



Adopted	Rejected
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COMMITTEE REPORT

YES: 11
NO: 0

MR. SPEAKER:

Your Committee on Government and Regulatory Reform, to which was referred House Bill 1075, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 3, line 42, after "compacts" insert "**that have been fully**
- 2 **operational for at least two (2) years**".
- 3 Page 7, between lines 26 and 27, begin a new paragraph and insert:
- 4 "SECTION 7. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,
- 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY 1, 2022]: Sec. 2. (a) To qualify for financial aid under this
- 7 chapter, a county must establish a community corrections advisory
- 8 board by resolution of the county executive or, in a county having a
- 9 consolidated city, by the city-county council. A community corrections
- 10 advisory board **must, at a minimum, ~~consists~~ consist** of:
- 11 (1) the county sheriff or the sheriff's designee;
- 12 (2) the prosecuting attorney or the prosecuting attorney's
- 13 designee;
- 14 (3) the executive of the most populous municipality in the county

- 1 or the executive's designee;
- 2 (4) two (2) judges having criminal jurisdiction, if available,
- 3 appointed by the circuit court judge or the judges' designees;
- 4 ~~(5) one (1) judge having juvenile jurisdiction, appointed by the~~
- 5 ~~circuit court judge;~~
- 6 ~~(6) (5) one (1) public defender or the public defender's designee,~~
- 7 ~~if available, or one (1) attorney with a substantial criminal defense~~
- 8 ~~practice appointed by the county executive or, in a county having~~
- 9 ~~a consolidated city, by the city-county council;~~
- 10 ~~(7) one (1) victim, or victim advocate if available, appointed by~~
- 11 ~~the county executive or, in a county having a consolidated city, by~~
- 12 ~~the city-county council;~~
- 13 ~~(8) one (1) ex-offender, if available, appointed by the county~~
- 14 ~~executive or, in a county having a consolidated city, by the~~
- 15 ~~city-county council;~~
- 16 ~~(9) (6) the director of the local office of the department of child~~
- 17 ~~services or the director's designee; and~~
- 18 ~~(10) a representative from a juvenile correctional facility or~~
- 19 ~~juvenile detention center in the county; but if no facility exists,~~
- 20 ~~one (1) mental health representative chosen by the judge~~
- 21 ~~described in subdivision (5);~~
- 22 ~~(11) a representative from the Juvenile Detention Alternatives~~
- 23 ~~Initiative, but if no program exists, a representative from the court~~
- 24 ~~appointed special advocate program in the county or guardian ad~~
- 25 ~~litem program in the county; and~~
- 26 ~~(12) (7) the following members appointed by the county executive~~
- 27 ~~or, in a county having a consolidated city, by the city-county~~
- 28 ~~council:~~
- 29 (A) One (1) member of the county fiscal body or the member's
- 30 designee.
- 31 (B) One (1) probation officer.
- 32 ~~(C) One (1) juvenile probation officer.~~
- 33 ~~(D) One (1) educational administrator.~~
- 34 ~~(E) One (1) representative of a private correctional agency, if~~
- 35 ~~such an agency exists in the county.~~
- 36 ~~(F) (C) One (1) mental health administrator. or, if there is none~~
- 37 ~~available in the county, one (1) psychiatrist, psychologist, or~~
- 38 ~~physician.~~

1 (G) Four (4) lay persons; at least one (1) of whom must be a
2 member of a minority race if a racial minority resides in the
3 county and a member of that minority is willing to serve.

4 **(b) In addition to the members of the community corrections
5 advisory board appointed under subsection (a), a county by
6 resolution of the county executive or, in a county having a
7 consolidated city, by the city-county council may appoint the
8 following to the advisory board:**

9 **(1) One (1) judge having juvenile jurisdiction, appointed by
10 the circuit court judge or the juvenile court judge's designee.**

11 **(2) One (1) victim, or victim advocate if available, appointed
12 by the county executive or, in a county having a consolidated
13 city, by the city-county council.**

14 **(3) One (1) ex-offender, if available, appointed by the county
15 executive or, in a county having a consolidated city, by the
16 city-county council.**

17 **(4) A representative from a juvenile correctional facility or
18 juvenile detention center in the county, but if no facility exists,
19 one (1) mental health representative chosen by the judge
20 described in subdivision (1).**

21 **(5) A representative from the Juvenile Detention Alternatives
22 Initiative, but if no program exists, a representative from the
23 court appointed special advocate program in the county or
24 guardian ad litem program in the county.**

25 **(6) The following members appointed by the county executive
26 or, in a county having a consolidated city, by the city-county
27 council:**

28 **(A) One (1) juvenile probation officer.**

29 **(B) One (1) educational administrator.**

30 **(C) One (1) representative of a private correctional agency,
31 if such an agency exists in the county.**

32 **(D) Four (4) lay persons, at least one (1) of whom must be
33 a member of a minority race if a racial minority resides in
34 the county and a member of that minority is willing to
35 serve.**

36 **(b) (c) Designees of officials designated under subsection
37 subsections (a)(1) through (a)(6), ~~(a)(9)~~, ~~(a)(7)(A)~~, and ~~(a)(12)(A)~~
38 **(b)(1)** serve at the pleasure of the designating official.**

1 ~~(c)~~ **(d)** Members of the advisory board appointed by the county
 2 executive or, in a county having a consolidated city, by the city-county
 3 council, shall be appointed for a term of four (4) years. The criminal
 4 defense attorney, the ex-offender, and the victim or victim advocate
 5 shall be appointed for a term of four (4) years. Other members serve
 6 only while holding the office or position held at the time of
 7 appointment. The circuit court judge may fill the position of the judge
 8 having juvenile court jurisdiction by self appointment if the circuit
 9 court judge is otherwise qualified. A vacancy occurring before the
 10 expiration of the term of office shall be filled in the same manner as
 11 original appointments for the unexpired term. Members may be
 12 reappointed.

13 ~~(d)~~ **(e)** Two (2) or more counties, by resolution of their county
 14 executives or, in a county having a consolidated city, by the city-county
 15 council, may combine to apply for financial aid under this chapter. If
 16 counties so combine, the counties may establish one (1) community
 17 corrections advisory board to serve these counties. This board must
 18 contain the representation prescribed in subsection (a), but the
 19 members may come from the participating counties as determined by
 20 agreement of the county executives or, in a county having a
 21 consolidated city, by the city-county council.

22 ~~(e)~~ **(f)** The members of the community corrections advisory board
 23 shall, within thirty (30) days after the last initial appointment is made,
 24 meet and elect one (1) member as chairman and another as vice
 25 chairman and appoint a secretary-treasurer who need not be a member.
 26 A majority of the members of a community corrections advisory board
 27 may provide for a number of members that is:

- 28 (1) less than a majority of the members; and
- 29 (2) at least six (6);

30 to constitute a quorum for purposes of transacting business. The
 31 affirmative votes of at least five (5) members, but not less than a
 32 majority of the members present, are required for the board to take
 33 action. A vacancy in the membership does not impair the right of a
 34 quorum to transact business.

35 ~~(f)~~ **(g)** The county executive and county fiscal body shall provide
 36 necessary assistance and appropriations to the community corrections
 37 advisory board established for that county. Appropriations required
 38 under this subsection are limited to amounts received from the

- 1 following sources:
- 2 (1) Department grants.
- 3 (2) User fees.
- 4 (3) Other funds as contained within an approved plan.
- 5 Additional funds may be appropriated as determined by the county
- 6 executive and county fiscal body."
- 7 Renumber all SECTIONS consecutively.
(Reference is to HB 1075 as introduced.)

and when so amended that said bill do pass.

Representative Miller D

