

SENATE BILL No. 171

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-49-15.5.

Synopsis: Community corrections pilot project. Establishes a three year pilot project to create a consolidated probation and community corrections program in Marion County. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

Effective: July 1, 2014.

Young R Michael

January 8, 2014, read first time and referred to Committee on Corrections & Criminal Law.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 171

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

- 1 SECTION 1. IC 33-33-49-15.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: **Sec. 15.5. (a) Notwithstanding any**
4 **other law, this section applies to the operation of a community**
5 **corrections program in Marion County and the probation**
6 **department of the Marion superior court. If there is a conflict**
7 **between this section and any other statute, this section controls.**
8 **(b) The following definitions apply throughout this section:**
9 **(1) "Chief" means the chief probation officer and executive**
10 **director of community corrections established by this section.**
11 **(2) "Community corrections" means the Marion County**
12 **community corrections program.**
13 **(3) "Community supervision department" means the Marion**
14 **superior court community supervision department established**
15 **by this section.**
16 **(4) "Executive committee" means the executive committee of**



1 the Marion superior court.

2 (5) "Probation department" means the Marion superior court
3 probation department.

4 (c) To eliminate redundancies in processes and systems between
5 the probation department and community corrections, the
6 executive committee shall establish a three (3) year pilot project to
7 consolidate the operations, funding, and staff of community
8 corrections with the operations, funding, and staff of the probation
9 department.

10 (d) The consolidated probation and community corrections
11 department described in subsection (c) is named the Marion
12 superior court community supervision department. The operation
13 of the community supervision department is directed by an
14 individual appointed by the executive committee, whose title shall
15 be chief probation officer and executive director of community
16 corrections. The chief serves at the pleasure of the executive
17 committee and reports directly to the executive committee and a
18 supervising judge appointed by the executive committee to oversee
19 the community supervision department.

20 (e) The chief shall consult with the community corrections
21 advisory board in carrying out the duties of the chief's office.

22 (f) The executive board shall appoint a deputy director for
23 community corrections. The deputy director for community
24 corrections serves at the pleasure of the executive committee and
25 reports to the chief. Existing community corrections staff report to
26 the deputy director through the existing organizational structure.

27 (g) The executive board shall appoint a deputy director for adult
28 probation. The deputy director may be a chief probation officer.
29 The deputy director for adult probation serves at the pleasure of
30 the executive committee and reports to the chief. Existing adult
31 probation department staff report to the deputy director through
32 the existing organizational structure.

33 (h) The executive board shall appoint a deputy director for
34 juvenile probation. The deputy director may be a chief probation
35 officer. The deputy director for juvenile probation serves at the
36 pleasure of the executive committee and reports to the chief.
37 Existing juvenile probation department staff report to the deputy
38 director through the existing organizational structure.

39 (i) The existing position of chief financial officer of community
40 corrections is renamed finance supervisor. The executive
41 committee shall appoint the finance supervisor, who reports to the
42 chief. The finance supervisor serves at the pleasure of the executive



1 committee.

2 (j) The community supervision fund is established for the
3 purpose of funding the community supervision department. The
4 community supervision fund shall be administered by the executive
5 committee, and consists of grants, appropriations, and fees. The
6 expenses of administering the community supervision fund shall be
7 paid from money in the fund. The treasurer of state shall invest the
8 money in the community supervision fund not currently needed to
9 meet the obligations of the fund in the same manner as other public
10 money may be invested. Interest that accrues from these
11 investments shall be deposited in the fund. Money in the fund at the
12 end of a state fiscal year does not revert to the state general fund.

13 (k) After June 30, 2014, and before July 1, 2017, all agreements
14 and liabilities of the probation department and community
15 corrections are transferred to the community supervision
16 department, as the successor agency during the period of the pilot
17 project. All records and property of the probation department and
18 community corrections are transferred to the community
19 supervision department, as the successor agency during the period
20 of the pilot project. After June 30, 2014, and before July 1, 2017,
21 any amounts owed to the probation department or community
22 corrections are considered to be owed to the community
23 supervision department, as the successor agency during the period
24 of the pilot project.

25 (l) Notwithstanding any other law, after June 30, 2014, and
26 before July 1, 2017, any grants, funds, fees (including user fees and
27 court fees), or other property or sources of income that are
28 appropriated or would otherwise be required to be transferred to
29 the probation department or community corrections shall be
30 transferred to the community supervision fund. The balance of any
31 account or fund:

32 (1) administered by; or

33 (2) under the control or supervision of;

34 the probation department or community corrections shall be
35 transferred to the community supervision fund. The executive
36 committee may disburse this money to fund the community
37 supervision department, and for no other purpose.

38 (m) After June 30, 2017:

39 (1) the balance in the community supervision fund shall be
40 distributed to the probation department and community
41 corrections on a pro rata basis, as determined by the executive
42 committee;



1 **(2) agreements and liabilities of the community supervision**
2 **department shall be distributed to the probation department**
3 **and community corrections in an appropriate manner as**
4 **determined by the executive committee; and**
5 **(3) amounts owed to the community supervision department**
6 **must be amounts owed to the probation department or**
7 **community corrections, as determined by the executive**
8 **committee.**
9 **(n) This section expires July 1, 2017.**

