

HOUSE BILL No. 1273

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-16; IC 10-13; IC 12-10-18-3; IC 12-17.2; IC 16-37-1; IC 20-26-13-10; IC 20-33-2-10; IC 31-34; IC 31-36; IC 34-30-2; IC 35-38-2-2.3; IC 35-44.1-2-3.

Synopsis: Missing and unidentified persons. Creates the Indiana missing and unidentified persons unit (unit) within the attorney general's office. Repeals the Indiana clearinghouse for information on missing children and missing endangered adults (clearinghouse). Transfers the duties of the clearinghouse to the unit. Expands abducted children and missing endangered adult laws to include all people. Requires the superintendent of the state police department to establish a DNA data base and allows the unit access to the DNA data base. (Current law allows the superintendent to establish the data base.)

Effective: July 1, 2014.

Bartlett

January 14, 2014, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1273

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-6-16 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]:
4 **Chapter 16. Missing and Unidentified Persons Unit**
5 **Sec. 1. As used in this chapter, "Amber alert program" means**
6 **a program under which the unit transmits information about a**
7 **recently abducted person to broadcasters that:**
8 **(1) have agreed to participate in the program; and**
9 **(2) immediately and repeatedly broadcast the information to**
10 **the general public.**
11 **Sec. 2. As used in this chapter, "broadcaster" means the**
12 **operator of a radio or television station.**
13 **Sec. 3. As used in this chapter, "missing child" means a person**
14 **less than eighteen (18) years of age who:**
15 **(1) is, or is believed to be:**
16 **(A) a temporary or permanent resident of Indiana;**



- 1 **(B) at a location that cannot be determined by the person's**
 2 **parent or legal custodian; and**
 3 **(C) reported missing to a law enforcement agency; or**
 4 **(2) is, or is believed to be:**
 5 **(A) a temporary or permanent resident of Indiana; and**
 6 **(B) a victim of the offense of criminal confinement**
 7 **(IC 35-42-3-3) or interference with custody (IC 35-42-3-4).**
- 8 **Sec. 4. As used in this chapter, "missing endangered adult"**
 9 **means an adult who is a high risk missing person under the**
 10 **definition set forth in IC 5-2-17-1.**
- 11 **Sec. 5. As used in this chapter, "missing person" means a person**
 12 **of any age who:**
 13 **(1) is, or is believed to be:**
 14 **(A) a temporary or permanent resident of Indiana; and**
 15 **(B) reported missing to a law enforcement agency; or**
 16 **(2) is, or is believed to be:**
 17 **(A) a temporary or permanent resident of Indiana; and**
 18 **(B) a victim of the offense of criminal confinement**
 19 **(IC 35-42-3-3).**
- 20 **Sec. 6. As used in this chapter, "silver alert program" means a**
 21 **program under which the unit transmits information about missing**
 22 **endangered adults to broadcasters that:**
 23 **(1) have agreed to participate in the program; and**
 24 **(2) immediately and repeatedly broadcast the information to**
 25 **the general public.**
- 26 **Sec. 7. As used in this chapter, "unit" refers to the Indiana**
 27 **missing and unidentified persons unit established by section 8 of**
 28 **this chapter.**
- 29 **Sec. 8. The Indiana missing and unidentified persons unit is**
 30 **established within the office of the attorney general.**
- 31 **Sec. 9. (a) The attorney general shall designate staff responsible**
 32 **for the operation of the unit.**
 33 **(b) Duties of the staff include the following:**
 34 **(1) Creation and operation of an intrastate network of**
 35 **communication designed for the speedy collection and**
 36 **processing of information concerning missing and**
 37 **unidentified persons.**
 38 **(2) Creation and operation of a central data storage, retrieval,**
 39 **and information distribution system designed for the**
 40 **exchange of information on missing and unidentified persons**
 41 **within and outside Indiana. The system must be capable of**
 42 **interacting with:**



- 1 (A) the Indiana data and communication system under
2 IC 10-13-3-35; and
3 (B) the National Crime Information Center (NCIC).
- 4 (3) Development of appropriate forms for the reporting of
5 missing and unidentified persons that may be used by law
6 enforcement agencies and private citizens to provide useful
7 information about a missing or unidentified person to the
8 unit.
- 9 (4) Cooperation with the following agencies concerning the
10 location of missing persons:
11 (A) State and local public and private nonprofit agencies
12 involved with the location and recovery of missing persons.
13 (B) Agencies of the federal government.
14 (C) State and local law enforcement agencies within and
15 outside Indiana.
- 16 (5) Coordinating efforts to locate missing persons with the
17 agencies listed in subdivision (4).
- 18 (6) Operation of the toll free telephone line created under
19 section 10(a) of this chapter.
- 20 (7) Publishing and updating, on a quarterly basis, a directory
21 of missing and unidentified persons.
- 22 (8) Compiling statistics on missing and unidentified persons
23 cases handled by the unit, including the number of cases
24 resolved each year.
- 25 (9) Monitoring the Indiana DNA data base as required by
26 IC 10-13-6-8(g).
- 27 Sec. 10. (a) The unit shall do the following:
- 28 (1) Collect, process, and maintain identification and
29 investigative information to aid in finding missing persons
30 and to identify unidentified persons, including:
31 (A) physical identification of physical characteristics such
32 as hair color, eye color, height, weight, and other
33 identifiers such as clothing, jewelry, scars, and tattoos; and
34 (B) dental identification.
- 35 (2) Establish a statewide, toll free telephone line for the
36 reporting:
37 (A) of missing persons;
38 (B) of sightings of missing persons; and
39 (C) of information concerning unidentified persons.
- 40 (3) Prescribe a uniform reporting form concerning missing
41 and unidentified persons for use by law enforcement agencies
42 within Indiana.



1 (4) Assist in training law enforcement and other professionals
2 on issues relating to missing and unidentified persons.

3 (5) Operate a resource center of information regarding the
4 prevention of:

5 (A) the abduction of people, including children; and

6 (B) the sexual exploitation of people, including children.

7 (6) Distribute the quarterly directory prepared under section
8 9(b)(7) of this chapter to schools and hospitals.

9 (7) Distribute the quarterly directory described in subdivision
10 (6) to child care centers and child care homes that make an
11 annual contribution of four dollars (\$4) to the unit. The
12 contributions must be used to help defray the cost of
13 publishing the quarterly directory.

14 (b) For a missing child who was born in Indiana, the unit shall
15 notify the vital statistics division of the state department of health:

16 (1) within fifteen (15) days after receiving a report under
17 IC 31-36-1-3 (or IC 31-6-13-4 before its repeal) of a missing
18 child less than thirteen (13) years of age; and

19 (2) promptly after the unit is notified that a missing child has
20 been found.

21 (c) Upon receiving notification under subsection (b) that a child
22 is missing or has been found, the vital statistics division of the state
23 department of health shall notify the local health department or
24 the health and hospital corporation that has jurisdiction over the
25 area where the child was born.

26 (d) Information collected, processed, or maintained by the unit
27 under subsection (a) is confidential and is not subject to IC 5-14-3,
28 but may be disclosed by the unit for purposes of locating missing
29 and unidentified persons.

30 Sec. 11. (a) The unit shall operate an Amber alert program and
31 the silver alert program.

32 (b) Upon the establishment of an Amber alert program and the
33 silver alert program, the unit may enter into an agreement with
34 one (1) or more broadcasters to operate the Amber alert program
35 and the silver alert program under this chapter.

36 (c) The attorney general shall designate staff responsible for the
37 operation of the Amber alert program and the silver alert
38 program.

39 (d) The office of the attorney general shall adopt guidelines
40 governing the unit's operation of the Amber alert program and the
41 silver alert program. The guidelines of the office of the attorney
42 general may require that staff, upon receiving a report that a



1 person has been abducted or an endangered adult is missing,
 2 immediately send by facsimile transmission or other means of
 3 communication a description of the abducted person or missing
 4 endangered adult to one (1) or more broadcasters participating in
 5 the Amber alert program or the silver alert program. The
 6 guidelines must include criteria that the unit shall use in
 7 determining whether to issue a silver alert and the geographic area
 8 or region in which to issue the silver alert.

9 (e) A broadcaster participating in the Amber alert program or
 10 the silver alert program shall immediately broadcast:

11 (1) a description of the abducted person or missing
 12 endangered adult; and

13 (2) other information that will assist in locating the abducted
 14 person or missing endangered adult;

15 to the general public in accordance with the Amber alert program
 16 agreement or the silver alert program agreement between the unit
 17 and the broadcaster.

18 (f) The office of the attorney general shall adopt guidelines
 19 governing the Amber alert program agreement and the silver alert
 20 program agreement between the unit and a broadcaster. An
 21 agreement between the unit and the broadcaster may include the
 22 following provisions:

23 (1) Upon receiving a notification as part of the Amber alert
 24 program or the silver alert program, the broadcaster shall
 25 broadcast the information contained in the notice on an
 26 intermittent basis for a period of time as provided in the
 27 agreement between the unit and the broadcaster.

28 (2) The broadcaster shall treat the Amber alert notification or
 29 the silver alert notification as an emergency.

30 (3) The broadcaster shall ensure that the facsimile
 31 transmission machine or other communications device used
 32 to receive an Amber alert notification or a silver alert
 33 notification is:

34 (A) generally available to receive an Amber alert
 35 notification or a silver alert notification; and

36 (B) located such that the broadcaster will immediately
 37 become aware of an incoming Amber alert notification or
 38 silver alert notification.

39 Sec. 12. (a) In addition to an agreement with a broadcaster
 40 under section 11 of this chapter, the unit may enter into an
 41 agreement with one (1) or more electronic billboard operators to
 42 display Amber alerts or silver alerts under this section. An



1 agreement under this section may include a limitation on the days
2 and times that the electronic billboard operator is required to have
3 staff present to receive an Amber alert notification or a silver alert
4 notification.

5 (b) The office of the attorney general guidelines adopted under
6 section 11 of this chapter may require staff, upon receiving a
7 report that a person has been abducted or an endangered adult is
8 missing, to immediately send by facsimile transmission or other
9 means of communication a description of the abducted person or
10 missing endangered adult to one (1) or more electronic billboard
11 operators participating in the Amber alert program or silver alert
12 program, if the Amber alert or silver alert occurs during a period
13 when the electronic billboard operator has agreed to have staff
14 present to receive an Amber alert notification or a silver alert
15 notification.

16 (c) An electronic billboard operator participating in the Amber
17 alert program or silver alert program shall immediately display:

18 (1) a description of the abducted person or missing
19 endangered adult; and

20 (2) other information that will assist in locating the abducted
21 person or missing endangered adult;

22 to the general public in accordance with the Amber alert program
23 agreement or silver alert program agreement between the unit and
24 the electronic billboard operator.

25 (d) The office of the attorney general shall adopt guidelines
26 governing the Amber alert program and the silver alert program
27 agreements between the unit and an electronic billboard operator.
28 An agreement between the unit and the electronic billboard
29 operator may include the following provisions:

30 (1) Upon receiving a notification as part of the Amber alert
31 program or the silver alert program, the electronic billboard
32 operator shall display the information contained in the notice
33 on an intermittent basis for a period of time as provided in the
34 agreement between the unit and the electronic billboard
35 operator.

36 (2) The electronic billboard operator shall treat the Amber
37 alert notification or the silver alert notification as an
38 emergency.

39 (3) The electronic billboard operator shall ensure that the
40 facsimile transmission machine or other communications
41 device used to receive an Amber alert notification or a silver
42 alert notification is:



1 (A) generally available to receive an Amber alert
2 notification or a silver alert notification; and

3 (B) located such that the electronic billboard operator will
4 immediately become aware of an incoming Amber alert
5 notification or a silver alert notification received during
6 days and times when staff is present to receive an Amber
7 alert notification or a silver alert notification.

8 **Sec. 13. (a) A broadcaster or electronic billboard operator that**
9 **has agreed to participate in the Amber alert program or silver**
10 **alert program and that:**

11 (1) receives an Amber alert notification or a silver alert
12 notification from the office of the attorney general; and

13 (2) broadcasts or displays:

14 (A) a description of the abducted person or missing
15 endangered adult contained in the notification; and

16 (B) other information contained in the notification that will
17 assist in locating the abducted person or missing
18 endangered adult;

19 **is immune from civil liability based on the broadcast or display of**
20 **the information received from the office of the attorney general.**

21 (b) If:

22 (1) a person enters into an agreement with the office of the
23 attorney general to establish or maintain an Amber alert
24 Internet web site or a silver alert Internet web site; and

25 (2) the agreement provides that only the office of the attorney
26 general has the ability to place information on the Internet
27 web site;

28 **the person is immune from civil liability for the information placed**
29 **on the Internet web site by the office of the attorney general.**
30 **However, this subsection does not affect the applicability of**
31 **IC 34-13-3 to the office of the attorney general.**

32 **Sec. 14. If a missing child is found, the child's parent or legal**
33 **custodian shall notify the law enforcement agency that received the**
34 **missing child notification under IC 31-36 (or IC 31-6-13 before its**
35 **repeal).**

36 **Sec. 15. (a) Upon receiving notification from a parent or legal**
37 **custodian that a missing child or missing person has been found, a**
38 **law enforcement agency shall immediately notify the unit.**

39 (b) Not later than sixty (60) days after the law enforcement
40 agency described in subsection (a) complies with the requirements
41 under federal law for periodic updates of the entries made to the
42 National Crime Information Center (NCIC) concerning a missing



1 person, the law enforcement agency described in subsection (a)
2 shall review reports made to the unit and update the information.

3 **Sec. 16. (a) Upon receiving notification of a missing child under**
4 **section 10 of this chapter, the vital statistics division of the state**
5 **department of health and the appropriate local health department**
6 **or health and hospital corporation shall attach a notice to the**
7 **child's birth certificate stating that the child has been reported**
8 **missing. The notice must remain attached to the birth certificate**
9 **until notification is received under section 10 of this chapter that**
10 **the missing child has been found.**

11 **(b) If a request for a copy of the birth certificate of a child is**
12 **received, the vital statistics division of the state department of**
13 **health and the appropriate local health department or health and**
14 **hospital corporation shall require the person making the request**
15 **to submit an application for the birth certificate that includes:**

16 **(1) the date of the request;**

17 **(2) the name, address, and telephone number of the person**
18 **making the request; and**

19 **(3) the signature of the person making the request.**

20 **(c) If a notice that the child is missing has been attached to the**
21 **birth certificate under subsection (a), the vital statistics division of**
22 **the state department of health and the appropriate local health**
23 **department or health and hospital corporation shall immediately**
24 **notify the unit of the information contained in the application.**

25 **(d) A copy of the birth certificate of a missing child to which a**
26 **notice has been attached under subsection (a) may not be issued**
27 **without authorization from the unit.**

28 **Sec. 17. This chapter does not authorize the use of the federal**
29 **emergency alert system unless otherwise authorized by federal law.**

30 **SECTION 2. IC 10-13-3-35 IS AMENDED TO READ AS**
31 **FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 35. (a) On a daily basis,**
32 **all law enforcement agencies shall enter into the Indiana data and**
33 **communication system (IDACS) computer the following:**

34 **(1) All information concerning stolen or recovered property,**
35 **including the following:**

36 **(A) Motor vehicles.**

37 **(B) Firearms.**

38 **(C) Securities.**

39 **(D) Boats.**

40 **(E) License plates.**

41 **(F) Other stolen or recovered property.**

42 **(2) All information concerning fugitives charged with a crime,**



1 including information concerning extradition.

2 (3) All information concerning runaways, missing **persons (as**
 3 **defined in IC 4-6-16-5)**, and unidentified persons, and missing
 4 children (as defined in ~~IC 10-13-5-4~~, **IC 4-6-16-3**), including
 5 information concerning the release of those persons to the custody
 6 of a parent or guardian.

7 (4) Information contained in a protective order, including any
 8 modifications or extensions issued by a court and filed with a law
 9 enforcement agency as required in IC 5-2-9-6(f).

10 (b) On a daily basis, all law enforcement agencies shall do the
 11 following:

12 (1) Enter all information concerning missing children (as defined
 13 in ~~IC 10-13-5-4~~ **IC 4-6-16-3**) and **missing persons (as defined**
 14 **in IC 4-6-16-5)** into the National Crime Information Center's
 15 Missing Person File.

16 (2) Enter all information concerning warrants issued for a person
 17 who allegedly abducted or unlawfully retained a missing child
 18 into the National Crime Information Center's Wanted Person File.

19 (3) Enter all information concerning unidentified persons into the
 20 National Crime Information Center's Unidentified Person File.

21 (4) Enter all information concerning a protective order, a
 22 workplace violence restraining order, or a no contact order
 23 involving intimate partners into the National Crime Information
 24 Center's (NCIC) Protection Order File if the order qualifies under
 25 NCIC rules.

26 (c) If a protective order, a no contact order, or a workplace violence
 27 restraining order is removed from a depository established under
 28 IC 5-2-9, the law enforcement agency responsible for the depository
 29 shall delete the information entered under subsection (a)(4) from the
 30 Indiana data and communication system (IDACS) computer.

31 SECTION 3. IC 10-13-5 IS REPEALED [EFFECTIVE JULY 1,
 32 2014]. (Indiana Clearinghouse for Information on Missing Children).

33 SECTION 4. IC 10-13-6-8, AS AMENDED BY P.L.142-2005,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2014]: Sec. 8. (a) The superintendent ~~may~~ **shall** establish a
 36 data base of DNA identification records of:

- 37 (1) convicted criminals;
 38 (2) crime scene specimens;
 39 (3) unidentified missing persons; and
 40 (4) close biological relatives of missing persons.

41 (b) The superintendent shall maintain the Indiana DNA data base.

42 (c) The superintendent may contract for services to perform DNA



1 analysis of convicted offenders under section 10 of this chapter to assist
 2 federal, state, and local criminal justice and law enforcement agencies
 3 in the putative identification, detection, or exclusion of individuals who
 4 are subjects of an investigation or prosecution of a sex offense, a
 5 violent crime, or another crime in which biological evidence is
 6 recovered from the crime scene.

7 (d) The superintendent:

8 (1) may perform or contract for performance of testing, typing, or
 9 analysis of a DNA sample collected from a person described in
 10 section 10 of this chapter at any time; and

11 (2) shall perform or contract for the performance of testing,
 12 typing, or analysis of a DNA sample collected from a person
 13 described in section 10 of this chapter if federal funds become
 14 available for the performance of DNA testing, typing, or analysis.

15 (e) The superintendent shall adopt rules under IC 4-22-2 necessary
 16 to administer and enforce the provisions and intent of this chapter.

17 (f) The detention, arrest, or conviction of a person based on a data
 18 base match or data base information is not invalidated if a court
 19 determines that the DNA sample was obtained or placed in the Indiana
 20 DNA data base by mistake.

21 **(g) The Indiana missing and unidentified persons unit**
 22 **established by IC 4-6-16-8 shall have access to all information in**
 23 **the Indiana DNA data base.**

24 SECTION 5. IC 12-10-18-3, AS AMENDED BY P.L.43-2009,
 25 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2014]: Sec. 3. (a) Upon completion of the report described by
 27 section 1 of this chapter, if the law enforcement agency has reason to
 28 believe that public notification may assist in locating the missing
 29 endangered adult, the law enforcement agency may immediately
 30 forward the contents of the report to:

31 (1) all law enforcement agencies that have jurisdiction in the
 32 location where the missing endangered adult lives and all law
 33 enforcement agencies that have jurisdiction in the location where
 34 the missing endangered adult was last seen;

35 (2) all law enforcement agencies to which the person who made
 36 the notification concerning the missing endangered adult requests
 37 the report be sent, if the law enforcement agency determines that
 38 the request is reasonable in light of the information received;

39 (3) all law enforcement agencies that request a copy of the report;

40 (4) one (1) or more broadcasters that broadcast in an area where
 41 the missing endangered adult may be located;

42 (5) the Indiana data and communication system (IDACS);



1 (6) the National Crime Information Center's Missing Person File,
2 if appropriate; and

3 (7) the Indiana clearinghouse for information on children and
4 missing ~~endangered adults and unidentified persons unit~~
5 established by ~~IC 10-13-5-5~~; **IC 4-6-16-8**, to disseminate
6 information concerning the missing endangered adult to be
7 broadcast as part of the silver alert program.

8 (b) Upon completion of the report described by section 1 of this
9 chapter, a law enforcement agency may forward a copy of the contents
10 of the report to one (1) or more newspapers distributed in an area
11 where the missing endangered adult may be located.

12 (c) After forwarding the contents of the report to a broadcaster or
13 newspaper under this section, the law enforcement agency may request
14 that the broadcaster or newspaper:

15 (1) notify the public that there is an endangered adult medical
16 alert; and

17 (2) broadcast or publish:

18 (A) a description of the missing endangered adult; and

19 (B) any other relevant information that would assist in locating
20 the missing endangered adult.

21 (d) A broadcaster or newspaper that receives a request concerning
22 a missing endangered adult under subsection (c) may, at the discretion
23 of the broadcaster or newspaper:

24 (1) notify the public that there is an endangered adult medical
25 alert; and

26 (2) broadcast or publish:

27 (A) a description of the missing endangered adult; and

28 (B) any other relevant information that would assist in locating
29 the missing endangered adult.

30 SECTION 6. IC 12-17.2-2-1.5, AS AMENDED BY P.L.43-2009,
31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2014]: Sec. 1.5. (a) The division shall require all child care
33 centers or child care homes to submit a report containing the names
34 and birth dates of all children who are enrolled in the child care center
35 or child care home within three (3) months from the date the child care
36 center or child care home accepts its first child, upon receiving the
37 consent of the child's parent, guardian, or custodian as required under
38 subsection (b). The division shall require all child care centers and
39 child care homes that receive written consent as described under
40 subsection (b) to submit a monthly report of the name and birth date of
41 each additional child who has been enrolled in or withdrawn from the
42 child care center or child care home during the preceding thirty (30)



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

days.
(b) The division shall require all child care centers or child care homes to request whether the child's parent, guardian, or custodian desires the center or home to include the child's name and birth date in the reports described under subsection (a) before enrolling the child in the center or home. No child's name or birth date may be included on the report required under subsection (a) without the signed consent of the child's parent, guardian, or custodian. The consent form must be in the following form:

"I give my permission for _____ (name of day care center or home) to report the name and birth date of my child or children to the division of family resources pursuant to IC 12-17.2-2-1.5.
Name of child _____
Birth date _____
Signature of parent, guardian, or custodian _____
Date _____".

(c) The division shall submit a monthly report of the information provided under subsection (a) to the Indiana ~~clearinghouse for information on missing children and missing endangered adults and unidentified persons unit~~ established ~~under IC 10-13-5~~ by **IC 4-6-16-8**.

(d) The division shall require that a person who transports children who are in the care of the child care center on a public highway (as defined in IC 9-25-2-4) within or outside Indiana in a vehicle designed and constructed for the accommodation of more than ten (10) passengers must comply with the same requirements set forth in IC 20-27-9-12 for a public elementary or secondary school or a preschool operated by a school corporation.

SECTION 7. IC 12-17.2-4-18.5, AS AMENDED BY P.L.43-2009, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 18.5. (a) Upon receiving a report under IC 31-36-1-4, a child care center shall thoroughly inspect the report. If the child care center finds that a child on the report required under IC 31-36-1-4 is enrolled at the child care center, the child care center shall immediately notify the Indiana ~~clearinghouse for information on missing children and missing endangered adults~~ **and unidentified persons unit**.

(b) Upon receiving a report under IC 31-36-1-4, a child care center shall attach a notice to the child's enrollment records stating that the child has been reported missing. The child care center shall remove the



1 notice when the center is notified under IC 31-36-2-6 that the child has
2 been found.

3 (c) If a request for the enrollment records of a missing child is
4 received, the child care center shall:

5 (1) obtain:

6 (A) the name, address, and telephone number of the person
7 making the request; and

8 (B) the reason that the person is requesting the school records;
9 and

10 (2) immediately notify the Indiana ~~clearinghouse for information~~
11 ~~on missing children and missing endangered adults~~ **and**
12 **unidentified persons unit.**

13 (d) The child care center may not issue a copy of the enrollment
14 records of a child reported missing without authorization from the
15 Indiana ~~clearinghouse for information on missing children and missing~~
16 ~~endangered adults~~ **and unidentified persons unit** and may not inform
17 the person making the request that a notice that the child has been
18 reported missing has been attached to the child's records.

19 SECTION 8. IC 12-17.2-5-18.6, AS AMENDED BY P.L.43-2009,
20 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2014]: Sec. 18.6. (a) Upon receiving a report under
22 IC 31-36-1-4, a child care home shall thoroughly inspect the report. If
23 the child care home finds that a child on the report required under
24 IC 31-36-1-4 is enrolled at the child care home, the child care home
25 shall immediately notify the Indiana ~~clearinghouse for information on~~
26 ~~missing children and missing endangered adults~~ **and unidentified**
27 **persons unit.**

28 (b) Upon receiving a report under IC 31-36-1-4, a child care home
29 shall attach a notice to the child's enrollment records stating that the
30 child has been reported missing. The child care home shall remove the
31 notice when the center is notified under IC 31-36-2-6 that the child has
32 been found.

33 (c) If a request for the enrollment records of a missing child is
34 received, the child care home shall:

35 (1) obtain:

36 (A) the name, address, and telephone number of the person
37 making the request; and

38 (B) the reason that the person is requesting the school records;
39 and

40 (2) immediately notify the Indiana ~~clearinghouse for information~~
41 ~~on missing children and missing endangered adults~~ **and**
42 **unidentified persons unit.**



1 (d) The child care home may not issue a copy of the enrollment
 2 records of a child reported missing without authorization from the
 3 Indiana clearinghouse for information on missing children and missing
 4 **endangered adults and unidentified persons unit** and may not inform
 5 the person making the request that a notice that the child has been
 6 reported missing has been attached to the child's records.

7 SECTION 9. IC 16-37-1-2 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The employee in
 9 charge of the division of the state department administering the system
 10 of vital statistics shall be known as the state registrar and shall do the
 11 following:

- 12 (1) Keep the files and records pertaining to vital statistics.
 13 (2) Perform the duties prescribed by the state department.
 14 (3) Perform the duties required under ~~IC 10-13-5-11~~
 15 **IC 4-6-16-16**.
 16 (4) Administer the putative father registry established by
 17 IC 31-19-5-2.
 18 (5) Maintain records of paternity determinations as provided by
 19 IC 31-14-9.

20 SECTION 10. IC 16-37-1-8, AS AMENDED BY P.L.43-2009,
 21 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2014]: Sec. 8. (a) Except as provided in subsection (c), a local
 23 health officer shall provide a certification of birth, death, or stillbirth
 24 registration upon request by any person only if:

- 25 (1) the health officer is satisfied that the applicant has a direct
 26 interest in the matter;
 27 (2) the health officer determines that the certificate is necessary
 28 for the determination of personal or property rights or for
 29 compliance with state or federal law; and
 30 (3) the applicant for a birth certificate presents at least one (1)
 31 form of identification.

32 However, the local health officer must issue a certificate of an
 33 applicant's own birth registration.

34 (b) A local health officer's decision whether or not to issue a
 35 certified copy of a birth certificate is subject to review by a court.

36 (c) A local health officer may not issue a copy of a birth certificate
 37 of a missing child to which a notice has been attached under
 38 ~~IC 10-13-5-11~~ **IC 4-6-16-16** without the authorization of the Indiana
 39 clearinghouse for information on missing children and missing
 40 **endangered adults and unidentified persons unit**.

41 (d) Upon determination that a person may be provided a
 42 certification of death under subsection (a), the local health officer shall



1 provide to the person a certification of death that excludes information
 2 concerning the cause of death if the person requests the exclusion of
 3 this information.

4 SECTION 11. IC 20-26-13-10, AS AMENDED BY P.L.268-2013,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2014]: Sec. 10. Except as provided in section 11 of this
 7 chapter, the four (4) year graduation rate for a cohort in a high school
 8 is the percentage determined under STEP FIVE of the following
 9 formula:

10 STEP ONE: Determine the grade 9 enrollment at the beginning of
 11 the reporting year three (3) years before the reporting year for
 12 which the graduation rate is being determined.

13 STEP TWO: Add:

14 (A) the number determined under STEP ONE; and

15 (B) the number of students who:

16 (i) have enrolled in the high school after the date on which
 17 the number determined under STEP ONE was determined;
 18 and

19 (ii) have the same expected graduation year as the cohort.

20 STEP THREE: Subtract from the sum determined under STEP
 21 TWO the number of students who have left the cohort for any of
 22 the following reasons:

23 (A) Transfer to another public or nonpublic school.

24 (B) Except as provided in IC 20-33-2-28.6, removal by the
 25 student's parents under IC 20-33-2-28 to provide instruction
 26 equivalent to that given in the public schools.

27 (C) Withdrawal because of a long term medical condition or
 28 death.

29 (D) Detention by a law enforcement agency or the department
 30 of correction.

31 (E) Placement by a court order or the department of child
 32 services.

33 (F) Enrollment in a virtual school.

34 (G) Leaving school, if the student attended school in Indiana
 35 for less than one (1) school year and the location of the student
 36 cannot be determined.

37 (H) Leaving school, if the location of the student cannot be
 38 determined and the student has been reported to the Indiana
 39 clearinghouse for information on missing children and missing
 40 ~~endangered adults.~~ **and unidentified persons unit.**

41 (I) Withdrawing from school before graduation, if the student
 42 is a high ability student (as defined in IC 20-36-1-3) who is a



- 1 full-time student at an accredited institution of higher
 2 education during the semester in which the cohort graduates.
 3 STEP FOUR: Determine the total number of students determined
 4 under STEP TWO who have graduated during the current
 5 reporting year or a previous reporting year.
 6 STEP FIVE: Divide:
 7 (A) the number determined under STEP FOUR; by
 8 (B) the remainder determined under STEP THREE.
 9 SECTION 12. IC 20-33-2-10, AS AMENDED BY P.L.144-2012,
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2014]: Sec. 10. (a) Each public school shall and each private
 12 school may require a student who initially enrolls in the school to
 13 provide:
 14 (1) the name and address of the school the student last attended;
 15 and
 16 (2) a certified copy of the student's birth certificate or other
 17 reliable proof of the student's date of birth.
 18 (b) Not more than fourteen (14) days after initial enrollment in a
 19 school, the school shall request the student's records from the school
 20 the student last attended.
 21 (c) If the document described in subsection (a)(2):
 22 (1) is not provided to the school not more than thirty (30) days
 23 after the student's enrollment; or
 24 (2) appears to be inaccurate or fraudulent;
 25 the school shall notify the Indiana ~~clearinghouse for information on~~
 26 ~~missing children and missing endangered adults and unidentified~~
 27 **persons unit** established ~~under IC 10-13-5-5~~ **by IC 4-6-16-8** and
 28 determine if the student has been reported missing.
 29 (d) A school in Indiana receiving a request for records shall send the
 30 records promptly to the requesting school. However, if a request is
 31 received for records to which a notice has been attached under
 32 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:
 33 (1) shall immediately notify the Indiana ~~clearinghouse for~~
 34 ~~information on missing children and missing endangered adults~~
 35 **and unidentified persons unit**;
 36 (2) may not send the school records without the authorization of
 37 the ~~clearinghouse~~; **unit**; and
 38 (3) may not inform the requesting school that a notice under
 39 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached
 40 to the records.
 41 (e) Notwithstanding subsection (d), if a parent of a child who has
 42 enrolled in an accredited nonpublic school is in breach of a contract



1 that conditions release of student records on the payment of
 2 outstanding tuition and other fees, the accredited nonpublic school
 3 shall provide a requesting school sufficient verbal information to
 4 permit the requesting school to make an appropriate placement
 5 decision regarding the child.

6 SECTION 13. IC 31-34-1-8 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A child is a child in
 8 need of services if before the child becomes eighteen (18) years of age:

9 (1) the child is a missing child (as defined in ~~IC 10-13-5-4~~;
 10 **IC 4-6-16-3**); 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 SECTION 14. IC 31-34-2-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. A child may be taken
 17 into custody by:

18 (1) a law enforcement officer;

19 (2) a probation officer; or

20 (3) a caseworker;

21 acting with probable cause to believe the child is a child in need of
 22 services because the child is a missing child (as defined in
 23 ~~IC 10-13-5-4~~: **IC 4-6-16-3**).

24 SECTION 15. IC 31-34-2-5, AS AMENDED BY P.L.43-2009,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2014]: Sec. 5. If a child in need of services is a missing child
 27 and is taken into custody under a court order, the person taking the
 28 child into custody shall do the following:

29 (1) Take the child to a place designated in the order.

30 (2) Give notice to the following that the child has been taken into
 31 custody:

32 (A) The child's legal custodian.

33 (B) The Indiana clearinghouse for information on missing
 34 children and missing endangered adults and unidentified
 35 persons unit established by ~~IC 10-13-5~~: **IC 4-6-16-8**.

36 SECTION 16. IC 31-34-2.5-2, AS AMENDED BY P.L.43-2009,
 37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2014]: Sec. 2. (a) Immediately after an emergency medical
 39 services provider takes custody of a child under section 1 of this
 40 chapter, the provider shall notify the department of child services that
 41 the provider has taken custody of the child.

42 (b) The department of child services shall:



1 (1) assume the care, control, and custody of the child immediately
 2 after receiving notice under subsection (a); and
 3 (2) not later than forty-eight (48) hours after the department of
 4 child services has taken custody of the child, contact the Indiana
 5 clearinghouse for information on missing children and missing
 6 endangered adults and unidentified persons unit established by
 7 ~~IC 10-13-5-5~~ **IC 4-6-16-8** to determine if the child has been
 8 reported missing.

9 SECTION 17. IC 31-36-1-3, AS AMENDED BY P.L.43-2009,
 10 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2014]: Sec. 3. Upon completion of the report required by
 12 section 1 of this chapter, the law enforcement agency shall immediately
 13 forward the contents of the report to:

14 (1) all law enforcement agencies that have jurisdiction of the
 15 location in which the missing child lives and all law enforcement
 16 agencies that have jurisdiction of the location in which the
 17 missing child was last seen;

18 (2) all law enforcement agencies to which the person who
 19 provided notification requests the report be sent, if the law
 20 enforcement agency determines that the request is reasonable in
 21 light of the information contained in the report;

22 (3) all law enforcement agencies that request a copy of the report;

23 (4) the Indiana clearinghouse for information on missing children
 24 and missing endangered adults and unidentified persons unit
 25 established by ~~IC 10-13-5~~; **IC 4-6-16-8**;

26 (5) the Indiana data and communication system (IDACS); and

27 (6) the National Crime Information Center's Missing Person File.

28 SECTION 18. IC 31-36-1-5, AS AMENDED BY P.L.43-2009,
 29 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2014]: Sec. 5. (a) Upon receiving a report under section 4 of
 31 this chapter, a school shall attach a notice to the child's school records
 32 stating that the child has been reported missing. The school shall
 33 remove the notice when the school is notified under IC 31-36-2-6 that
 34 the child has been found.

35 (b) If a request for the school records of a missing child is received,
 36 the school shall:

37 (1) obtain:

38 (A) the name, address, and telephone number of the person
 39 making the request; and

40 (B) the reason that the person is requesting the school records;
 41 and

42 (2) immediately notify the Indiana clearinghouse for information



1 ~~on missing children and missing endangered adults: and~~
 2 **unidentified persons unit established by IC 4-6-16-8.**

3 (c) The school may not issue a copy of school records without
 4 authorization from the Indiana ~~clearinghouse for information on~~
 5 ~~missing children and missing endangered adults and unidentified~~
 6 **persons unit** and may not inform the person making the request that a
 7 notice that the child has been reported missing has been attached to the
 8 child's records.

9 SECTION 19. IC 31-36-2-2, AS AMENDED BY P.L.43-2009,
 10 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2014]: Sec. 2. A law enforcement agency involved in the
 12 investigation of a missing child shall do the following:

13 (1) Update the initial report filed by the agency that received
 14 notification of the missing child upon the discovery of new
 15 information concerning the investigation.

16 (2) Forward the updated report to the agencies and organizations
 17 listed in IC 31-36-1-3.

18 (3) Search the National Crime Information Center's Wanted
 19 Person File for reports of arrest warrants issued for persons who
 20 allegedly abducted or unlawfully retained children and compare
 21 these reports to the missing child's National Crime Information
 22 Center's Missing Person File.

23 (4) Notify all law enforcement agencies involved in the
 24 investigation, the Indiana ~~clearinghouse for information on~~
 25 ~~missing children and missing endangered adults and unidentified~~
 26 **persons unit**, and the National Crime Information Center when
 27 the missing child is located.

28 SECTION 20. IC 31-36-2-4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A state or local
 30 governmental agency or a public or private organization maintaining
 31 a record of the fingerprints of a child shall release a copy of that record
 32 to a law enforcement agency if:

33 (1) the child is a missing child (as defined in ~~IC 10-13-5-4~~;
 34 **IC 4-6-16-3**);

35 (2) a parent or guardian of the child provides written consent for
 36 the release of the record; and

37 (3) the law enforcement agency requests a copy of the record.

38 (b) Except as provided in IC 31-39-5, a record of the fingerprints of
 39 a child taken and retained by a state or local governmental agency shall
 40 be destroyed when the child becomes eighteen (18) years of age.

41 SECTION 21. IC 34-30-2-2.4 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2014]: **Sec. 2.4. IC 4-6-16-13 (Concerning a**
 2 **broadcaster or an electronic billboard operator who displays an**
 3 **Amber alert notification, silver alert notification, Amber alert**
 4 **Internet web site, or silver alert Internet web site under an**
 5 **agreement with the attorney general's office).**

6 SECTION 22. IC 34-30-2-35.7, AS AMENDED BY P.L.38-2013,
 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2014]: Sec. 35.7. ~~IC 10-13-5-8.5 and IC 10-13-8-12~~
 9 (Concerning a broadcaster who broadcasts or an electronic billboard
 10 operator who displays an ~~Amber alert notification, silver alert~~
 11 ~~notification, or a blue alert notification~~ and a person who establishes
 12 or maintains an ~~Amber alert web site, silver alert web site, or a blue~~
 13 ~~alert web site~~ under an agreement with the state police department).

14 SECTION 23. IC 35-38-2-2.3, AS AMENDED BY P.L.13-2013,
 15 SECTION 138, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2014]: Sec. 2.3. (a) As a condition of probation,
 17 the court may require a person to do a combination of the following:

- 18 (1) Work faithfully at suitable employment or faithfully pursue a
 19 course of study or career and technical education that will equip
 20 the person for suitable employment.
- 21 (2) Undergo available medical or psychiatric treatment and
 22 remain in a specified institution if required for that purpose.
- 23 (3) Attend or reside in a facility established for the instruction,
 24 recreation, or residence of persons on probation.
- 25 (4) Participate in a treatment program, educational class, or
 26 rehabilitative service provided by a probation department or by
 27 referral to an agency.
- 28 (5) Support the person's dependents and meet other family
 29 responsibilities.
- 30 (6) Make restitution or reparation to the victim of the crime for
 31 damage or injury that was sustained by the victim. When
 32 restitution or reparation is a condition of probation, the court shall
 33 fix the amount, which may not exceed an amount the person can
 34 or will be able to pay, and shall fix the manner of performance.
- 35 (7) Execute a repayment agreement with the appropriate
 36 governmental entity to repay the full amount of public relief or
 37 assistance wrongfully received, and make repayments according
 38 to a repayment schedule set out in the agreement.
- 39 (8) Pay a fine authorized by IC 35-50.
- 40 (9) Refrain from possessing a firearm or other deadly weapon
 41 unless granted written permission by the court or the person's
 42 probation officer.



- 1 (10) Report to a probation officer at reasonable times as directed
 2 by the court or the probation officer.
- 3 (11) Permit the person's probation officer to visit the person at
 4 reasonable times at the person's home or elsewhere.
- 5 (12) Remain within the jurisdiction of the court, unless granted
 6 permission to leave by the court or by the person's probation
 7 officer.
- 8 (13) Answer all reasonable inquiries by the court or the person's
 9 probation officer and promptly notify the court or probation
 10 officer of any change in address or employment.
- 11 (14) Perform uncompensated work that benefits the community.
- 12 (15) Satisfy other conditions reasonably related to the person's
 13 rehabilitation.
- 14 (16) Undergo home detention under IC 35-38-2.5.
- 15 (17) Undergo a laboratory test or series of tests approved by the
 16 state department of health to detect and confirm the presence of
 17 the human immunodeficiency virus (HIV) antigen or antibodies
 18 to the human immunodeficiency virus (HIV), if:
- 19 (A) the person had been convicted of an offense relating to a
 20 criminal sexual act and the offense created an
 21 epidemiologically demonstrated risk of transmission of the
 22 human immunodeficiency virus (HIV); or
- 23 (B) the person had been convicted of an offense relating to a
 24 controlled substance and the offense involved:
- 25 (i) the delivery by any person to another person; or
- 26 (ii) the use by any person on another person;
- 27 of a contaminated sharp (as defined in IC 16-41-16-2) or other
 28 paraphernalia that creates an epidemiologically demonstrated
 29 risk of transmission of HIV by involving percutaneous contact.
- 30 (18) Refrain from any direct or indirect contact with an individual
 31 and, if convicted of an offense under IC 35-46-3, any animal
 32 belonging to the individual.
- 33 (19) Execute a repayment agreement with the appropriate
 34 governmental entity or with a person for reasonable costs incurred
 35 because of the taking, detention, or return of a missing child (as
 36 defined in ~~IC 10-13-5-4~~ **IC 4-6-16-3**) or a missing person (as
 37 **defined in IC 4-6-16-5**).
- 38 (20) Periodically undergo a laboratory chemical test (as defined
 39 in IC 9-13-2-22) or series of chemical tests as specified by the
 40 court to detect and confirm the presence of a controlled substance
 41 (as defined in IC 35-48-1-9). The person on probation is
 42 responsible for any charges resulting from a test and shall have



1 the results of any test under this subdivision reported to the
2 person's probation officer by the laboratory.

3 (21) If the person was confined in a penal facility, execute a
4 reimbursement plan as directed by the court and make repayments
5 under the plan to the authority that operates the penal facility for
6 all or part of the costs of the person's confinement in the penal
7 facility. The court shall fix an amount that:

8 (A) may not exceed an amount the person can or will be able
9 to pay;

10 (B) does not harm the person's ability to reasonably be self
11 supporting or to reasonably support any dependent of the
12 person; and

13 (C) takes into consideration and gives priority to any other
14 restitution, reparation, repayment, or fine the person is
15 required to pay under this section.

16 (22) Refrain from owning, harboring, or training an animal.

17 (23) Participate in a reentry court program.

18 (b) When a person is placed on probation, the person shall be given
19 a written statement specifying:

20 (1) the conditions of probation; and

21 (2) that if the person violates a condition of probation during the
22 probationary period, a petition to revoke probation may be filed
23 before the earlier of the following:

24 (A) One (1) year after the termination of probation.

25 (B) Forty-five (45) days after the state receives notice of the
26 violation.

27 (c) As a condition of probation, the court may require that the
28 person serve a term of imprisonment in an appropriate facility at the
29 time or intervals (consecutive or intermittent) within the period of
30 probation the court determines.

31 (d) Intermittent service may be required only for a term of not more
32 than sixty (60) days and must be served in the county or local penal
33 facility. The intermittent term is computed on the basis of the actual
34 days spent in confinement and shall be completed within one (1) year.
35 A person does not earn credit time while serving an intermittent term
36 of imprisonment under this subsection. When the court orders
37 intermittent service, the court shall state:

38 (1) the term of imprisonment;

39 (2) the days or parts of days during which a person is to be
40 confined; and

41 (3) the conditions.

42 (e) Supervision of a person may be transferred from the court that



1 placed the person on probation to a court of another jurisdiction, with
 2 the concurrence of both courts. Retransfers of supervision may occur
 3 in the same manner. This subsection does not apply to transfers made
 4 under IC 11-13-4 or IC 11-13-5.

5 (f) When a court imposes a condition of probation described in
 6 subsection (a)(18):

7 (1) the clerk of the court shall comply with IC 5-2-9; and

8 (2) the prosecuting attorney shall file a confidential form
 9 prescribed or approved by the division of state court
 10 administration with the clerk.

11 (g) As a condition of probation, a court shall require a person:

12 (1) convicted of an offense described in IC 10-13-6-10;

13 (2) who has not previously provided a DNA sample in accordance
 14 with IC 10-13-6; and

15 (3) whose sentence does not involve a commitment to the
 16 department of correction;

17 to provide a DNA sample as a condition of probation.

18 (h) If a court imposes a condition of probation described in
 19 subsection (a)(4), the person on probation is responsible for any costs
 20 resulting from the participation in a program, class, or service. Any
 21 costs collected for services provided by the probation department shall
 22 be deposited in the county or local supplemental adult services fund.

23 SECTION 24. IC 35-44.1-2-3, AS AMENDED BY P.L.292-2013,
 24 SECTION 11, AND AS AMENDED BY P.L.158-2013, SECTION 503
 25 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) As used in this section,
 27 "consumer product" has the meaning set forth in IC 35-45-8-1.

28 (b) As used in this section, "misconduct" means a violation of a
 29 departmental rule or procedure of a law enforcement agency.

30 (c) A person who reports, by telephone, telegraph, mail, or other
 31 written or oral communication, that:

32 (1) the person or another person has placed or intends to place an
 33 explosive, a destructive device, or other destructive substance in
 34 a building or transportation facility;

35 (2) there has been or there will be tampering with a consumer
 36 product introduced into commerce; or

37 (3) there has been or will be placed or introduced a weapon of
 38 mass destruction in a building or a place of assembly;

39 knowing the report to be false, commits false reporting, a ~~Class D Level~~
 40 6 felony.

41 (d) A person who:

42 (1) gives a false report of the commission of a crime or gives false



1 information in the official investigation of the commission of a
 2 crime, knowing the report or information to be false;
 3 (2) gives a false alarm of fire to the fire department of a
 4 governmental entity, knowing the alarm to be false;
 5 (3) makes a false request for ambulance service to an ambulance
 6 service provider, knowing the request to be false;
 7 (4) gives a false report concerning a missing child (as defined in
 8 ~~IC 10-13-5-4~~ **IC 4-6-16-3**) or a **missing person (as defined in**
 9 **IC 4-6-16-5)** or missing endangered adult (as defined in
 10 IC 12-7-2-131.3) or gives false information in the official
 11 investigation of a missing child, **missing person**, or missing
 12 endangered adult knowing the report or information to be false;
 13 (5) makes a complaint against a law enforcement officer to the
 14 state or municipality (as defined in IC 8-1-13-3(b)) that employs
 15 the officer:
 16 (A) alleging the officer engaged in misconduct while
 17 performing the officer's duties; and
 18 (B) knowing the complaint to be false; ~~or~~
 19 (6) makes a false report of a missing person, knowing the report
 20 or information is false; *or*
 21 (7) *gives a false report of actions, behavior, or conditions*
 22 *concerning a septic tank soil absorption system under*
 23 *IC 8-1-2-125 or IC 13-26-5-2.5 knowing the report or*
 24 *information to be false;*
 25 commits false informing, a Class B misdemeanor. However, the offense
 26 is a Class A misdemeanor if it substantially hinders any law
 27 enforcement process or if it results in harm to ~~an innocent~~ *another*
 28 person.

