



Reprinted  
March 14, 2017

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## ENGROSSED SENATE BILL No. 19

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DIGEST OF SB 19 (Updated March 13, 2017 2:27 pm - DI 75)

**Citations Affected:** IC 36-8.

**Synopsis:** Sheriff's commissary fund. Specifies information that must be contained in a county jail commissary report. Provides that the sheriff's commissary fund may be used for professional services provided to the sheriff's department.

**Effective:** July 1, 2017.

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**Brown L, Walker,**  
**Randolph Lonnie M**  
(HOUSE SPONSOR — MORRIS)

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January 3, 2017, read first time and referred to Committee on Local Government.  
January 23, 2017, amended, reported favorably — Do Pass.  
January 26, 2017, read second time, ordered engrossed. Engrossed.  
January 30, 2017, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 28, 2017, read first time and referred to Committee on Local Government.  
March 9, 2017, reported — Do Pass.  
March 13, 2017, read second time, amended, ordered engrossed.

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ES 19—LS 6139/DI 87





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First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 19

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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 36-8-10-21, AS AMENDED BY P.L.216-2007,  
2 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 21. (a) This section applies to any county that has  
4 a jail commissary that sells merchandise to inmates.  
5 (b) A jail commissary fund is established, referred to in this section  
6 as "the fund". The fund is separate from the general fund, and money  
7 in the fund does not revert to the general fund.  
8 (c) The sheriff, or the sheriff's designee, shall deposit all money  
9 from commissary sales into the fund, which the sheriff or the sheriff's  
10 designee shall keep in a depository designated under IC 5-13-8.  
11 (d) The sheriff, or the sheriff's designee, at the sheriff's or the  
12 sheriff's designee's discretion and without appropriation by the county  
13 fiscal body, may disburse money from the fund for:  
14 (1) merchandise for resale to inmates through the commissary;  
15 (2) expenses of operating the commissary, including, but not  
16 limited to, facilities and personnel;  
17 (3) special training in law enforcement for employees of the

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- 1 sheriff's department;  
 2 (4) equipment installed in the county jail;  
 3 (5) equipment, including vehicles and computers, computer  
 4 software, communication devices, office machinery and  
 5 furnishings, cameras and photographic equipment, animals,  
 6 animal training, holding and feeding equipment and supplies, or  
 7 attire used by an employee of the sheriff's department in the  
 8 course of the employee's official duties;  
 9 (6) an activity provided to maintain order and discipline among  
 10 the inmates of the county jail;  
 11 (7) an activity or program of the sheriff's department intended to  
 12 reduce or prevent occurrences of criminal activity, including the  
 13 following:  
 14 (A) Substance abuse.  
 15 (B) Child abuse.  
 16 (C) Domestic violence.  
 17 (D) Drinking and driving.  
 18 (E) Juvenile delinquency;  
 19 (8) expenses related to the establishment, operation, or  
 20 maintenance of the sex and violent offender registry web site  
 21 under IC 36-2-13-5.5; ~~or~~  
 22 **(9) professional services provided to the sheriff's department;**  
 23 **or**  
 24 ~~(9)~~ **(10)** any other purpose that benefits the sheriff's department  
 25 that is mutually agreed upon by the county fiscal body and the  
 26 county sheriff.

27 Money disbursed from the fund under this subsection must be  
 28 supplemental or in addition to, rather than a replacement for, regular  
 29 appropriations made to carry out the purposes listed in subdivisions (1)  
 30 through ~~(8)~~: **(9)**.

31 (e) The sheriff shall maintain a record of the fund's receipts and  
 32 disbursements. The state board of accounts shall prescribe the form for  
 33 this record, **which must include the name of each recipient of a**  
 34 **disbursement, the amount disbursed to the recipient, and the**  
 35 **product or service for which the disbursement is made.** The sheriff  
 36 shall semiannually provide a copy of this record of receipts and  
 37 disbursements to the county fiscal body. The semiannual reports are  
 38 due on July 1 and December 31 of each year.



## COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 19, 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 2, line 34, reset in roman "semiannually".

Page 2, line 34, delete "quarterly".

Page 2, line 35, reset in roman "semiannual".

Page 2, line 35, delete "quarterly".

Page 2, line 36, delete "April 1,".

Page 2, line 36, delete ", October 1,".

and when so amended that said bill do pass.

(Reference is to SB 19 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 8, Nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 19 as printed January 24, 2017.)

ZENT

Committee Vote: Yeas 12, Nays 0

## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 19 be amended to read as follows:

Page 2, line 21, strike "or".

Page 2, between lines 21 and 22, begin a new line block indented and insert:

**"(9) professional services provided to the sheriff's department; or".**

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Page 2, line 22, strike "(9)" and insert "**(10)**".

Page 2, line 28, strike "(8)." and insert "**(9)**".

(Reference is to ESB 19 as printed March 10, 2017.)

MORRIS

