



March 22, 2019

ENGROSSED HOUSE BILL No. 1155

DIGEST OF HB 1155 (Updated March 21, 2019 9:35 am - DI 125)

Citations Affected: IC 33-33.

Synopsis: Clark County circuit court. Establishes two new courts beginning July 1, 2019. Requires the governor to fill the vacancy in each of the courts that occurs when the court comes into existence. Provides that the first elected judges under the Indiana Constitution are elected at the November 2024 general election, take office January 1, 2025, and each hold office for a term of six years.

Effective: July 1, 2019.

Goodin, Davisson, Engleman, Fleming

(SENATE SPONSORS — GARTEN, GROOMS, YOUNG M)

January 7, 2019, read first time and referred to Committee on Courts and Criminal Code.
January 16, 2019, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

February 4, 2019, reported — Do Pass.

February 7, 2019, read second time, ordered engrossed. Engrossed.

February 11, 2019, read third time, passed. Yeas 91, nays 0.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Judiciary.

March 14, 2019, reported favorably — Do Pass; reassigned to Committee on Appropriations.

March 21, 2019, amended, reported favorably — Do Pass.

EH 1155—LS 6714/DI 131



March 22, 2019

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.

ENGROSSED HOUSE BILL No. 1155

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 33-33-10-2.5, AS ADDED BY P.L.201-2011,
2 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 2.5. (a) The Clark circuit court is a court of
4 general jurisdiction with four (4) judges. The divisions of the court
5 shall be known as Clark circuit court No. 1, No. 2, No. 3, ~~and~~ No. 4,
6 **No. 5, and No. 6.** Clark County constitutes the judicial district of the
7 court and each of the court's divisions. The court shall maintain the
8 following dockets:
9 (1) A small claims and misdemeanor division under IC 33-28-3
10 that has a:
11 (A) small claims docket; and
12 (B) minor offenses and violations docket.
13 (2) Criminal.
14 (3) Juvenile.
15 (4) Civil.
16 (5) Probate.
17 (b) The assignment of judges of the circuit court to the dockets

EH 1155—LS 6714/DI 131



1 specified in subsection (a) must be by rule of the circuit court.

2 SECTION 2. IC 33-33-10-2.7 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2019]: **Sec. 2.7. (a) Before July 1, 2019, the**
5 **governor shall appoint an individual to serve as the judge of Clark**
6 **circuit court No. 5 to fill the vacancy that occurs on July 1, 2019,**
7 **when the court first comes into existence. The first judge of Clark**
8 **circuit court No. 5 elected under Article 7, Section 7 of the**
9 **Constitution of the State of Indiana shall:**

10 (1) be elected at the November 2024 general election;

11 (2) take office January 1, 2025; and

12 (3) serve a term of six (6) years.

13 (b) Before July 1, 2019, the governor shall appoint an individual
14 to serve as the judge of Clark circuit court No. 6 to fill the vacancy
15 that occurs on July 1, 2019, when the court first comes into
16 existence. The first judge of Clark circuit court No. 6 elected under
17 Article 7, Section 7 of the Constitution of the State of Indiana shall:

18 (1) be elected at the November 2024 general election;

19 (2) take office January 1, 2025; and

20 (3) serve a term of six (6) years.

21 (c) This section expires January 1, 2026.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1155, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1155 as introduced.)

MCNAMARA

Committee Vote: Yeas 10, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1155, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1155 as printed January 17, 2019.)

HUSTON

Committee Vote: Yeas 19, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1155, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1155 as printed February 5, 2019.)

HEAD, Chairperson

Committee Vote: Yeas 9, Nays 0



COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1155, 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:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with four (4) judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, ~~and~~ **No. 5, and No. 6.** Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

- (A) small claims docket; and
- (B) minor offenses and violations docket.

- (2) Criminal.
- (3) Juvenile.
- (4) Civil.
- (5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

SECTION 2. IC 33-33-10-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.7. (a) Before July 1, 2019, the governor shall appoint an individual to serve as the judge of Clark circuit court No. 5 to fill the vacancy that occurs on July 1, 2019, when the court first comes into existence. The first judge of Clark circuit court No. 5 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:**

- (1) be elected at the November 2024 general election;
- (2) take office January 1, 2025; and
- (3) serve a term of six (6) years.

(b) Before July 1, 2019, the governor shall appoint an individual to serve as the judge of Clark circuit court No. 6 to fill the vacancy that occurs on July 1, 2019, when the court first comes into existence. The first judge of Clark circuit court No. 6 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:

- (1) be elected at the November 2024 general election;
- (2) take office January 1, 2025; and

EH 1155—LS 6714/DI 131



(3) serve a term of six (6) years.

(c) This section expires January 1, 2026."

Delete page 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to EHB 1155 as printed March 15, 2019.)

MISHLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

