

# HOUSE BILL No. 1158

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-2-13-20.

**Synopsis:** County sheriff contracts. Establishes a process for a county executive and a county attorney to review and advise on a contract before it is executed by a county sheriff.

**Effective:** July 1, 2024.

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## Lehman

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January 8, 2024, read first time and referred to Committee on Local Government.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1158

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-2-13-20 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2024]: **Sec. 20. (a) A county executive may pass an ordinance**  
4 **providing that this section does not apply to the county sheriff.**  
5 **(b) As used in this section, "operations contract" means a**  
6 **contract that is entered into for the provision of goods or services**  
7 **necessary for the daily operations of a county jail, including facility**  
8 **maintenance, equipment purchases outside of budgetary limits, and**  
9 **additional staffing.**  
10 **(c) As used in this section, "public safety contract" means a**  
11 **contract that is entered into for the provision of goods or services**  
12 **necessary to improve or advance the security, inmate and officer**  
13 **safety, inmate medical services, or technology of a county jail.**  
14 **(d) Before a county sheriff may execute an operations contract**  
15 **or a public safety contract, the county sheriff must submit the**  
16 **operations contract or public safety contract to the county attorney**  
17 **and county executive for review.**



- 1           **(e) The county executive and county attorney must:**
- 2               **(1) for an operations contract, review the contract not later**
- 3               **than thirty (30) days after the operations contract is**
- 4               **submitted by the county sheriff; and**
- 5               **(2) for a public safety contract, review the contract not later**
- 6               **than fourteen (14) days after the public safety contract is**
- 7               **submitted by the county sheriff.**
- 8           **If the county executive and county attorney do not take action on**
- 9           **a contract within the time period provided in this subsection, the**
- 10           **county sheriff may execute the contract with no further action.**
- 11           **(f) The county executive must discuss an operations contract or**
- 12           **a public safety contract in a public meeting. The county executive**
- 13           **may advise the county sheriff on a contract, but the county**
- 14           **executive does not have the authority to approve or deny the**
- 15           **contract.**
- 16           **(g) The county attorney must provide the county sheriff with a**
- 17           **written opinion on an operations contract or a public safety**
- 18           **contract that includes:**
- 19               **(1) the county's potential exposure to liability under the**
- 20               **contract; and**
- 21               **(2) whether the contract complies with state law.**

