 4.

22 Page 5, delete lines 1 through 4.

23 Page 5, delete lines 27 through 42.

24 Delete page 6.

25 Page 7, delete lines 1 through 7.

26 Page 7, line 24, after "of the" insert "**annual**".

27 Page 7, delete lines 37 through 42, begin a new paragraph and
28 insert:

29 "SECTION 6. IC 31-25-2-24, AS AMENDED BY P.L.98-2019,
30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 UPON PASSAGE]: Sec. 24. (a) Before December 31 of each year, the
32 department shall annually prepare a report concerning all child
33 fatalities in Indiana that are the result of child abuse or neglect in the
34 preceding calendar year. The report must include the following
35 information:

36 (1) A summary of the information gathered concerning child
37 fatalities resulting from abuse or neglect.

38 (2) Demographic information regarding victims, perpetrators, and
39 households involved in child fatalities resulting from abuse or
40 neglect.

41 (3) An analysis of the primary risk factors involved in child
42 fatalities resulting from abuse or neglect.

43 (4) A summary of the most frequent causes of child fatalities
44 resulting from abuse or neglect.

45 (5) A description of the manner in which the information was
46 assembled.

1 The department shall post the report prepared under this section on the
2 department's Internet web site.

3 (b) As part of the summary of information described in subsection
4 (a)(1), the report must include whether ~~the death occurred in either any~~
5 of the following settings: **apply:**

6 (1) **The child's death occurred** while the child was placed in
7 foster care.

8 (2) **The child's death occurred** after the child, who was once
9 placed in foster care, was returned to a natural parent.

10 (3) **The child was a ward of the department at the time of the**
11 **event that led to the child's death.**

12 (c) **Not later than January 31 of each year, the department shall**
13 **provide to the executive director of the legislative services agency,**
14 **for distribution to the interim study committee on child services,**
15 **a copy of the most recent annual report prepared by the**
16 **department under this section. The report provided to the**
17 **executive director of the legislative services agency under this**
18 **subsection must be in an electronic format under IC 5-14-6."**

19 Delete pages 8 through 9.

20 Page 10, delete lines 1 through 10, begin a new paragraph and insert:

21 "SECTION 10. [EFFECTIVE UPON PASSAGE] (a) **The general**
22 **assembly urges the legislative council to assign to the interim study**
23 **committee on child services established by IC 2-5-1.3-4, as**
24 **amended by this act, or to another appropriate study committee,**
25 **during the 2021 legislative interim the topic of amending the**
26 **Indiana Code to provide for a structured, limited, confidential**
27 **process by which members of the general assembly may, in the**
28 **regular course of legislative duties, individually request and view**
29 **reports and other materials described in IC 31-33-18-1, while**
30 **protecting personally identifying information and confidentiality.**

31 (b) **This SECTION expires January 1, 2022.**

32 SECTION 11. [EFFECTIVE UPON PASSAGE] (a) **The general**
33 **assembly urges the legislative council to assign to the interim study**
34 **committee on child services established by IC 2-5-1.3-4, as**
35 **amended by this act, or to another appropriate study committee,**
36 **during the 2021 legislative interim the topic of the child fatality**
37 **review process.**

38 (b) **If the legislative council assigns the topic under subsection**
39 **(a) to a study committee, the department of child services and the**
40 **state department of health shall make recommendations to the**

1 **study committee with regard to improving reporting and data**
2 **collection.**

3 **(c) This SECTION expires January 1, 2022."**

4 Renumber all SECTIONS consecutively.

(Reference is to ESB 301 as printed April 1, 2021.)

Representative DeVon