

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 70, 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:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 criminal law and procedure.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 5-2-25 IS ADDED TO THE INDIANA CODE AS
- 7 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2024]:
- 9 **Chapter 25. Bail and Release Review Commission**
- 10 **Sec. 1. As used in this chapter, "commission" means the bail**
- 11 **and release review commission established by section 2 of this**
- 12 **chapter.**
- 13 **Sec. 2. The bail and release review commission is established**
- 14 **as a temporary executive branch commission to do the following:**
- 15 **(1) Review data concerning the effect of bail reform**
- 16 **measures on public safety, including violent crime and**
- 17 **recidivism.**
- 18 **(2) Review data concerning the effectiveness of pretrial**
- 19 **release measures in ensuring a defendant's court**
- 20 **appearance.**
- 21 **(3) Review data concerning the effectiveness of pretrial**
- 22 **release reform efforts in Indiana.**
- 23 **(4) Review the effect of pretrial detention on defendants.**
- 24 **(5) Review bail schedules and practices used statewide.**
- 25 **(6) Review the effectiveness of bail and release measures**
- 26 **used in other states.**

1 (7) Before November 1 of each year, issue a report
2 containing its findings and recommendations to:

- 3 (A) the governor; and
4 (B) the legislative council.

5 The report to the legislative council must be in an electronic
6 format under IC 5-14-6.

7 **Sec. 3. The commission consists of the following eighteen (18)**
8 **members:**

9 (1) The president pro tempore of the senate, or a designee of
10 the president pro tempore who is a member of the senate.
11 The president pro tempore or designee shall serve as a
12 co-chairperson of the commission.

13 (2) The minority leader of the senate or a designee of the
14 minority leader who is a member of the senate.

15 (3) The speaker of the house of representatives or the
16 speaker's designee who is a member of the house of
17 representatives. The speaker or designee shall serve as a
18 co-chairperson of the commission.

19 (4) The minority leader of the house of representatives or the
20 minority leader's designee who is a member of the house of
21 representatives.

22 (5) The governor or the governor's designee.

23 (6) The superintendent of the state police department or the
24 superintendent's designee.

25 (7) The commissioner of the Indiana department of
26 correction or the commissioner's designee.

27 (8) The director of the division of mental health and
28 addiction of the office of the secretary of the family and
29 social services administration or the director's designee.

30 (9) The budget director or the budget director's designee.

31 (10) The chief justice of Indiana or the chief justice's
32 designee.

33 (11) The president of the Indiana judges association or the
34 president's designee.

35 (12) The executive director of the Indiana prosecuting
36 attorneys council or the executive director's designee.

37 (13) A victim advocate from a prosecuting attorney's office,
38 appointed by the executive director of the Indiana
39 prosecuting attorneys council.

40 (14) The executive director of the Indiana public defender
41 council or the executive director's designee.

42 (15) The president of the Indiana sheriffs' association or the
43 president's designee.

44 (16) The executive director of the association of Indiana
45 counties or the executive director's designee.

46 **Sec. 4. A member serves for a term that ends on June 30 of the**
47 **next odd-numbered year following the member's appointment.**
48 **However, the member may be reappointed to subsequent terms.**

49 **Sec. 5. A member who is not an ex officio member serves at the**
50 **pleasure of the appointing authority.**

1 **Sec. 6. An appointment to fill a vacancy shall be made in the**
 2 **same manner that an original appointment is made. An individual**
 3 **appointed to fill a vacancy serves for the remainder of the term of**
 4 **the former member.**

5 **Sec. 7. Each member of the commission who is a state**
 6 **employee is entitled to reimbursement for traveling expenses as**
 7 **provided under IC 4-13-1-4 and other expenses actually incurred**
 8 **in connection with the member's duties as provided in the state**
 9 **policies and procedures established by the Indiana department of**
 10 **administration and approved by the budget agency.**

11 **Sec. 8. Each member of the commission who is not a state**
 12 **employee is entitled to receive the same per diem, mileage, and**
 13 **travel allowances paid to individuals who serve as legislative and**
 14 **lay members, respectively, of interim study committees established**
 15 **by the legislative council.**

16 **Sec. 9. Each member of the council who is a member of the**
 17 **general assembly is entitled to receive the same per diem, mileage,**
 18 **and travel allowances paid to legislative members of interim study**
 19 **committees established by the legislative council. Per diem,**
 20 **mileage, and travel allowances paid under this section shall be paid**
 21 **from appropriations made to the legislative council or the**
 22 **legislative services agency.**

23 **Sec. 10. Except for expenses described in section 9 of this**
 24 **chapter, expenses of the commission shall be paid from funds**
 25 **appropriated to the governor.**

26 **Sec. 11. The commission shall hold meetings at the call of the**
 27 **co-chairpersons.**

28 **Sec. 12. Ten (10) members constitute a quorum for the**
 29 **transaction of business.**

30 **Sec. 13. Each member has one (1) vote.**

31 **Sec. 14. Action of the commission may be taken only upon the**
 32 **affirmative votes of at least ten (10) members.**

33 **Sec. 15. The office of the governor shall staff the commission.**

34 **Sec. 16. This chapter expires June 30, 2026.**

(Reference is to SB 70 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

BRAY, Chairperson