



February 15, 2022

ENGROSSED

HOUSE BILL No. 1075

DIGEST OF HB 1075 (Updated February 10, 2022 1:01 pm - DI 129)

Citations Affected: IC 2-5; IC 4-3; IC 4-10; IC 4-23; IC 4-33; IC 7.1-2; IC 8-10; IC 10-11; IC 14-9; IC 33-38; IC 36-1; IC 36-7; IC 36-7.5; IC 36-8.

Synopsis: Commissions and committees. Repeals the following: (1) Indiana advisory commission on intergovernmental relations. (2) Public highway private enterprise review board. (3) Lake Michigan marina and shoreline development commission. (4) Orange County development advisory board. Makes conforming changes. Moves a definition from a statute being repealed. Assigns to the interim study committee on government the task of studying activity of various groups and interstate compacts each even-numbered year. Requires the salary matrices prescribed for police employees, motor carrier inspectors, capitol police officers, gaming control officers, alcohol and tobacco commission enforcement officers, and conservation officers to be reviewed and approved by the budget agency biennially in even-numbered years before implementation. Requires the justice reinvestment advisory council to review the composition of the community corrections advisory board (advisory board) and report to the legislative council before November 1, 2022, regarding how to reduce the membership of an advisory board and the recommended membership for an advisory board.

Effective: Upon passage; July 1, 2022.

Pressel, Bartels, Miller D, Jordan

(SENATE SPONSORS — DORIOT, BOHACEK, GARTEN, KOCH)

January 4, 2022, read first time and referred to Committee on Government and Regulatory Reform.

January 12, 2022, amended, reported — Do Pass.

January 18, 2022, read second time, ordered engrossed.

January 19, 2022, engrossed.

January 20, 2022, read third time, passed. Yeas 90, nays 0.

SENATE ACTION

February 2, 2022, read first time and referred to Committee on Appropriations.

February 14, 2022, amended, reported favorably — Do Pass.

EH 1075—LS 6784/DI 148



February 15, 2022

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1075

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

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

1 SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.148-2021,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 13. (a) A study committee shall study the
4 issues assigned by the legislative council that are within the subject
5 matter for the study committee, as described in section 4 of this
6 chapter.

7 (b) In addition to the issues assigned under subsection (a), the
8 interim study committee on roads and transportation shall advise the
9 bureau of motor vehicles regarding the suitability of a special group (as
10 defined in IC 9-13-2-170) to receive a special group recognition license
11 plate for the special group (as defined in IC 9-13-2-170) for the first
12 time under IC 9-18.5-12-4 and the suitability of a special group (as
13 defined in IC 9-13-2-170) to continue participating in the special group
14 recognition license plate program under IC 9-18.5-12-5.

15 (c) In addition to the issues assigned under subsection (a), the
16 interim study committee on corrections and criminal code shall review
17 current trends with respect to criminal behavior, sentencing,

EH 1075—LS 6784/DI 148



1 incarceration, and treatment and may:

- 2 (1) identify particular needs of the criminal justice system that can
3 be addressed by legislation; and
4 (2) prepare legislation to address the particular needs found by the
5 committee.

6 (d) In each even-numbered year, in addition to the issues assigned
7 under subsection (a), the interim study committee on courts and the
8 judiciary shall review, consider, and make recommendations
9 concerning all requests for new courts, new judicial officers, and
10 changes in jurisdiction of existing courts. A request under this
11 subsection must include at least the following information to receive
12 full consideration by the committee:

13 (1) The level of community support for the change, including
14 support from the local fiscal body.

15 (2) The results of a survey that shall be conducted by the county
16 requesting the change, sampling members of the bar, members of
17 the judiciary, and local officials to determine needs and concerns
18 of existing courts.

19 (3) Whether the county is already using a judge or magistrate
20 from an overserved area of the judicial district.

21 (4) The relative severity of need based on the most recent
22 weighted caseload measurement system report published by the
23 office of judicial administration.

24 (5) Whether the county is using any problem solving court as
25 described in IC 33-23-16-11, and, if so, the list of problem solving
26 courts established in the county, and any evaluation of the impact
27 of the problem solving courts on the overall judicial caseload.

28 (6) A description of the:

29 (A) county's population growth in the ten (10) years before the
30 date of the request; and

31 (B) projected population growth in the county for the ten (10)
32 years after the date of the request, to the extent available;

33 and any documentation to support the information provided under
34 this subdivision.

35 (7) A description of the county's use of pre-incarceration
36 diversion services and post-incarceration reentry services in an
37 effort to decrease recidivism.

38 (8) If the request is a request for a new court or new courts, an
39 acknowledgment from the county fiscal body (as defined in
40 IC 36-1-2-6) with the funding sources and estimated costs the
41 county intends to pay toward the county's part of the operating
42 costs associated with the new court or new courts.



1 The office of judicial administration shall post the list of required
2 information provided under this subsection on its Internet web site.

3 (e) In each even-numbered year, in addition to the issues assigned
4 under subsection (a), the interim study committee on courts and the
5 judiciary shall review the most recent weighted caseload measurement
6 system report published by the office of judicial administration and do
7 the following:

8 (1) Identify each county in which the number of courts or judicial
9 officers exceeds the number used by the county in that report
10 year.

11 (2) Determine the number of previous report years in which the
12 number of courts or judicial officers in a county identified in
13 subdivision (1) exceeded the number used by the county in that
14 particular report year.

15 (3) Make a recommendation on whether the number of courts or
16 judicial officers in the county should be decreased.

17 The office of judicial administration shall post a list of the number of
18 courts or judicial officers used in each county for each report year, and
19 the number of years in which the number of courts or judicial officers
20 in the county has exceeded the number used by the county, on its
21 Internet web site.

22 (f) In addition to studying the issues assigned under subsection (a),
23 the interim study committee on child services shall:

24 (1) review the annual reports submitted by:

25 (A) each local child fatality review team under IC 16-49-3-7;

26 (B) the statewide child fatality review committee under
27 IC 16-49-4-11; and

28 (C) the department of child services under IC 31-25-2-24;

29 during the immediately preceding twelve (12) month period, and
30 may make recommendations regarding changes in policies or
31 statutes to improve child safety; and

32 (2) report to the legislative council before November 1 of each
33 interim, in an electronic format under IC 5-14-6, the results of:

34 (A) the committee's review under subdivision (1); and

35 (B) the committee's study of any issue assigned to the
36 committee under subsection (a).

37 **(g) In each even-numbered year, in addition to the issues**
38 **assigned under subsection (a), the interim study committee on**
39 **government shall do the following:**

40 **(1) Determine whether a group has met in the immediately**
41 **preceding two (2) years.**

42 **(2) Identify all interstate compacts that have been fully**



1 operational for at least two (2) years to which the state is a
2 party.

3 (3) Consider whether to:

4 (A) remain a party to; or

5 (B) withdraw from;

6 each interstate compact.

7 (4) If the committee determines that the state should
8 withdraw from an interstate compact, identify the steps
9 needed to withdraw.

10 (5) Report before November 1 to the legislative council, in an
11 electronic format under IC 5-14-6 the committee's:

12 (A) recommendations for proposed legislation to repeal
13 groups that have not met during the immediately
14 preceding two (2) years; and

15 (B) findings and recommendations regarding the interstate
16 compacts.

17 As used in this subsection, "group" refers to an authority, a board,
18 a commission, a committee, a council, a delegate, a foundation, a
19 panel, or a task force that is established by statute, has at least one
20 (1) legislator assigned to it, and is not staffed by the legislative
21 services agency.

22 SECTION 2. IC 4-3-19 IS REPEALED [EFFECTIVE JULY 1,
23 2022]. (Public Highway Private Enterprise Review Board).

24 SECTION 3. IC 4-10-18-10, AS AMENDED BY P.L.119-2012,
25 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2022]: Sec. 10. (a) The state board of finance may lend money
27 from the fund to entities listed in subsections (e) through (k) for the
28 purposes specified in those subsections.

29 (b) An entity must apply for the loan before May 1, 1989, in a form
30 approved by the state board of finance. As part of the application, the
31 entity shall submit a plan for its use of the loan proceeds and for the
32 repayment of the loan. Within sixty (60) days after receipt of each
33 application, the board shall meet to consider the application and to
34 review its accuracy and completeness and to determine the need for the
35 loan. The board shall authorize a loan to an entity that makes an
36 application if the board approves its accuracy and completeness and
37 determines that there is a need for the loan and an adequate method of
38 repayment.

39 (c) The state board of finance shall determine the terms of each
40 loan, which must include the following:

41 (1) The duration of the loan, which must not exceed twelve (12)
42 years.



- 1 (2) The repayment schedule of the loan, which must provide that
 2 no payments are due during the first two (2) years of the loan.
- 3 (3) A variable rate of interest to be determined by the board and
 4 adjusted annually. The interest rate must be the greater of:
 5 (A) five percent (5%); or
 6 (B) two-thirds (2/3) of the interest rate for fifty-two (52) week
 7 United States Treasury bills on the anniversary date of the
 8 loan, but not to exceed ten percent (10%).
- 9 (4) The amount of the loan or loans, which may not exceed the
 10 maximum amounts established for the entity by this section.
- 11 (5) Any other conditions specified by the board.
- 12 (d) An entity may borrow money under this section by adoption of
 13 an ordinance or a resolution and, as set forth in IC 5-1-14, may use any
 14 source of revenue to repay a loan under this section. This section
 15 constitutes complete authority for the entity to borrow from the fund.
 16 If an entity described in subsection (i) fails to make any repayments of
 17 a loan, the amount payable shall be withheld by the auditor of state
 18 from any other money payable to the consolidated city. If any other
 19 entity described in this section fails to make any repayments of a loan,
 20 the amount payable shall be withheld by the auditor of state from any
 21 other money payable to the entity. The amount withheld shall be
 22 transferred to the fund to the credit of the entity.
- 23 (e) A loan under this section may be made to a city located in a
 24 county having a population of more than twenty-five thousand (25,000)
 25 but less than twenty-five thousand eight hundred (25,800) for the city's
 26 waterworks facility. The amount of the loan may not exceed one
 27 million six hundred thousand dollars (\$1,600,000).
- 28 (f) A loan under this section may be made to a city the territory of
 29 which is included in part within the Lake Michigan corridor (as defined
 30 in IC 14-13-3-2, before its repeal) for a marina development project. ~~As~~
 31 ~~a part of its application under subsection (b); the city must include the~~
 32 ~~following:~~
- 33 ~~(1) Written approval by the Lake Michigan marina development~~
 34 ~~commission of the project to be funded by the loan proceeds.~~
- 35 ~~(2) A written determination by the commission of the amount~~
 36 ~~needed by the city, for the project and of the amount of the~~
 37 ~~maximum loan amount under this subsection that should be lent~~
 38 ~~to the city.~~
- 39 The maximum amount of loans available for all cities that are eligible
 40 for a loan under this subsection is eight million six hundred thousand
 41 dollars (\$8,600,000).
- 42 (g) A loan under this section may be made to a county having a



1 population of more than one hundred seventy-five thousand (175,000)
 2 but less than one hundred eighty-five thousand (185,000) for use by the
 3 airport authority in the county for the construction of runways. The
 4 amount of the loan may not exceed seven million dollars (\$7,000,000).
 5 The county may lend the proceeds of its loan to an airport authority for
 6 the public purpose of fostering economic growth in the county.

7 (h) A loan under this section may be made to a city having a
 8 population of more than sixty thousand (60,000) but less than sixty-five
 9 thousand (65,000) for the construction of parking facilities. The
 10 amount of the loan may not exceed three million dollars (\$3,000,000).

11 (i) A loan or loans under this section may be made to a consolidated
 12 city, a local public improvement bond bank, or any board, authority, or
 13 commission of the consolidated city to fund economic development
 14 projects under IC 36-7-15.2-5 or to refund obligations issued to fund
 15 economic development projects. The amount of the loan may not
 16 exceed thirty million dollars (\$30,000,000).

17 (j) A loan under this section may be made to a county having a
 18 population of more than thirteen thousand (13,000) but less than
 19 fourteen thousand (14,000) for extension of airport runways. The
 20 amount of the loan may not exceed three hundred thousand dollars
 21 (\$300,000).

22 (k) A loan under this section may be made to Covington Community
 23 School Corporation to refund the amount due on a tax anticipation
 24 warrant loan. The amount of the loan may not exceed two million seven
 25 hundred thousand dollars (\$2,700,000), to be paid back from any
 26 source of money that is legally available to the school corporation.
 27 Notwithstanding subsection (b), the school corporation must apply for
 28 the loan before June 30, 2010. Notwithstanding subsection (c),
 29 repayment of the loan shall be made in equal installments over five (5)
 30 years with the first installment due not more than six (6) months after
 31 the date loan proceeds are received by the school corporation.

32 (l) IC 6-1.1-20 does not apply to a loan made by an entity under this
 33 section.

34 (m) As used in this section, "entity" means a governmental entity
 35 authorized to obtain a loan under subsections (e) through (k).

36 SECTION 4. IC 4-23-24.2 IS REPEALED [EFFECTIVE JULY 1,
 37 2022]. (Indiana Advisory Commission on Intergovernmental
 38 Relations).

39 SECTION 5. IC 4-33-20-8, AS ADDED BY P.L.227-2007,
 40 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2022]: Sec. 8. The commission shall create a matrix for salary
 42 ranges for gaming control officers, which must be reviewed and



1 approved by the budget agency **biennially in even-numbered years**
2 before implementation.

3 SECTION 6. IC 7.1-2-2-13, AS AMENDED BY P.L.234-2007,
4 SECTION 305, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2022]: Sec. 13. (a) The alcohol and tobacco
6 commission shall categorize salaries of enforcement officers within
7 each rank based upon the rank held and the number of years of service
8 in the commission through the twentieth year. The salary ranges that
9 the board assigns to each rank shall be divided into a base salary and
10 twenty (20) increments above the base salary with:

11 (1) the base salary in the rank paid to a person with less than one
12 (1) year of service in the commission; and

13 (2) the highest salary in the rank paid to a person with at least
14 twenty (20) years of service in the commission.

15 (b) The salary matrix prescribed by this section shall be reviewed
16 and approved by the budget agency **biennially in even-numbered**
17 **years** before implementation.

18 (c) The salary matrix prescribed by this section must have parity
19 with the salary matrix prescribed by the natural resources commission
20 under IC 14-9-8 for conservation officers of the department of natural
21 resources. The budget agency shall approve a salary matrix that meets
22 the parity requirement of this subsection.

23 SECTION 7. IC 8-10-9-3, AS AMENDED BY P.L.197-2011,
24 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2022]: Sec. 3. (a) There is established in each city to which
26 this chapter applies a waterway management district.

27 (b) The district includes all territory, including both dry land and
28 water, within a distance of one-half (1/2) mile on either side of the
29 center line of any waterway within the city in which the district is
30 established, excluding the land and water occupied by any marina
31 owned by a unit of government located in the ~~corridor (as defined in~~
32 ~~IC 36-7-13.5-1)~~ **strip of land in Indiana abutting Lake Michigan**
33 **and the tributaries of Lake Michigan.**

34 (c) The district boundary is formed by an imaginary line one-half
35 (1/2) mile distant from the center line of a waterway in all directions.
36 However, the boundary of the district does not extend beyond the
37 boundaries of the city in which the district is located in those areas
38 where the city boundary is located less than one-half (1/2) mile from
39 the center line of a waterway.

40 SECTION 8. IC 10-11-2-13, AS AMENDED BY P.L.234-2007,
41 SECTION 306, IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2022]: Sec. 13. (a) The board shall categorize



1 salaries of police employees within each rank based upon the rank held
 2 and the number of years of service in the department through the
 3 twentieth year. The salary ranges the board assigns to each rank shall
 4 be divided into a base salary and twenty (20) increments above the base
 5 salary, with:

- 6 (1) the base salary in the rank paid to a person with less than one
- 7 (1) year of service in the department; and
- 8 (2) the highest salary in the rank paid to a person with at least
- 9 twenty (20) years of service in the department.

10 (b) The salary matrix prescribed by this section shall be reviewed
 11 and approved by the budget agency **biennially in even-numbered**
 12 **years** before implementation.

13 SECTION 9. IC 10-11-2-27, AS AMENDED BY P.L.234-2007,
 14 SECTION 304, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2022]: Sec. 27. (a) The board shall categorize
 16 salaries of motor carrier inspectors within each rank based upon the
 17 rank held and the number of years of service in the department through
 18 the tenth year. The salary ranges the board assigns to each rank shall be
 19 divided into a base salary and ten (10) increments above the base
 20 salary, with:

- 21 (1) the base salary in the rank paid to a person with less than one
- 22 (1) year of service in the department; and
- 23 (2) the highest salary in the rank paid to a person with at least ten
- 24 (10) years of service in the department.

25 (b) For purposes of creating the salary matrix prescribed by this
 26 section, the board may not approve salary ranges for any rank that are
 27 less than the salary ranges effective for that rank on January 1, 1995.

28 (c) The salary matrix prescribed by this section:

- 29 (1) shall be reviewed and approved by the budget agency
- 30 **biennially in even-numbered years** before implementation; and
- 31 (2) must include the job classifications of motor carrier district
- 32 coordinator, motor carrier zone coordinator, and motor carrier
- 33 administrator.

34 SECTION 10. IC 10-11-2-28.5, AS ADDED BY P.L.83-2006,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2022]: Sec. 28.5. (a) After June 30, 2007, the board shall use
 37 a salary matrix that categorizes salaries of capitol police officers
 38 described in section 28 of this chapter within each rank based upon the
 39 rank held and the number of years of service in the department through
 40 the tenth year. The salary ranges the board assigns to each rank shall be
 41 divided into a base salary and ten (10) increments above the base
 42 salary, with:



1 (1) the base salary in the rank paid to a capitol police officer with
 2 less than one (1) year of service in the department; and

3 (2) the highest salary in the rank paid to a capitol police officer
 4 with at least ten (10) years of service in the department.

5 (b) For purposes of creating the salary matrix prescribed by this
 6 section, the board may not approve salary ranges for any rank of capitol
 7 police officers that are less than the salary ranges effective for that rank
 8 on January 1, 2006.

9 (c) The salary matrix prescribed by this section shall be reviewed
 10 and approved by the budget agency **biennially in even-numbered**
 11 **years** before implementation.

12 (d) The salary matrix developed under subsection (a) must use the
 13 same percentage differentials between increments that are used for the
 14 salary matrix for police employees under IC 10-11-2-13.

15 SECTION 11. IC 14-9-8-28, AS AMENDED BY P.L.234-2007,
 16 SECTION 307, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2022]: Sec. 28. (a) The natural resources
 18 commission shall categorize salaries of enforcement officers within
 19 each rank based upon the rank held and the number of years of service
 20 in the department through the twentieth year. The salary ranges that the
 21 commission assigns to each rank shall be divided into a base salary and
 22 twenty (20) increments above the base salary with:

23 (1) the base salary in the rank paid to a person with less than one
 24 (1) year of service in the department; and

25 (2) the highest salary in the rank paid to a person with at least
 26 twenty (20) years of service in the department.

27 (b) The salary matrix prescribed by this section shall be reviewed
 28 and approved by the state budget agency **biennially in even-numbered**
 29 **years** before implementation.

30 (c) The salaries for law enforcement officers of the law enforcement
 31 division of the department must be equal to the salaries of police
 32 employees of the state police department under IC 10-11-2-13, based
 33 upon years of service in the department and rank held.

34 (d) The requirement of subsection (c) does not affect:

35 (1) any rights or liabilities accrued; or

36 (2) any proceedings begun;

37 on or before June 30, 1999. Those rights, liabilities, and proceedings
 38 continue and shall be imposed and enforced under prior civil law and
 39 procedure as if the requirement of subsection (c) had not been enacted.

40 SECTION 12. IC 33-38-9.5-2, AS AMENDED BY P.L.207-2021,
 41 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2022]: Sec. 2. (a) The justice reinvestment advisory council



- 1 is established. The advisory council consists of the following members:
- 2 (1) The executive director of the Indiana public defender council
- 3 or the executive director's designee.
- 4 (2) The executive director of the Indiana prosecuting attorneys
- 5 council or the executive director's designee.
- 6 (3) The director of the division of mental health and addiction or
- 7 the director's designee.
- 8 (4) The president of the Indiana Sheriffs' Association or the
- 9 president's designee.
- 10 (5) The commissioner of the Indiana department of correction or
- 11 the commissioner's designee.
- 12 (6) The chief administrative officer of the office of judicial
- 13 administration or the chief administrative officer's designee.
- 14 (7) The executive director of the Indiana criminal justice institute
- 15 or the executive director's designee.
- 16 (8) The president of the Indiana Association of Community
- 17 Corrections Act Counties or the president's designee.
- 18 (9) The president of the Probation Officers Professional
- 19 Association of Indiana or the president's designee.
- 20 (10) The budget director or the budget director's designee.
- 21 (11) The executive director of the Association of Indiana Counties
- 22 or the executive director's designee.
- 23 (12) The president of the Indiana Judges Association or the
- 24 president's designee.
- 25 (13) The chair of the Indiana public defender commission or the
- 26 chair's designee.
- 27 (14) The chair of the senate corrections and criminal law
- 28 committee or the chair's designee.
- 29 (15) The ranking minority member of the senate corrections and
- 30 criminal law committee or the ranking minority member's
- 31 designee.
- 32 (16) The chair of the house courts and criminal code committee
- 33 or the chair's designee.
- 34 (17) The ranking minority member of the house courts and
- 35 criminal code committee or the ranking minority member's
- 36 designee.
- 37 (18) The governor or the governor's designee.
- 38 (19) The president and chief executive officer of the Indiana
- 39 Council of Community Mental Health Centers or the president
- 40 and chief executive officer's designee.
- 41 (20) The president and chief executive officer of Mental Health
- 42 America of Indiana or the president and chief executive officer's



- 1 designee.
- 2 (b) The chief justice or the chief justice's designee shall serve as
- 3 chairperson of the advisory council.
- 4 (c) The duties of the advisory council include:
- 5 (1) reviewing and evaluating state and local criminal justice
- 6 systems and corrections programs, including pretrial services,
- 7 behavioral health treatment and recovery services, community
- 8 corrections, county jails, parole, and probation services;
- 9 (2) reviewing the processes used by the department of correction
- 10 and the division of mental health and addiction in awarding
- 11 grants;
- 12 (3) reviewing and evaluating jail overcrowding to identify a range
- 13 of possible solutions;
- 14 (4) coordinating with other criminal justice funding sources;
- 15 (5) establishing committees to inform the work of the advisory
- 16 council; and
- 17 (6) performing other relevant duties as determined by the advisory
- 18 council.
- 19 (d) The advisory council may make recommendations to:
- 20 (1) the department of correction, community corrections advisory
- 21 boards, and the division of mental health and addiction
- 22 concerning the award of grants;
- 23 (2) criminal justice systems and corrections programs concerning
- 24 best practices to improve outcomes of persons under supervision;
- 25 (3) the Indiana general assembly concerning legislation and
- 26 funding for criminal justice initiatives;
- 27 (4) the Indiana criminal justice institute concerning criminal
- 28 justice funding priorities;
- 29 (5) the office of judicial administration concerning veterans
- 30 problem-solving court grants; and
- 31 (6) the county sheriffs concerning strategies to address jail
- 32 overcrowding and implementing evidence based practices for
- 33 reducing recidivism for individuals in county jails.
- 34 (e) The office of judicial administration shall staff the advisory
- 35 council.
- 36 (f) The expenses of the advisory council shall be paid by the office
- 37 of judicial administration from funds appropriated to the office of
- 38 judicial administration for the administrative costs of the justice
- 39 reinvestment advisory council.
- 40 (g) A member of the advisory council is not entitled to the minimum
- 41 salary per diem provided by IC 4-10-11-2.1(b). The member is,
- 42 however, entitled to reimbursement for traveling expenses as provided



1 under IC 4-13-1-4 and other expenses actually incurred in connection
 2 with the member's duties as provided in the state policies and
 3 procedures established by the Indiana department of administration and
 4 approved by the budget agency.

5 (h) The affirmative votes of a majority of the voting members
 6 appointed to the advisory council are required for the advisory council
 7 to take action on any measure.

8 (i) The advisory council shall meet as necessary to:

9 (1) work with the department of correction and the division of
 10 mental health and addiction to establish the grant criteria and
 11 grant reporting requirements described in subsection (l);

12 (2) review grant applications;

13 (3) make recommendations and provide feedback to the
 14 department of correction and the division of mental health and
 15 addiction concerning grants to be awarded;

16 (4) review grants awarded by the department of correction and the
 17 division of mental health and addiction; and

18 (5) suggest areas and programs in which the award of future
 19 grants might be beneficial.

20 (j) The advisory council, in conjunction with the Indiana criminal
 21 justice institute, shall jointly issue an annual report under IC 5-2-6-24.

22 **(k) The advisory council shall review the composition of the**
 23 **community corrections advisory board described in IC 11-12-2-2**
 24 **and make a recommendation to the legislative council in an**
 25 **electronic format under IC 5-14-6 before November 1, 2022,**
 26 **regarding how to reduce the membership of a community**
 27 **corrections advisory board and the recommended membership for**
 28 **a community corrections advisory board.**

29 ~~(l)~~ (l) Any entity that receives funds:

30 (1) recommended by the advisory council; and

31 (2) appropriated by the department of correction;

32 for the purpose of providing additional treatment or supervision
 33 services shall provide the information described in subsection ~~(l)~~ (m)
 34 to the department of correction to aid in the compilation of the report
 35 described in subsection (j).

36 ~~(l)~~ (m) The department of correction shall provide the advisory
 37 council with the following information:

38 (1) The total number of participants, categorized by level of most
 39 serious offense, who were served by the entity through funds
 40 described in subsection ~~(l)~~ (l).

41 (2) The percentage of participants, categorized by level of most
 42 serious offense, who completed a treatment program, service, or



- 1 level of supervision.
- 2 (3) The percentage of participants, categorized by level of most
- 3 serious offense, who were discharged from a treatment program,
- 4 service, or level of supervision.
- 5 (4) The percentage of participants, categorized by level of most
- 6 serious offense, who:
- 7 (A) completed a funded treatment program, service, or level of
- 8 supervision; and
- 9 (B) were subsequently committed to the department of
- 10 correction;
- 11 within twenty-four (24) months after completing the funded
- 12 treatment program, service, or level of supervision.
- 13 (5) The percentage of participants, categorized by level of most
- 14 serious offense, who were:
- 15 (A) discharged from a funded treatment program, service, or
- 16 level of supervision; and
- 17 (B) subsequently committed to the department of correction;
- 18 within twenty-four (24) months after being discharged from the
- 19 funded treatment program, service, or level of supervision.
- 20 (6) The total number of participants who completed a funded
- 21 treatment program, service, or level of supervision.
- 22 (7) The total number of participants who:
- 23 (A) completed a funded treatment program, service, or level of
- 24 supervision; and
- 25 (B) were legally employed.
- 26 (8) Any other information relevant to the funding of the entity as
- 27 described in subsection ~~(k)~~ (l).
- 28 SECTION 13. IC 36-1-12-3, AS AMENDED BY P.L.43-2019,
- 29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2022]: Sec. 3. (a) The board may purchase or lease materials
- 31 in the manner provided in IC 5-22 and perform any public work, by
- 32 means of its own workforce, without awarding a contract whenever the
- 33 cost of that public work project is estimated to be less than two hundred
- 34 fifty thousand dollars (\$250,000). Before a board may perform any
- 35 work under this section by means of its own workforce, the political
- 36 subdivision or agency must have a group of employees on its staff who
- 37 are capable of performing the construction, maintenance, and repair
- 38 applicable to that work. For purposes of this subsection, the cost of a
- 39 public work project includes:
- 40 (1) the actual cost of materials, labor, equipment, and rental;
- 41 (2) a reasonable rate for use of trucks and heavy equipment
- 42 owned; and



- 1 (3) all other expenses incidental to the performance of the project.
- 2 (b) This subsection applies only to a municipality or a county. The
- 3 workforce of a municipality or county may perform a public work
- 4 described in subsection (a) only if:
- 5 (1) the workforce, through demonstrated skills, training, or
- 6 expertise, is capable of performing the public work; and
- 7 (2) for a public work project under subsection (a) whose cost is
- 8 estimated to be more than one hundred thousand dollars
- 9 (\$100,000), the board:
- 10 (A) publishes a notice under IC 5-3-1 that:
- 11 (i) describes the public work that the board intends to
- 12 perform with its own workforce; and
- 13 (ii) sets forth the projected cost of each component of the
- 14 public work as described in subsection (a); and
- 15 (B) determines at a public meeting that it is in the public
- 16 interest to perform the public work with the board's own
- 17 workforce.
- 18 A public work project performed by a board's own workforce must be
- 19 inspected and accepted as complete in the same manner as a public
- 20 work project performed under a contract awarded after receiving bids.
- 21 (c) When the project involves the rental of equipment with an
- 22 operator furnished by the owner, or the installation or application of
- 23 materials by the supplier of the materials, the project is considered to
- 24 be a public work project and subject to this chapter. However, an
- 25 annual contract may be awarded for equipment rental and materials to
- 26 be installed or applied during a calendar or fiscal year if the proposed
- 27 project or projects are described in the bid specifications.
- 28 (d) A board of aviation commissioners or an airport authority board
- 29 may purchase or lease materials in the manner provided in IC 5-22 and
- 30 perform any public work by means of its own workforce and owned or
- 31 leased equipment, in the construction, maintenance, and repair of any
- 32 airport roadway, runway, taxiway, or aircraft parking apron whenever
- 33 the cost of that public work project is estimated to be less than one
- 34 hundred fifty thousand dollars (\$150,000).
- 35 (e) Municipal and county hospitals must comply with this chapter
- 36 for all contracts for public work that are financed in whole or in part
- 37 with cumulative building fund revenue, as provided in section 1(c) of
- 38 this chapter. However, if the cost of the public work is estimated to be
- 39 less than fifty thousand dollars (\$50,000), as reflected in the board
- 40 minutes, the hospital board may have the public work done without
- 41 receiving bids, by purchasing the materials and performing the work by
- 42 means of its own workforce and owned or leased equipment.



1 (f) If a public works project involves a structure, an improvement,
 2 or a facility under the control of a department (as defined in
 3 ~~IC 4-3-19-2(2)~~); **public highway department that is under the**
 4 **political control of a unit (as defined in IC 36-1-2-23) and involved**
 5 **in the construction, maintenance, or repair of a public highway (as**
 6 **defined in IC 9-25-2-4)**, the department may not artificially divide the
 7 project to bring any part of the project under this section.

8 SECTION 14. IC 36-7-11.5-1, AS AMENDED BY P.L.234-2007,
 9 SECTION 282, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) ~~As used in this chapter;~~
 11 ~~"advisory board" refers to the Orange County development advisory~~
 12 ~~board established by section 12 of this chapter:~~

13 (b) ~~(a)~~ As used in this chapter, "development commission" refers to
 14 the Orange County development commission established by section 3.5
 15 of this chapter.

16 (c) ~~(b)~~ As used in this chapter, "historic hotel" has the meaning set
 17 forth in IC 4-33-2-11.1.

18 (d) ~~(c)~~ As used in this chapter, "hotel riverboat resort" refers to the
 19 historic hotels, the riverboat operated under IC 4-33-6.5, and other
 20 properties operated in conjunction with the riverboat enterprise located
 21 in Orange County.

22 (e) ~~(d)~~ As used in this chapter, "qualified historic hotel" refers to a
 23 historic hotel that has an atrium that includes a dome that is at least two
 24 hundred (200) feet in diameter.

25 SECTION 15. IC 36-7-11.5-12 IS REPEALED [EFFECTIVE JULY
 26 1, 2022]. Sec. 12: (a) ~~The Orange County development advisory board~~
 27 ~~is established for the purpose of advising the development commission~~
 28 ~~established under section 3.5 of this chapter:~~

29 (b) ~~The advisory board consists of five (5) members appointed as~~
 30 ~~follows:~~

31 (1) ~~One (1) individual appointed by the speaker of the house of~~
 32 ~~representatives:~~

33 (2) ~~One (1) individual appointed by the president pro tempore of~~
 34 ~~the senate:~~

35 (3) ~~One (1) individual appointed by the Orange County~~
 36 ~~convention and visitors bureau:~~

37 (4) ~~Two (2) individuals appointed by the chief operating officer~~
 38 ~~of the hotel riverboat resort:~~

39 (e) ~~Except as provided in subsection (d); the members of the~~
 40 ~~advisory board shall each serve for a term of four (4) years. A vacancy~~
 41 ~~shall be filled for the duration of the term by the original appointing~~
 42 ~~authority:~~



1 (d) The member appointed under subsection (b)(3) shall serve an
 2 initial term of one (1) year. As determined by the appointing authority;
 3 the two (2) members appointed under subsection (b)(4) shall serve
 4 initial terms of two (2) and three (3) years respectively.

5 (e) A member of the advisory board is not entitled to a salary per
 6 diem. However, a member is entitled to reimbursement for travel
 7 expenses incurred in connection with the member's duties, as provided
 8 in the state travel policies and procedures established by the
 9 department of administration and approved by the budget agency.

10 SECTION 16. IC 36-7-13.5 IS REPEALED [EFFECTIVE JULY 1,
 11 2022]. (Shoreline Development).

12 SECTION 17. IC 36-7.5-1-12, AS AMENDED BY P.L.197-2011,
 13 SECTION 146, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2022]: Sec. 12. "Eligible political subdivision"
 15 means the following:

- 16 (1) An airport authority.
- 17 (2) A commuter transportation district.
- 18 (3) A regional bus authority under IC 36-9-3-2(c).
- 19 (4) A regional transportation authority established under
 20 IC 36-9-3-2.

21 (5) ~~The Lake Michigan marina and shoreline development
 22 commission under IC 36-7-13.5.~~

23 SECTION 18. IC 36-7.5-1-12.4 IS REPEALED [EFFECTIVE JULY
 24 1, 2022]. Sec. 12.4. "Lake Michigan marina and shoreline development
 25 commission" means the commission established by IC 36-7-13.5-2.

26 SECTION 19. IC 36-7.5-1-12.5 IS REPEALED [EFFECTIVE JULY
 27 1, 2022]. Sec. 12.5. "Lake Michigan marina and shoreline development
 28 commission project" means a project that can be financed with the
 29 proceeds of bonds issued by the Lake Michigan marina and shoreline
 30 development commission.

31 SECTION 20. IC 36-7.5-1-13, AS AMENDED BY P.L.197-2011,
 32 SECTION 149, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2022]: Sec. 13. "Project" means an airport
 34 authority project, a commuter transportation district project, an
 35 economic development project, a regional bus authority project, **or** a
 36 regional transportation authority project. ~~or a Lake Michigan marina
 37 and shoreline development commission project.~~

38 SECTION 21. IC 36-7.5-2-1, AS AMENDED BY P.L.229-2017,
 39 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 1. The northwest Indiana regional development
 41 authority is established as a separate body corporate and politic to carry
 42 out the purposes of this article by:



- 1 (1) acquiring, constructing, equipping, owning, leasing, and
- 2 financing projects and facilities for lease to or for the benefit of
- 3 eligible political subdivisions under this article in accordance
- 4 with IC 36-7.5-3-1.5;
- 5 (2) funding and developing the Gary/Chicago International
- 6 Airport expansion and other airport authority projects, commuter
- 7 transportation district and other rail projects and services,
- 8 regional bus authority projects and services, regional
- 9 transportation authority projects and services, ~~Lake Michigan~~
- 10 ~~marina and shoreline development projects and activities~~; and
- 11 economic development projects in northwestern Indiana;
- 12 (3) assisting with the funding of infrastructure needed to sustain
- 13 development of an intermodal facility in northwestern Indiana;
- 14 (4) funding and developing regional transportation infrastructure
- 15 projects under IC 36-9-43; and
- 16 (5) studying and evaluating destination based economic
- 17 development projects that have:
 - 18 (A) an identified market;
 - 19 (B) identified funding sources and these funding sources
 - 20 include at least fifty percent (50%) from nongovernmental
 - 21 sources; and
 - 22 (C) a demonstrable short and long term local and regional
 - 23 economic impact, as verified by an independent economic
 - 24 analysis.

25 An economic analysis conducted under clause (C) must be
 26 submitted to the budget committee at least thirty (30) days before
 27 review is sought for the project under IC 36-7.5-3-1.5.

28 SECTION 22. IC 36-7.5-3-1, AS AMENDED BY P.L.189-2018,
 29 SECTION 168, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2022]: Sec. 1. The development authority shall
 31 do the following:

- 32 (1) Subject to sections 1.5 and 1.7 of this chapter, assist in the
- 33 coordination of local efforts concerning projects.
- 34 (2) Assist a commuter transportation district, an airport authority,
- 35 ~~the Lake Michigan marina and shoreline development~~
- 36 ~~commission~~, a regional transportation authority, and a regional
- 37 bus authority in coordinating regional transportation and
- 38 economic development efforts.
- 39 (3) Subject to sections 1.5 and 1.7 of this chapter, fund projects
- 40 as provided in this article.
- 41 (4) Fund bus services (including fixed route services and flexible
- 42 or demand-responsive services) and projects related to bus



1 services and bus terminals, stations, or facilities.
2 SECTION 23. IC 36-7.5-3-2, AS AMENDED BY P.L.229-2017,
3 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2022]: Sec. 2. (a) The development authority may do any of
5 the following:
6 (1) Finance, improve, construct, reconstruct, renovate, purchase,
7 lease, acquire, and equip land and projects located in an eligible
8 county or eligible municipality.
9 (2) Lease land or a project to an eligible political subdivision.
10 (3) Finance and construct additional improvements to projects or
11 other capital improvements owned by the development authority
12 and lease them to or for the benefit of an eligible political
13 subdivision.
14 (4) Acquire land or all or a portion of one (1) or more projects
15 from an eligible political subdivision by purchase or lease and
16 lease the land or projects back to the eligible political subdivision,
17 with any additional improvements that may be made to the land
18 or projects.
19 (5) Acquire all or a portion of one (1) or more projects from an
20 eligible political subdivision by purchase or lease to fund or
21 refund indebtedness incurred on account of the projects to enable
22 the eligible political subdivision to make a savings in debt service
23 obligations or lease rental obligations or to obtain relief from
24 covenants that the eligible political subdivision considers to be
25 unduly burdensome.
26 (6) Make loans, loan guarantees, and grants or provide other
27 financial assistance to or on behalf of the following:
28 (A) A commuter transportation district.
29 (B) An airport authority or airport development authority.
30 ~~(C) The Lake Michigan marina and shoreline development~~
31 ~~commission.~~
32 ~~(D)~~ (C) A regional bus authority. A loan, loan guarantee,
33 grant, or other financial assistance under this clause may be
34 used by a regional bus authority for acquiring, improving,
35 operating, maintaining, financing, and supporting the
36 following:
37 (i) Bus services (including fixed route services and flexible
38 or demand-responsive services) that are a component of a
39 public transportation system.
40 (ii) Bus terminals, stations, or facilities or other regional bus
41 authority projects.
42 ~~(E)~~ (D) A regional transportation authority.



- 1 ~~(F)~~ **(E)** A member municipality that is eligible to make an
2 appointment to the development board under
3 IC 36-7.5-2-3(b)(2) and that has pledged admissions tax
4 revenue for a bond anticipation note after March 31, 2014, and
5 before June 30, 2015. However, a loan made to such a member
6 municipality before June 30, 2016, under this clause must
7 have a term of not more than ten (10) years, must require
8 annual level debt service payments, and must have a market
9 based interest rate. If a member municipality defaults on the
10 repayment of a loan made under this clause, the development
11 authority shall notify the treasurer of state of the default and
12 the treasurer of state shall:
- 13 (i) withhold from any funds held for distribution to the
14 municipality under IC 4-33-12, or IC 4-33-13 an amount
15 sufficient to cure the default; and
16 (ii) pay that amount to the development authority.
- 17 (7) Provide funding to assist a railroad that is providing commuter
18 transportation services in an eligible county or eligible
19 municipality.
- 20 (8) Provide funding to assist an airport authority located in an
21 eligible county or eligible municipality in the construction,
22 reconstruction, renovation, purchase, lease, acquisition, and
23 equipping of an airport facility or airport project.
- 24 (9) Provide funding to assist in the development of an intermodal
25 facility to facilitate the interchange and movement of freight.
- 26 ~~(10) Provide funding to assist the Lake Michigan marina and~~
27 ~~shoreline development commission in carrying out the purposes~~
28 ~~of IC 36-7-13.5.~~
- 29 ~~(11)~~ **(10)** Provide funding for economic development projects in
30 an eligible county or eligible municipality.
- 31 ~~(12)~~ **(11)** Hold, use, lease, rent, purchase, acquire, and dispose of
32 by purchase, exchange, gift, bequest, grant, condemnation, lease,
33 or sublease, on the terms and conditions determined by the
34 development authority, any real or personal property located in an
35 eligible county or eligible municipality.
- 36 ~~(13)~~ **(12)** After giving notice, enter upon any lots or lands for the
37 purpose of surveying or examining them to determine the location
38 of a project.
- 39 ~~(14)~~ **(13)** Make or enter into all contracts and agreements
40 necessary or incidental to the performance of its duties and the
41 execution of its powers under this article.
- 42 ~~(15)~~ **(14)** Sue, be sued, plead, and be impleaded.



- 1 ~~(16)~~ **(15)** Design, order, contract for, and construct, reconstruct,
- 2 and renovate a project or improvements to a project.
- 3 ~~(17)~~ **(16)** Appoint an executive director and employ appraisers,
- 4 real estate experts, engineers, architects, surveyors, attorneys,
- 5 accountants, auditors, clerks, construction managers, and any
- 6 consultants or employees that are necessary or desired by the
- 7 development authority in exercising its powers or carrying out its
- 8 duties under this article.
- 9 ~~(18)~~ **(17)** Accept loans, grants, and other forms of financial
- 10 assistance from the federal government, the state government, a
- 11 political subdivision, or any other public or private source.
- 12 ~~(19)~~ **(18)** Use the development authority's funds to match federal
- 13 grants or make loans, loan guarantees, or grants to carry out the
- 14 development authority's powers and duties under this article.
- 15 ~~(20)~~ **(19)** Provide funding for regional transportation
- 16 infrastructure projects under IC 36-9-43.
- 17 ~~(21)~~ **(20)** Except as prohibited by law, take any action necessary
- 18 to carry out this article.

19 (b) If the development authority is unable to agree with the owners,
 20 lessees, or occupants of any real property selected for the purposes of
 21 this article, the development authority may proceed under IC 32-24-1
 22 to procure the condemnation of the property. The development
 23 authority may not institute a proceeding until it has adopted a
 24 resolution that:

- 25 (1) describes the real property sought to be acquired and the
- 26 purpose for which the real property is to be used;
- 27 (2) declares that the public interest and necessity require the
- 28 acquisition by the development authority of the property involved;
- 29 and
- 30 (3) sets out any other facts that the development authority
- 31 considers necessary or pertinent.

32 The resolution is conclusive evidence of the public necessity of the
 33 proposed acquisition.

34 SECTION 24. IC 36-7.5-4-6, AS ADDED BY P.L.214-2005,
 35 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2022]: Sec. 6. (a) Bonds issued under IC 8-5-15, IC 8-22-3,
 37 ~~IC 36-7-13.5~~, or IC 36-9-3 or prior law may be refunded as provided in
 38 this section.

- 39 (b) An eligible political subdivision may:
 - 40 (1) lease all or a portion of land or a project or projects to the
 - 41 development authority, which may be at a nominal lease rental
 - 42 with a lease back to the eligible political subdivision, conditioned



1 upon the development authority assuming bonds issued under
 2 IC 8-5-15, IC 8-22-3, ~~IC 36-7-13.5~~; or IC 36-9-3 or prior law and
 3 issuing its bonds to refund those bonds; and

4 (2) sell all or a portion of land or a project or projects to the
 5 development authority for a price sufficient to provide for the
 6 refunding of those bonds and lease back the land or project or
 7 projects from the development authority.

8 SECTION 25. IC 36-8-16.7-48, AS AMENDED BY P.L.121-2016,
 9 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2022]: Sec. 48. (a) The budget committee shall review the
 11 statewide 911 system governed by this chapter for the two (2) calendar
 12 years ending:

13 (1) December 31, 2013; and

14 (2) December 31, 2014.

15 (b) In conducting the review required by this section, the budget
 16 committee may examine the following:

17 (1) Whether the fund is being administered by the board in
 18 accordance with this chapter.

19 (2) The collection, disbursement, and use of the statewide 911 fee
 20 assessed under section 32 of this chapter. In performing a review
 21 under this subdivision, the budget committee may examine
 22 whether the statewide 911 fee:

23 (A) is being assessed in an amount that is reasonably
 24 necessary to provide adequate and efficient 911 service; and

25 (B) is being used only for the purposes set forth in this chapter.

26 ~~(3) The report submitted to the budget committee by the Indiana
 27 advisory commission on intergovernmental relations under
 28 IC 4-23-24.2-5(b) (before its expiration on July 1, 2016):~~

29 ~~(4)~~ (3) Any other data, reports, or information the budget
 30 committee determines is necessary to review the statewide 911
 31 system governed by this chapter.

32 (c) Subject to section 42 of this chapter, the board, the state board
 33 of accounts, political subdivisions, providers, and PSAPs shall provide
 34 to the budget committee all relevant data, reports, and information
 35 requested by the budget committee to assist the budget committee in
 36 carrying out its duties under this section.

37 (d) After conducting the review required by this section, the budget
 38 committee shall, not later than June 1, 2015, report its findings to the
 39 legislative council. The budget committee's findings under this
 40 subsection:

41 (1) must include a recommendation as to whether the statewide
 42 911 fee assessed under section 32 of this chapter should continue



1 to be assessed and collected under this chapter after June 30,
2 2015; and
3 (2) if the budget committee recommends under subdivision (1)
4 that the statewide 911 fee assessed under section 32 of this
5 chapter should continue to be assessed and collected under this
6 chapter after June 30, 2015, may include recommendations for the
7 introduction in the general assembly of any legislation that the
8 budget committee determines is necessary to ensure that the
9 statewide 911 system governed by this chapter is managed in a
10 fair and fiscally prudent manner.
11 A report to the legislative council under this subsection must be in an
12 electronic format under IC 5-14-6.
13 (e) If the budget committee does not recommend in its report under
14 subsection (d) that the statewide 911 fee assessed under section 32 of
15 this chapter should continue to be assessed and collected under this
16 chapter after June 30, 2015, the statewide 911 fee assessed under
17 section 32 of this chapter expires July 1, 2015, and may not be assessed
18 or collected after June 30, 2015.
19 **SECTION 26. An emergency is declared for this act.**



COMMITTEE REPORT

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:

Page 3, line 42, after "compacts" insert "**that have been fully operational for at least two (2) years**".

Page 7, between lines 26 and 27, begin a new paragraph and insert: "SECTION 7. IC 11-12-2-2, AS AMENDED BY P.L.86-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) To qualify for financial aid under this chapter, a county must establish a community corrections advisory board by resolution of the county executive or, in a county having a consolidated city, by the city-county council. A community corrections advisory board **must, at a minimum, consists consist** of:

- (1) the county sheriff or the sheriff's designee;
- (2) the prosecuting attorney or the prosecuting attorney's designee;
- (3) the executive of the most populous municipality in the county or the executive's designee;
- (4) two (2) judges having criminal jurisdiction, if available, appointed by the circuit court judge or the judges' designees;
- (5) one (1) judge having juvenile jurisdiction, appointed by the circuit court judge;
- (6) (5) one (1) public defender or the public defender's designee, if available, or one (1) attorney with a substantial criminal defense practice appointed by the county executive or, in a county having a consolidated city, by the city-county council;
- (7) one (1) victim, or victim advocate if available, appointed by the county executive or, in a county having a consolidated city, by the city-county council;
- (8) one (1) ex-offender, if available, appointed by the county executive or, in a county having a consolidated city, by the city-county council;
- (9) (6) the director of the local office of the department of child services or the director's designee; **and**
- (10) a representative from a juvenile correctional facility or juvenile detention center in the county, but if no facility exists, one (1) mental health representative chosen by the judge described in subdivision (5);
- (11) a representative from the Juvenile Detention Alternatives



Initiative; but if no program exists, a representative from the court appointed special advocate program in the county or guardian ad litem program in the county; and

(12) (7) the following members appointed by the county executive or, in a county having a consolidated city, by the city-county council:

(A) One (1) member of the county fiscal body or the member's designee.

(B) One (1) probation officer.

(C) One (1) juvenile probation officer.

(D) One (1) educational administrator.

(E) One (1) representative of a private correctional agency, if such an agency exists in the county.

(F) (C) One (1) mental health administrator. or, if there is none available in the county, one (1) psychiatrist, psychologist, or physician.

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

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

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

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

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

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

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

(6) The following members appointed by the county executive or, in a county having a consolidated city, by the city-county



council:

- (A) One (1) juvenile probation officer.**
- (B) One (1) educational administrator.**
- (C) One (1) representative of a private correctional agency, if such an agency exists in the county.**
- (D) Four (4) lay persons, at least one (1) of whom must be a member of a minority race if a racial minority resides in the county and a member of that minority is willing to serve.**

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

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

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

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

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

to constitute a quorum for purposes of transacting business. The



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

(f) (g) The county executive and county fiscal body shall provide necessary assistance and appropriations to the community corrections advisory board established for that county. Appropriations required under this subsection are limited to amounts received from the following sources:

- (1) Department grants.
- (2) User fees.
- (3) Other funds as contained within an approved plan.

Additional funds may be appropriated as determined by the county executive and county fiscal body."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1075 as introduced.)

MILLER D

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1075, 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:

Page 6, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 5. IC 4-33-20-8, AS ADDED BY P.L.227-2007, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 8. The commission shall create a matrix for salary ranges for gaming control officers, which must be reviewed and approved by the budget agency **biennially in even-numbered years** before implementation.

SECTION 6. IC 7.1-2-2-13, AS AMENDED BY P.L.234-2007, SECTION 305, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 13. (a) The alcohol and tobacco commission shall categorize salaries of enforcement officers within

EH 1075—LS 6784/DI 148



each rank based upon the rank held and the number of years of service in the commission through the twentieth year. The salary ranges that the board assigns to each rank shall be divided into a base salary and twenty (20) increments above the base salary with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the commission; and
- (2) the highest salary in the rank paid to a person with at least twenty (20) years of service in the commission.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency **biennially in even-numbered years** before implementation.

(c) The salary matrix prescribed by this section must have parity with the salary matrix prescribed by the natural resources commission under IC 14-9-8 for conservation officers of the department of natural resources. The budget agency shall approve a salary matrix that meets the parity requirement of this subsection."

Page 7, line 6, strike "IC".

Page 7, line 27, delete "biennially".

Page 7, line 27, after "agency" insert "**biennially in even-numbered years**".

Page 7, delete lines 28 through 42.

Delete pages 8 through 9.

Page 10, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 8. IC 10-11-2-27, AS AMENDED BY P.L.234-2007, SECTION 304, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 27. (a) The board shall categorize salaries of motor carrier inspectors within each rank based upon the rank held and the number of years of service in the department through the tenth year. The salary ranges the board assigns to each rank shall be divided into a base salary and ten (10) increments above the base salary, with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a person with at least ten (10) years of service in the department.

(b) For purposes of creating the salary matrix prescribed by this section, the board may not approve salary ranges for any rank that are less than the salary ranges effective for that rank on January 1, 1995.

(c) The salary matrix prescribed by this section:

- (1) shall be reviewed and approved by the budget agency **biennially in even-numbered years** before implementation; and



(2) must include the job classifications of motor carrier district coordinator, motor carrier zone coordinator, and motor carrier administrator.

SECTION 9. IC 10-11-2-28.5, AS ADDED BY P.L.83-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 28.5. (a) After June 30, 2007, the board shall use a salary matrix that categorizes salaries of capitol police officers described in section 28 of this chapter within each rank based upon the rank held and the number of years of service in the department through the tenth year. The salary ranges the board assigns to each rank shall be divided into a base salary and ten (10) increments above the base salary, with:

- (1) the base salary in the rank paid to a capitol police officer with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a capitol police officer with at least ten (10) years of service in the department.

(b) For purposes of creating the salary matrix prescribed by this section, the board may not approve salary ranges for any rank of capitol police officers that are less than the salary ranges effective for that rank on January 1, 2006.

(c) The salary matrix prescribed by this section shall be reviewed and approved by the budget agency **biennially in even-numbered years** before implementation.

(d) The salary matrix developed under subsection (a) must use the same percentage differentials between increments that are used for the salary matrix for police employees under IC 10-11-2-13.

SECTION 10. IC 14-9-8-28, AS AMENDED BY P.L.234-2007, SECTION 307, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 28. (a) The natural resources commission shall categorize salaries of enforcement officers within each rank based upon the rank held and the number of years of service in the department through the twentieth year. The salary ranges that the commission assigns to each rank shall be divided into a base salary and twenty (20) increments above the base salary with:

- (1) the base salary in the rank paid to a person with less than one (1) year of service in the department; and
- (2) the highest salary in the rank paid to a person with at least twenty (20) years of service in the department.

(b) The salary matrix prescribed by this section shall be reviewed and approved by the state budget agency **biennially in even-numbered years** before implementation.

(c) The salaries for law enforcement officers of the law enforcement



division of the department must be equal to the salaries of police employees of the state police department under IC 10-11-2-13, based upon years of service in the department and rank held.

(d) The requirement of subsection (c) does not affect:

- (1) any rights or liabilities accrued; or
- (2) any proceedings begun;

on or before June 30, 1999. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior civil law and procedure as if the requirement of subsection (c) had not been enacted.

SECTION 11. IC 33-38-9.5-2, AS AMENDED BY P.L.207-2021, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) The justice reinvestment advisory council is established. The advisory council consists of the following members:

- (1) The executive director of the Indiana public defender council or the executive director's designee.
- (2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.
- (3) The director of the division of mental health and addiction or the director's designee.
- (4) The president of the Indiana Sheriffs' Association or the president's designee.
- (5) The commissioner of the Indiana department of correction or the commissioner's designee.
- (6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.
- (7) The executive director of the Indiana criminal justice institute or the executive director's designee.
- (8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.
- (9) The president of the Probation Officers Professional Association of Indiana or the president's designee.
- (10) The budget director or the budget director's designee.
- (11) The executive director of the Association of Indiana Counties or the executive director's designee.
- (12) The president of the Indiana Judges Association or the president's designee.
- (13) The chair of the Indiana public defender commission or the chair's designee.
- (14) The chair of the senate corrections and criminal law committee or the chair's designee.
- (15) The ranking minority member of the senate corrections and criminal law committee or the ranking minority member's



designee.

(16) The chair of the house courts and criminal code committee or the chair's designee.

(17) The ranking minority member of the house courts and criminal code committee or the ranking minority member's designee.

(18) The governor or the governor's designee.

(19) The president and chief executive officer of the Indiana Council of Community Mental Health Centers or the president and chief executive officer's designee.

(20) The president and chief executive officer of Mental Health America of Indiana or the president and chief executive officer's designee.

(b) The chief justice or the chief justice's designee shall serve as chairperson of the advisory council.

(c) The duties of the advisory council include:

(1) reviewing and evaluating state and local criminal justice systems and corrections programs, including pretrial services, behavioral health treatment and recovery services, community corrections, county jails, parole, and probation services;

(2) reviewing the processes used by the department of correction and the division of mental health and addiction in awarding grants;

(3) reviewing and evaluating jail overcrowding to identify a range of possible solutions;

(4) coordinating with other criminal justice funding sources;

(5) establishing committees to inform the work of the advisory council; and

(6) performing other relevant duties as determined by the advisory council.

(d) The advisory council may make recommendations to:

(1) the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants;

(2) criminal justice systems and corrections programs concerning best practices to improve outcomes of persons under supervision;

(3) the Indiana general assembly concerning legislation and funding for criminal justice initiatives;

(4) the Indiana criminal justice institute concerning criminal justice funding priorities;

(5) the office of judicial administration concerning veterans problem-solving court grants; and



(6) the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

- (1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);
- (2) review grant applications;
- (3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;
- (4) review grants awarded by the department of correction and the division of mental health and addiction; and
- (5) suggest areas and programs in which the award of future grants might be beneficial.

(j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.

(k) The advisory council shall review the composition of the community corrections advisory board described in IC 11-12-2-2 and make a recommendation to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022, regarding how to reduce the membership of a community corrections advisory board and the recommended membership for a community corrections advisory board.

~~(k)~~ **(l)** Any entity that receives funds:

- (1) recommended by the advisory council; and



(2) appropriated by the department of correction; for the purpose of providing additional treatment or supervision services shall provide the information described in subsection ~~(h)~~ **(m)** to the department of correction to aid in the compilation of the report described in subsection (j).

~~(h)~~ **(m)** The department of correction shall provide the advisory council with the following information:

(1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection ~~(k)~~ **(l)**.

(2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.

(3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.

(4) The percentage of participants, categorized by level of most serious offense, who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were subsequently committed to the department of correction;

within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.

(5) The percentage of participants, categorized by level of most serious offense, who were:

(A) discharged from a funded treatment program, service, or level of supervision; and

(B) subsequently committed to the department of correction; within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.

(6) The total number of participants who completed a funded treatment program, service, or level of supervision.

(7) The total number of participants who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were legally employed.

(8) Any other information relevant to the funding of the entity as described in subsection ~~(k)~~ **(l)**."

Page 12, line 8, strike "IC".

Renumber all SECTIONS consecutively.



and when so amended that said bill do pass.

(Reference is to HB 1075 as printed January 12, 2022.)

MISHLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

