



# COMMITTEE REPORT

**MADAM PRESIDENT:**

**The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 290, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 3, line 18, strike "December" and insert "**January**".
- 2           Page 5, delete lines 13 through 42, begin a new paragraph and
- 3           insert:
- 4           "SECTION 3. IC 11-12-2-1, AS AMENDED BY THE
- 5           TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
- 6           ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7           JULY 1, 2024]: Sec. 1. (a) For the purpose of encouraging counties to
- 8           develop a coordinated local corrections-criminal justice system and
- 9           providing effective alternatives to imprisonment at the state level, the
- 10          commissioner shall, out of funds appropriated for such purposes, make
- 11          grants:
- 12           (1) to counties for the establishment and operation of community
- 13           corrections programs and court supervised recidivism reduction
- 14           programs; and
- 15           (2) to support a probation department, pretrial diversion program,
- 16           or jail treatment program.
- 17          Appropriations intended for this purpose may not be used by the
- 18          department for any other purpose. Money appropriated to the
- 19          department of correction for the purpose of making grants under this

1 chapter and any financial aid payments suspended under section 6 of  
 2 this chapter do not revert to the state general fund at the close of any  
 3 fiscal year, but remain available to the department of correction for its  
 4 use in making grants under this chapter.

5 (b) Before March 1 of each year, the department shall estimate the  
 6 amount of any operational cost savings that will be realized in the state  
 7 fiscal year ending June 30 from a reduction in the number of  
 8 individuals who are in the custody or made a ward of the department  
 9 of correction (as described in IC 11-8-1-5) that is attributable to the  
 10 sentencing changes made in HEA 1006-2014 as enacted in the 2014  
 11 session of the general assembly. The department shall make the  
 12 estimate under this subsection based on the best available information.  
 13 If the department estimates that operational cost savings described in  
 14 this subsection will be realized in the state fiscal year, the following  
 15 apply to the department:

16 (1) The department shall certify the estimated amount of  
 17 operational cost savings that will be realized to the budget agency  
 18 and to the ~~auditor of state~~ **comptroller**.

19 (2) The department may, after review by the budget committee  
 20 and approval by the budget agency, make additional grants as  
 21 provided in this chapter to:

22 (A) county jails to provide evidence based mental health and  
 23 addiction forensic treatment services; and

24 (B) counties for the establishment and operation of pretrial  
 25 release programs, diversion programs, community corrections  
 26 programs, and court supervised recidivism reduction  
 27 programs;

28 from funds appropriated to the department for the department's  
 29 operating expenses for the state fiscal year.

30 (3) The maximum aggregate amount of additional grants and  
 31 transfers that may be made by the department under subdivision  
 32 (2) for the state fiscal year may not exceed the lesser of:

33 (A) the amount of operational cost savings certified under  
 34 subdivision (1); or

35 (B) eleven million dollars (\$11,000,000).

36 Notwithstanding P.L.205-2013 (HEA 1001-2013), the amount of funds  
 37 necessary to make any additional grants authorized and approved under  
 38 this subsection and for any transfers authorized and approved under

1 this subsection, and for providing the additional financial aid to courts  
 2 from transfers authorized and approved under this subsection, is  
 3 appropriated for those purposes for the state fiscal year, and the amount  
 4 of the department's appropriation for operating expenses for the state  
 5 fiscal year is reduced by a corresponding amount.

6 (c) The commissioner shall coordinate with the division of mental  
 7 health and addiction in issuing community corrections and court  
 8 supervised recidivism reduction program grants to programs that  
 9 provide alternative sentencing projects for persons with mental illness,  
 10 addictive disorders, intellectual disabilities, and developmental  
 11 disabilities. Programs for addictive disorders may include:

- 12 (1) addiction counseling;
- 13 (2) inpatient detoxification; and
- 14 (3) medication assisted treatment, including a federal Food and  
 15 Drug Administration approved long acting, nonaddictive  
 16 medication for the treatment of opioid or alcohol dependence.

17 (d) Grants awarded under this chapter:

- 18 (1) must focus on funding evidence based programs, including  
 19 programs that address cognitive behavior, that have as a primary  
 20 goal the purpose of reforming offenders; and
- 21 (2) may be used for technology based programs, including an  
 22 electronic monitoring program.

23 (e) Before the tenth day of each month, the department shall  
 24 compile the following information with respect to the previous month:

- 25 (1) The number of persons committed to the department.
- 26 (2) The number of persons:
  - 27 (A) confined in a department facility;
  - 28 (B) participating in a community corrections program; and
  - 29 (C) confined in a local jail under contract with or on behalf of  
 30 the department.
- 31 (3) For each facility operated by the department:
  - 32 (A) the number of beds in each facility; **and**
  - 33 (B) the number of inmates housed in the facility.
  - 34 ~~(C) the highest felony classification of each inmate housed in~~  
 35 ~~the facility; and~~
  - 36 ~~(D) a list of all felonies for which persons housed in the~~  
 37 ~~facility have been sentenced.~~

38 **(4) The number of persons committed to the department for**

- 1           **a Level 6 felony.**
- 2           (f) The department shall:
- 3           (1) quarterly submit a report to the budget committee; and
- 4           (2) monthly submit a report to the justice reinvestment advisory
- 5           council (as established in IC 33-38-9.5-2);
- 6           of the information compiled by the department under subsection (e).
- 7           The report to the budget committee must be submitted in a form
- 8           approved by the budget committee, and the report to the advisory
- 9           council must be in a form approved by the advisory council."
- 10          Delete page 6.
- 11          Page 7, delete lines 1 through 28.
- 12          Renumber all SECTIONS consecutively.  
(Reference is to SB 290 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 6, Nays 0.

**Freeman**

**Chairperson**