

Adopted	Rejected
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COMMITTEE REPORT

YES:	13
NO:	0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1268, 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 Page 9, line 2, delete "A report" and insert "**All records held**".
- 2 Page 9, line 12, delete "is" and insert "**are**".
- 3 Page 9, line 15, after "is" insert "**otherwise**".
- 4 Page 10, after line 42, begin a new paragraph and insert:
- 5 "SECTION 11. IC 31-33-22-2 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. ~~Am~~ **(a) Except as**
- 7 **provided in subsections (b) and (c), an individual who:**
- 8 (1) knowingly requests, obtains, or seeks to obtain child abuse or
- 9 neglect information under false pretenses; or
- 10 (2) knowingly falsifies child abuse or neglect information or
- 11 records;
- 12 commits a Class B misdemeanor.
- 13 **(b) An individual who violates subsection (a)(2) commits a Class**
- 14 **D felony if the individual is a state employee and the victim who**
- 15 **is the subject of the information or records suffers serious bodily**

1 **injury as a result of the offense.**

2 **(c) An individual who violates subsection (a)(2) commits a Class**
3 **C felony if the individual is a state employee and the victim who**
4 **is the subject of the information or records dies as a result of the**
5 **offense."**

6 Page 11, line 20, delete "A" and insert **"Except as provided in**
7 **subsection (c), a"**.

8 Page 11, line 32, delete "and".

9 Page 11, line 33, after "(2)" insert **"the sex offense referred to in**
10 **subdivision (1) was committed by an adult who lives in the**
11 **household with the child; and**
12 **(3)"**.

13 Page 11, between lines 36 and 37, begin a new paragraph and insert:
14 **"(c) Before a court determines that a child needs care,**
15 **treatment, or rehabilitation under subsection (b)(3), a court must**
16 **determine that voluntary services are inappropriate or have been**
17 **unsuccessful."**

18 Page 12, between lines 23 and 24, begin a new paragraph and insert:
19 **"(d) This section does not affect a court's authority to take a**
20 **child into custody or emergency custody under IC 31-34-2 if the**
21 **court does not act on the basis of a presumption established under**
22 **this section."**

23 Renumber all SECTIONS consecutively.
(Reference is to HB 1268 as introduced.)

and when so amended that said bill do pass.

Representative Lawson L