

HOUSE BILL No. 1726

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-37-7; IC 31-40-1.

Synopsis: Detention of minors violating alcohol laws. Provides that a child alleged to be a delinquent child for violating the laws concerning minors and alcoholic beverages may be placed in a juvenile detention facility for up to 48 hours. Requires the parent or guardian of the child to reimburse the county for expenses related to the placement of the child in a juvenile detention facility.

Effective: July 1, 2003.

Leonard, Thompson

January 21, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1726



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 31-37-7-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. A child alleged to be
3 a delinquent child under IC 31-37-2, except as provided in section 3 or
4 **3.5** of this chapter, may not be held in:

- 5 (1) a secure facility; or
- 6 (2) a shelter care facility that houses persons charged with,
7 imprisoned for, or incarcerated for crimes.

8 SECTION 2. IC 31-37-7-3.5 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2003]: **Sec. 3.5. A child alleged to be a delinquent child because
11 of an act under IC 31-37-2-6 may be held in a juvenile detention
12 facility for not more than forty-eight (48) hours, not including
13 Saturdays, Sundays, and nonjudicial days.**

14 SECTION 3. IC 31-40-1-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. This article applies
16 to a financial burden sustained by a county as the result of costs paid
17 by the county under:



1 (1) section 2 of this chapter, including costs resulting from the
 2 institutional placement of a child adjudicated a delinquent child
 3 or a child in need of services; or

4 (2) IC 31-37-7-3.5.

5 SECTION 4. IC 31-40-1-3, AS AMENDED BY P.L.273-1999,
 6 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) A parent or guardian of the
 8 estate of a child adjudicated a delinquent child or a child in need of
 9 services is financially responsible as provided in this chapter (or
 10 IC 31-6-4-18(e) before its repeal) for any services ordered by the court.

11 (b) Each parent of a child alleged to be a child in need of services
 12 or alleged to be a delinquent child shall, before a dispositional hearing,
 13 furnish the court with an accurately completed and current child
 14 support obligation worksheet on the same form that is prescribed by the
 15 Indiana supreme court for child support orders.

16 (c) At:

17 (1) a detention hearing;

18 (2) a hearing that is held after the payment of costs by a county
 19 under section 2 of this chapter (or IC 31-6-4-18(b) before its
 20 repeal);

21 (3) the dispositional hearing; or

22 (4) any other hearing to consider modification of a dispositional
 23 decree;

24 the juvenile court shall order the child's parents or the guardian of the
 25 child's estate to pay for, or reimburse the county for the cost of, services
 26 provided to the child or the parent or guardian, **including expenses**
 27 **incurred under IC 31-37-7-3.5**, unless the court finds that the parent
 28 or guardian is unable to pay or that justice would not be served by
 29 ordering payment from the parent or guardian.

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