

HOUSE BILL No. 1112

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-49-32.

Synopsis: Marion County magistrates. Allows the Marion County superior courts to appoint 27 full-time magistrates after December 31, 2021, not more than 14 of whom may be from the same political party.

Effective: July 1, 2021.

Speedy, Pryor, DeLaney

January 7, 2021, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1112

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 33-33-49-32, AS AMENDED BY P.L.53-2019,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 32. (a) In addition to the magistrate appointed
4 under section 31 of this chapter, the judges of the superior court may,
5 by a vote of a majority of the judges, appoint:
6 (1) twelve (12) full-time magistrates under IC 33-23-5 after
7 December 31, 2013, and until January 1, 2016, not more than six
8 (6) of whom may be from the same political party;
9 (2) sixteen (16) full-time magistrates under IC 33-23-5 after
10 December 31, 2015, and until January 1, 2018, not more than
11 eight (8) of whom may be from the same political party;
12 (3) twenty (20) full-time magistrates under IC 33-23-5 after
13 December 31, 2017, and until January 1, 2020, not more than ten
14 (10) of whom may be from the same political party; ~~and~~
15 (4) twenty-four (24) full-time magistrates under IC 33-23-5 after
16 December 31, 2019, **and until January 1, 2022**, not more than
17 twelve (12) of whom may be from the same political party; **and**



- 1 **(5) twenty-seven (27) full-time magistrates under IC 33-23-5**
2 **after December 31, 2021, not more than fourteen (14) of**
3 **whom may be from the same political party.**
- 4 (b) The magistrates continue in office until removed in accordance
5 with local rule.
- 6 (c) A party to a superior court proceeding that has been assigned to
7 a magistrate appointed under this section may request that an elected
8 judge of the superior court preside over the proceeding instead of the
9 magistrate to whom the proceeding has been assigned. A request under
10 this subsection must be in writing and must be filed with the court:
- 11 (1) in a civil case, not later than:
- 12 (A) ten (10) days after the pleadings are closed; or
13 (B) thirty (30) days after the case is entered on the
14 chronological case summary, in a case in which the defendant
15 is not required to answer; or
- 16 (2) in a criminal case, not later than ten (10) days after the
17 omnibus date.
- 18 Upon a timely request made under this subsection by either party, the
19 magistrate to whom the proceeding has been assigned shall transfer the
20 proceeding back to the superior court judge.

