

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1653 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-22-17-5.5 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) No agency of the state**
- 6 **may:**
- 7 (1) enter into a contract with; or
- 8 (2) make a grant to;
- 9 a person who fails to make a report of child abuse or neglect under
- 10 IC 31-33-5, if the contract or grant involves the expenditure of
- 11 state funds or federal funds administered by the state.
- 12 (b) No state funds or federal funds appropriated by or
- 13 administered by the state may be used for any contract with or
- 14 grant made to a person who is not in compliance with IC 31-33-5.
- 15 (c) Any appropriation by the state:
- 16 (1) in a budget bill;
- 17 (2) under IC 5-19-1-3.5; or
- 18 (3) in any other law of the state;
- 19 to pay for a contract with or grant made to a person who is not in
- 20 compliance with IC 31-33-5 is canceled, and the money
- 21 appropriated is not available for payment of any contract or grant
- 22 with money from an appropriation that is canceled under this
- 23 subsection.
- 24 (d) For any contract with or grant made to a person covered

1 **under subsection (c), the budget agency shall make a determination**  
2 **that funds are not available and the contract or grant shall be**  
3 **terminated under IC 5-22-17-5."**

4 Page 2, after line 15, begin a new paragraph and insert:

5 "SECTION 3. IC 31-9-2-133 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 133. (a) "Victim of  
7 child abuse or neglect", for purposes of IC 31-32-11-1 and IC 31-33  
8 **(excluding IC 31-33-5)**, refers to a child in need of services as  
9 described in:

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

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

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

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

23 SECTION 4. **An emergency is declared for this act."**

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1653 as printed February 20, 2009.)

---

Representative Walorski