MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

Page 106, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 61. IC 5-22-17-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.5. (a) No agency of the state may:

(1) enter into a contract with; or
(2) make a grant to;

a person who fails to make a report of child abuse or neglect under IC 31-33-5, if the contract or grant involves the expenditure of state funds or federal funds administered by the state.

(b) No state funds or federal funds appropriated by or administered by the state may be used for any contract with or grant made to a person who is not in compliance with IC 31-33-5.

(c) Any appropriation by the state:
(1) in a budget bill;
(2) under IC 5-19-1-3.5; or
(3) in any other law of the state;

to pay for a contract with or grant made to a person who is not in compliance with IC 31-33-5 is canceled, and the money appropriated is not available for payment of any contract or grant with money from an appropriation that is canceled under this subsection.

(d) For any contract with or grant made to a person covered under subsection (c), the budget agency shall make a determination
that funds are not available and the contract or grant shall be terminated under IC 5-22-17-5.".

Page 112, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 82. IC 31-9-2-133 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 133. (a) "Victim of child abuse or neglect", for purposes of IC 31-32-11-1 and IC 31-33 (excluding IC 31-33-5), refers to a child in need of services as described in:

(1) IC 31-34-1-1 through IC 31-34-1-5;
(2) IC 31-34-1-10; or
(3) IC 31-34-1-11.

(b) The term does not include a child who is alleged to be a child in need of services if the child is alleged to be a victim of a sexual offense under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3 involves the fondling or touching of the buttocks, genitals, or female breasts.

(b) "Victim of child abuse or neglect", for purposes of IC 31-33-5, refers to a child in need of services described in:

(1) IC 31-34-1-1 through IC 31-34-1-5;
(2) IC 31-34-1-10; or
(3) IC 31-34-1-11.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 17, 2009.)

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Representative Walorski