



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1095 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-20-10 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2021]:
- 6 **Chapter 10. Low Barrier Homeless Shelter Task Force**
- 7 **Sec. 1. As used in this chapter, "task force" refers to the low**
- 8 **barrier homeless shelter task force established by section 2 of this**
- 9 **chapter.**
- 10 **Sec. 2. The low barrier homeless shelter task force is**
- 11 **established.**
- 12 **Sec. 3. The task force consists of the following members:**
- 13 **(1) One (1) individual representing the office of the governor,**
- 14 **who shall serve as a cochairperson of the task force.**
- 15 **(2) One (1) individual representing the office of the mayor of**
- 16 **a consolidated city, who shall serve as a cochairperson of the**
- 17 **task force.**
- 18 **(3) Two (2) members of the senate, appointed as follows:**
- 19 **(A) One (1) member appointed by the president pro**
- 20 **tempore.**
- 21 **(B) One (1) member appointed by the minority leader.**
- 22 **(4) Two (2) members of the house of representatives,**

1 appointed as follows:

2 (A) One (1) member appointed by the speaker.

3 (B) One (1) member appointed by the minority leader.

4 (5) The secretary of family and social services or a designee of
5 the secretary.

6 (6) The executive director of the Indiana housing and
7 community development authority or the executive director's
8 designee.

9 (7) The commissioner of correction or the commissioner's
10 designee.

11 (8) One (1) individual representing the Marion County Public
12 Health Department.

13 (9) One (1) individual representing the Marion County
14 Housing Trust Fund.

15 (10) One (1) individual representing the largest business
16 association in a consolidated city.

17 (11) One (1) individual representing a provider of housing and
18 services for the homeless in a consolidated city.

19 Sec. 4. (a) A majority of the members of the task force
20 constitutes a quorum.

21 (b) The affirmative vote of at least a majority of the members at
22 which a quorum is present is necessary for the task force to take
23 official action other than to meet and take testimony.

24 (c) The task force shall meet at the call of the cochairpersons.

25 Sec. 5. All meetings of the task force shall be open to the public
26 in accordance with and subject to IC 5-14-1.5. All records of the
27 task force shall be subject to the requirements of IC 5-14-3.

28 Sec. 6. The task force shall do the following:

29 (1) Determine the cost to build and operate a low barrier
30 homeless shelter in a consolidated city, as well as potential
31 funding sources. The low barrier homeless shelter must
32 provide both short term and long term housing options.

33 (2) Study ways in which the state and a consolidated city can
34 access additional federal funding for community based
35 programs for the homeless.

36 Sec. 7. The task force shall submit a report to the governor and
37 the legislative council not later than December 31, 2022. The report
38 submitted to the legislative council must be in an electronic format
39 under IC 5-14-6.

40 Sec. 8. This chapter expires January 1, 2023.

41 SECTION 2. IC 11-10-12-2 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) When a
43 committed criminal offender is released on parole or probation or is
44 discharged, the department, at the discretion of the department, shall:

45 (1) either:

46 (A) procure transportation for him to his designated place of
47 residence;

- 1 (B) procure public transportation for the released offender to
- 2 the Indiana city or town that is nearest to the released
- 3 offender's designated place of residence; or
- 4 (C) upon request of the offender, provide transportation for the
- 5 released offender to any other place in Indiana as the
- 6 commissioner may designate; and
- 7 (2) provide him with an amount of money to be determined by the
- 8 department in accordance with procedures approved by the
- 9 budget agency to enable him to meet his immediate needs.

10 **If the department provides released offender transportation to a**
 11 **consolidated city under subdivision (1)(B) or (1)(C), the**
 12 **department shall prepare a reentry plan for the released offender**
 13 **that confirms housing for the released offender in the consolidated**
 14 **city for a period of at least thirty (30) consecutive days. The**
 15 **department shall submit the reentry plan prepared under this**
 16 **subsection to the city official designated by the mayor of the**
 17 **consolidated city.** Except as provided in subdivision (2), a criminal
 18 offender is not entitled to receive a payment in lieu of transportation
 19 under this subsection.

20 (b) The department shall establish standards for use in determining
 21 the amount of money to be paid under subsection (a)(2) to a criminal
 22 offender upon release on parole or probation or upon discharge. These
 23 standards:

- 24 (1) must be consistently applied to each criminal offender upon
- 25 release or discharge;
- 26 (2) must take into account amounts earned by criminal offenders
- 27 through work release programs before release or discharge; and
- 28 (3) may allow for no payment to criminal offenders who are
- 29 determined by the department to have accumulated a sufficient
- 30 amount of money to meet the criminal offender's immediate needs
- 31 upon release or discharge.

32 SECTION 3. IC 11-12-2-1, AS AMENDED BY P.L.65-2018,
 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2021]: Sec. 1. (a) For the purpose of encouraging counties to
 35 develop a coordinated local corrections-criminal justice system and
 36 providing effective alternatives to imprisonment at the state level, the
 37 commissioner shall, out of funds appropriated for such purposes, make
 38 grants:

- 39 (1) to counties for the establishment and operation of community
- 40 corrections programs and court supervised recidivism reduction
- 41 programs; ~~and~~
- 42 (2) to support a probation department, pretrial diversion program,
- 43 or jail treatment program; **and**
- 44 **(3) to counties for the establishment and operation of**
 45 **community programs to reduce aggressive harassment (as**
 46 **described in IC 35-45-17.1).**

1 Appropriations intended for this purpose may not be used by the
 2 department for any other purpose. Money appropriated to the
 3 department of correction for the purpose of making grants under this
 4 chapter and any financial aid payments suspended under section 6 of
 5 this chapter do not revert to the state general fund at the close of any
 6 fiscal year, but remain available to the department of correction for its
 7 use in making grants under this chapter.

8 (b) Before March 1 of each year, the department shall estimate the
 9 amount of any operational cost savings that will be realized in the state
 10 fiscal year ending June 30 from a reduction in the number of
 11 individuals who are in the custody or made a ward of the department
 12 of correction (as described in IC 11-8-1-5) that is attributable to the
 13 sentencing changes made in HEA 1006-2014 as enacted in the 2014
 14 session of the general assembly. The department shall make the
 15 estimate under this subsection based on the best available information.
 16 If the department estimates that operational cost savings described in
 17 this subsection will be realized in the state fiscal year, the following
 18 apply to the department:

19 (1) The department shall certify the estimated amount of
 20 operational cost savings that will be realized to the budget agency
 21 and to the auditor of state.

22 (2) The department may, after review by the budget committee
 23 and approval by the budget agency, make additional grants as
 24 provided in this chapter to:

25 (A) county jails to provide evidence based mental health and
 26 addiction forensic treatment services; and

27 (B) counties for the establishment and operation of pretrial
 28 release programs, diversion programs, community corrections
 29 programs, and court supervised recidivism reduction
 30 programs;

31 from funds appropriated to the department for the department's
 32 operating expenses for the state fiscal year.

33 (3) The maximum aggregate amount of additional grants and
 34 transfers that may be made by the department under subdivision

35 (2) for the state fiscal year may not exceed the lesser of:

36 (A) the amount of operational cost savings certified under
 37 subdivision (1); or

38 (B) eleven million dollars (\$11,000,000).

39 Notwithstanding P.L.205-2013 (HEA 1001-2013), the amount of funds
 40 necessary to make any additional grants authorized and approved under
 41 this subsection and for any transfers authorized and approved under
 42 this subsection, and for providing the additional financial aid to courts
 43 from transfers authorized and approved under this subsection, is
 44 appropriated for those purposes for the state fiscal year, and the amount
 45 of the department's appropriation for operating expenses for the state
 46 fiscal year is reduced by a corresponding amount.

- 1 (c) The commissioner shall coordinate with the division of mental
2 health and addiction in issuing community corrections and court
3 supervised recidivism reduction program grants to programs that
4 provide alternative sentencing projects for persons with mental illness,
5 addictive disorders, intellectual disabilities, and developmental
6 disabilities. Programs for addictive disorders may include:
7 (1) addiction counseling;
8 (2) inpatient detoxification; and
9 (3) medication assisted treatment, including a federal Food and
10 Drug Administration approved long acting, nonaddictive
11 medication for the treatment of opioid or alcohol dependence.
12 (d) Grants awarded under this chapter:
13 (1) must focus on funding evidence based programs, including
14 programs that address cognitive behavior, that have as a primary
15 goal the purpose of reforming offenders; and
16 (2) may be used for technology based programs, including an
17 electronic monitoring program.
18 (e) Before the tenth day of each month, the department shall
19 compile the following information with respect to the previous month:
20 (1) The number of persons committed to the department.
21 (2) The number of persons:
22 (A) confined in a department facility;
23 (B) participating in a community corrections program; and
24 (C) confined in a local jail under contract with or on behalf of
25 the department.
26 (3) For each facility operated by the department:
27 (A) the number of beds in each facility;
28 (B) the number of inmates housed in the facility;
29 (C) the highest felony classification of each inmate housed in
30 the facility; and
31 (D) a list of all felonies for which persons housed in the
32 facility have been sentenced.
33 (f) The department shall:
34 (1) quarterly submit a report to the budget committee; and
35 (2) monthly submit a report to the justice reinvestment advisory
36 council (as established in IC 33-38-9.5-2);
37 of the information compiled by the department under subsection (e).
38 The report to the budget committee must be submitted in a form

- 1 approved by the budget committee, and the report to the advisory
- 2 council must be in a form approved by the advisory council."
- 3 Renumber all SECTIONS consecutively.
 (Reference is to HB 1095 as printed February 16, 2021.)

Representative Moed