

## SENATE BILL No. 360

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-34.

**Synopsis:** Human trafficking. Provides that if a petition alleges that a child is a child in need of services as a victim of human or sexual trafficking, the juvenile court shall make a determination on the petition. Requires that before or at the initial hearing, the court shall appoint an attorney for a child alleged to be a child in need of services as a victim of human or sexual trafficking.

**Effective:** July 1, 2020.

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## Donato, Houchin

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January 13, 2020, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE BILL No. 360

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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 31-34-1-3.5, AS ADDED BY P.L.46-2016,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 3.5. (a) A child is a child in need of services if,  
4 before the child becomes eighteen (18) years of age:  
5 (1) the child is the victim of:  
6 (A) human or sexual trafficking (as defined in  
7 IC 31-9-2-133.1); or  
8 (B) a human or sexual trafficking offense under the law of  
9 another jurisdiction, including federal law, that is substantially  
10 equivalent to the act described in clause (A); and  
11 (2) the child needs care, treatment, or rehabilitation that:  
12 (A) the child is not receiving; and  
13 (B) is unlikely to be provided or accepted without the coercive  
14 intervention of the court.  
15 (b) A child is considered a victim of human or sexual trafficking  
16 regardless of whether the child consented to the conduct described in  
17 subsection (a)(1).



1           **(c) Before or at the initial hearing described in IC 31-34-10-2,**  
2           **the court shall appoint an attorney for the child under this section.**

3           SECTION 2. IC 31-34-10-7, AS AMENDED BY P.L.46-2016,  
4           SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5           JULY 1, 2020]: Sec. 7. **(a)** If a petition alleges that the child is a child  
6           in need of services under IC 31-34-1-6, ~~or IC 31-34-1-3.5~~; the juvenile  
7           court shall determine whether the child admits or denies the  
8           allegations. A failure to respond constitutes a denial.

9           **(b) If a petition alleges that a child is a child in need of services**  
10           **under IC 31-34-1-3.5, the juvenile court shall make a**  
11           **determination on the petition.**

