



February 19, 2020

**HOUSE CONCURRENT
RESOLUTION No. 28**

DIGEST OF RESOLUTION

A CONCURRENT RESOLUTION urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee or the House Courts and Criminal Code Committee after the bill has passed the committee to which the bill was originally assigned. (The introduced version of this resolution was prepared by the interim study committee on corrections and criminal code.)

McNamara

(SENATE SPONSORS — YOUNG M, RANDOLPH LONNIE M)

February 3, 2020, read first time, adopted voice vote.

SENATE ACTION

February 10, 2020, read first time and referred to Committee on Corrections and Criminal Law.

February 18, 2020, reported favorably — Do Pass.

HC 28—HC 1005/DI 133



HOUSE CONCURRENT RESOLUTION No. 28

1 A CONCURRENT RESOLUTION urging the Indiana
2 Senate and the Indiana House of Representatives to adopt the
3 practice of recommitting all bills creating or amending a
4 criminal penalty to the Senate Corrections and Criminal Law
5 Committee or the House Courts and Criminal Code Committee
6 after the bill has passed the committee to which the bill was
7 originally assigned. (The introduced version of this resolution
8 was prepared by the interim study committee on corrections and
9 criminal code.)

10 *Whereas, In 2014, the General Assembly adopted House*
11 *Bill 1006, which was the culmination of a five year study to*
12 *make Indiana's Criminal Code consistent, proportional, and*
13 *effective;*

14 *Whereas, The House and Senate criminal committees have the*
15 *responsibility to review bills that create new crimes or change*
16 *criminal penalties, and to make sure that Indiana's Criminal*
17 *Code overall remains consistent, proportional, and effective;*

18 *Whereas, In the previous three legislative sessions, over 35*
19 *bills adding or amending a criminal penalty have been assigned*
20 *to a noncriminal committee;*

21 *Whereas, The House and Senate criminal committees cannot*
22 *carry out their responsibilities to ensure that Indiana's criminal*
23 *penalties overall remain consistent, proportional, and effective*
24 *unless the committees review all bills adding or amending a*
25 *criminal penalty;*

26 *Whereas, The practice in the General Assembly has been to*



1 *require bills having a certain fiscal impact to be reviewed by*
2 *the Senate Appropriations Committee and the House Ways and*
3 *Means Committee to ensure that financial resources are*
4 *appropriately, effectively, and consistently deployed across the*
5 *state; and*

6 *Whereas, The chairs of the House Courts and Criminal Code*
7 *Committee and the Senate Corrections and Criminal Law*
8 *Committee jointly believe that a similar practice of reviewing*
9 *criminal penalties would ensure that Indiana's Criminal Code*
10 *overall remains consistent, proportional, and effective:*
11 *Therefore,*

12 *Be it resolved by the House of Representatives*
13 *of the General Assembly of the State of Indiana,*
14 *the Senate concurring:*

15 SECTION 1. That the Indiana General Assembly urges that
16 the Indiana Senate and the Indiana House of Representatives
17 adopt the practice of recommitting all bills creating or
18 amending a criminal penalty to the Senate Corrections and
19 Criminal Law Committee or the House Courts and Criminal
20 Code Committee after the bill has passed the committee to
21 which the bill was originally assigned.

22 SECTION 2. That the House Courts and Criminal Code
23 Committee and the Senate Corrections and Criminal Law
24 Committee conduct a review of the criminal penalties of bills
25 recommitted to their committee, but not of other substantive
26 provisions of the bills, and determine whether the criminal
27 penalties are consistent and proportional when compared to
28 other criminal penalties in the Indiana Code.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred House Concurrent Resolution No. 28, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution DO PASS.

(Reference is to HC 28 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 7, Nays 0

