

Adopted Rejected

COMMITTEE REPORT

YES:	8
NO:	0

MR. SPEAKER:

*Your Committee on Rules and Legislative Procedures, to which was referred House Bill 1449, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning family
- 3 law.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 31-37-3-2 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) It is a curfew
- 7 violation for a child fifteen (15), sixteen (16), or seventeen (17) years
- 8 of age to be in a public place:
- 9 (1) between 1 a.m. and 5 a.m. on Saturday or Sunday;
- 10 (2) after 11 p.m. on Sunday, Monday, Tuesday, Wednesday, or
- 11 Thursday; or
- 12 (3) before 5 a.m. on Monday, Tuesday, Wednesday, Thursday, or
- 13 Friday.

1 **(b) A law enforcement officer may not detain a child or take a**
2 **child into custody based on a violation of this section unless the**
3 **law enforcement officer, after speaking with the child and**
4 **considering the facts and surrounding circumstances, reasonably**
5 **believes that:**

- 6 **(1) the child has violated this section; and**
- 7 **(2) there is no legal defense to the violation.**

8 SECTION 2. IC 31-37-3-3 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a)** It is a curfew
10 violation for a child less than fifteen (15) years of age to be in a public
11 place after 11 p.m. or before 5 a.m. on any day.

12 **(b) A law enforcement officer may not detain a child or take a**
13 **child into custody based on a violation of this section unless the**
14 **law enforcement officer, after speaking with the child and**
15 **considering the facts and surrounding circumstances, reasonably**
16 **believes that:**

- 17 **(1) the child has violated this section; and**
- 18 **(2) there is no legal defense to the violation.**

19 SECTION 3. **An emergency is declared for this act.**
 (Reference is to HB 1449 as introduced.)

and when so amended that said bill do pass.

