

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE ENROLLED ACT No. 293

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

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

SECTION 1. IC 33-33-2-46, AS ADDED BY P.L.175-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 46. (a) As used in this section, "administrator" means the entity that enters into an agreement with the board of county commissioners of Allen County under subsection (e).

(b) As used in this section, "pilot program" refers to the substance abuse pilot program established under subsection (c).

(c) After June 30, 2017, and after approval of the Indiana commission to combat drug abuse, the board of county commissioners of Allen County may establish a four (4) year pilot program to assist participants in overcoming their substance abuse by providing:

- (1) evidence based addiction treatment, including detoxification, medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid dependence; and
- (2) assistance with developing a long term plan for sober living outside the pilot program.

(d) An individual is eligible to participate in the pilot program if the individual:

- (1) is at least eighteen (18) years of age;
- (2) is charged with a felony;

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(3) is under the supervision of a court or community corrections program in Allen County, including:

- (A) a problem solving court;
- (B) a diversion program;
- (C) community corrections;
- (D) probation;
- (E) home detention; or
- (F) any other program involving community supervision as an alternative to commitment to the department of correction, if the program is approved by the court; and

(4) is suffering from a significant substance abuse disorder and has been previously unable to remain sober.

(e) If the board of county commissioners of Allen County establishes a pilot program under subsection (c), the board of county commissioners of Allen County shall enter into an agreement with an entity with experience in administering community development programs.

(f) Mental health and addiction treatment services provided as part of the pilot program may be administered or subcontracted only by a provider certified by the division of mental health and addiction with expertise in providing evidence based mental health and addiction treatment services.

(g) The administrator shall provide a report to the legislative council before October 1, 2019, and before each October 1 of each year thereafter. The report must include the following:

- (1) The number of persons successfully completing the pilot program.
- (2) Estimated cost savings of the pilot program.
- (3) Opportunities for replication.
- (4) Recidivism rates of persons participating in the pilot program, including the following:
 - (A) A person's new arrest or conviction that occurs while the person is participating in the pilot program.
 - (B) A person's new arrest, conviction, or commitment to the department of correction, not later than twelve (12) months after ending participation in the pilot program.
 - (C) A person's new arrest, conviction, or commitment to the department of correction, not later than twenty-four (24) months after ending participation in the pilot program.
 - (D) A person's new arrest, conviction, or commitment to the department of correction, not later than thirty-six (36) months after ending participation in the pilot program.



(h) The report required by subsection (g) must be in an electronic format under IC 5-14-6.

(i) The administrator may not expend state money granted to the administrator for the pilot program unless the administrator has raised at least one dollar (\$1) of local funds for every one dollar (\$1) of state funds before ~~July 1, 2018~~. **June 30, 2022. Local funds raised between June 30, 2018, and June 30, 2022, shall be counted when determining whether the administrator has raised the amount of local funds required by this subsection.**

(j) The administrator may not expend money granted to the administrator for the pilot program for a state fiscal year unless the administrator expends at least one dollar (\$1) of local funds for every one dollar (\$1) of state funds expended.

~~(j)~~ (k) The expenses of the pilot program may be paid from money appropriated to the administrator.

~~(k)~~ (l) This section expires June 30, 2022.

SECTION 2. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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