

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 2001 General Assembly.

HOUSE ENROLLED ACT No. 1298

AN ACT to amend the Indiana Code concerning human services.

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

SECTION 1. IC 12-17.4-4-33.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2002]: **Sec. 33.5. (a) A licensee must immediately contact the division if:**

(1) a foster child less than sixteen (16) years of age, while living in a foster home, engages in or is the victim of sexual contact (as defined in IC 25-1-9-3.5);

(2) a foster child, while living in a foster home, is:

(A) charged with or adjudicated as having committed an act that would be a crime under IC 35-42-4 if committed by an adult;

(B) charged with or convicted of an offense under IC 35-42-4; or

(C) the victim of an offense under IC 35-42-4; or

(3) the licensee learns that a foster child has, before placement with the licensee, engaged in or been the victim of an act described in subdivision (1) or (2).

(b) The information provided to the division under subsection (a) must include:

(1) the name of the child;

(2) the date of the occurrence of the act if it can be determined;



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- (3) a description of the act;**
- (4) the name of the responding law enforcement agency if a law enforcement agency is contacted; and**
- (5) any other information the licensee determines is relevant.**

(c) Notwithstanding any other law, the division shall provide information described in subsection (b)(1) through (b)(4), whether received from a licensee or another reliable source, to:

- (1) a prospective licensee before the placement of the foster child with that licensee; and**
- (2) each licensee where the foster child has previously been placed.**

(d) The notification requirements of subsection (c) apply to a foster child who has:

- (1) engaged in sexual contact (as defined in IC 25-1-9-3.5) if the foster child is less than sixteen (16) years of age;**
- (2) been charged with or adjudicated as having committed an act that would be a crime under IC 35-42-4 if committed by an adult; or**
- (3) been charged with or convicted of an offense under IC 35-42-4.**

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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