



January 29, 2018

HOUSE BILL No. 1263

DIGEST OF HB 1263 (Updated January 29, 2018 11:06 am - DI 84)

Citations Affected: IC 11-12; IC 36-1.

Synopsis: Construction of county jails. Provides that a county may not begin the construction or reconstruction of a county jail or submit final plans and specifications for the construction or reconstruction of a county jail to the department of correction, unless the county fiscal body first: (1) prepares a feasibility study of possible alternatives to the construction or reconstruction of the county jail; and (2) holds a public hearing on the feasibility study. Specifies certain items that must be included in the feasibility study.

Effective: July 1, 2018.

Brown T

January 11, 2018, read first time and referred to Committee on Ways and Means.
January 29, 2018, reported — Do Pass.

HB 1263—LS 6323/DI 73



January 29, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1263

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 11-12-4-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. In addition to the
3 approval required from the agencies listed under IC 36-1-12-10, all
4 final plans and specifications for the construction of a county jail are
5 subject to review by the department. Before construction may begin on
6 a county jail:

7 (1) the board of county commissioners shall submit the plans and
8 specifications to the department; **and**
9 (2) **the county fiscal body must prepare the feasibility study**
10 **and hold the public hearing required by IC 36-1-8-19.**

11 SECTION 2. IC 36-1-8-19 IS ADDED TO THE INDIANA CODE
12 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2018]: **Sec. 19. (a) In addition to any other requirements, after**
14 **June 30, 2018, a county may not begin the construction or**
15 **reconstruction of a county jail or submit final plans and**
16 **specifications for the construction or reconstruction of a county jail**
17 **to the department of correction under IC 11-12-4-5, unless the**

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1 county fiscal body first:
2 (1) prepares or causes to be prepared a feasibility study of
3 possible alternatives to the construction or reconstruction of
4 the county jail; and
5 (2) holds a public hearing on the feasibility study.
6 (b) The feasibility study required by subsection (a)(1) must
7 include the following information:
8 (1) The feasibility of housing inmates in the county jail of
9 another county or in a multicounty jail established by two (2)
10 or more counties.
11 (2) A projection of the county's future jail needs and an
12 estimate of the number and characteristics of future inmates.
13 (3) An estimate of the costs, tax rates, and debt service
14 amounts that would result from each of the alternatives
15 addressed by the feasibility study.
16 (c) The county fiscal body shall allow the public to testify at the
17 public hearing on the feasibility study required by subsection
18 (a)(1). Notice of the public hearing must be given in accordance
19 with IC 5-3-1. The notice must state that on the given day, time,
20 and place, the county fiscal body will meet to discuss the feasibility
21 study and hear testimony from the public regarding the feasibility
22 study.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1263, 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 1263 as introduced.)

BROWN T

Committee Vote: Yeas 16, Nays 0

