

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1087

AN ACT to amend the Indiana Code concerning corrections.

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

SECTION 1. IC 11-10-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) When a committed criminal offender is released on parole or probation or is discharged, the department, at the discretion of the department **and subject to subsection (c)**, shall:

(1) either:

(A) procure transportation for ~~him~~ **the released offender** to ~~his~~ **the released offender's** designated place of residence;

(B) procure public transportation for the released offender to the Indiana city or town that is nearest to the released offender's designated place of residence; or

(C) upon request of the **released** offender, provide transportation for the released offender to any other place in Indiana as the commissioner may designate; and

(2) provide ~~him~~ **the released offender** with an amount of money to be determined by the department in accordance with procedures approved by the budget agency to enable ~~him~~ **the released offender** to meet ~~his~~ **the released offender's** immediate needs.

Except as provided in subdivision (2), a **criminal released** offender is not entitled to receive a payment in lieu of transportation under this subsection.

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

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

(c) Except as provided in subsection (d), the department may not provide transportation to, or procure transportation or public transportation to, a county other than the released offender's county of residence at the time of conviction.

(d) The department may provide transportation to, or procure transportation or public transportation to, a county other than the released offender's county of residence at the time of conviction if the released offender:

- (1) has been ordered by a court to serve home detention, probation, or community corrections in a county other than the released offender's county of residence; or
- (2) provides written proof that:

(A) the released offender has been accepted into a reentry program offered or approved by a:

- (i) court;
- (ii) state agency; or
- (iii) local county or municipal agency; and

(B) the:

- (i) released offender has employment; or
- (ii) reentry program plan includes a housing plan that has been approved or established by an entity described in clause (A)(i) through (A)(iii). For purposes of this item, a housing plan does not include housing provided by a homeless shelter.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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