

PROPOSED AMENDMENT

SB 282 # 11

DIGEST

Compulsory attendance. Provides that a prosecuting attorney shall notify a parent of a child when an affidavit is filed regarding the child's compulsory attendance violations or if the child is a habitual truant.

- 1 Page 1, between lines 10 and 11, begin a new paragraph and insert:
2 "SECTION 2. IC 20-33-2-26, AS AMENDED BY P.L.34-2008,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 26. (a) It is the duty of each:
5 (1) superintendent;
6 (2) attendance officer;
7 (3) state attendance official;
8 (4) security police officer appointed under IC 36-8-3-7; and
9 (5) school corporation police officer appointed under
10 IC 20-26-16;
11 to enforce this chapter in their respective jurisdictions and to execute
12 the affidavits authorized under this section. The duty is several, and the
13 failure of one (1) or more to act does not excuse another official from
14 the obligation to enforce this chapter. **The duty includes reporting to**
15 **the prosecuting attorney that a child is a habitual truant (as**
16 **defined by IC 20-18-2-6.5).**
17 (b) An affidavit:
18 (1) against a parent for a violation of this chapter; **and**
19 (2) **concerning a child being a habitual truant (as defined by**
20 **IC 20-18-2-6.5);**
21 shall be prepared and filed in the same manner and under the procedure
22 prescribed for filing affidavits for the prosecution of public offenses.
23 (c) An affidavit under this section shall be filed in a court with
24 jurisdiction in the county in which the affected child resides.
25 (d) **The prosecuting attorney shall notify each parent of an**
26 **affidavit described in subsection (b) when the affidavit is filed**
27 **under this section.**

- 1 **(e)** The prosecuting attorney shall file and prosecute actions under
- 2 this section as in other criminal cases.
- 3 **(f)** The court shall promptly hear cases brought under this section."
- 4 Renumber all SECTIONS consecutively.
 (Reference is to SB 282 as printed February 2, 2024.)