

HOUSE BILL No. 1405

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-2-1.1.

Synopsis: Jurisdiction of the attorney general. Provides for concurrent jurisdiction of the attorney general with a prosecuting attorney for certain actions in which a public officer or public servant is accused.

Effective: July 1, 2015.

Slager, Fine

January 14, 2015, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1405

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 4-6-2-1.1, AS AMENDED BY P.L.205-2013,
2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 1.1. The attorney general has concurrent
4 jurisdiction with the prosecuting attorney in the prosecution of the
5 following:
6 (1) Actions in which a person is accused of committing, while a
7 member of an unlawful assembly as defined in IC 35-45-1-1, a
8 homicide (IC 35-42-1).
9 (2) Actions in which a person is accused of assisting a criminal
10 (IC 35-44.1-2-5), if the person alleged to have been assisted is a
11 person described in subdivision (1).
12 (3) Actions in which a sheriff is accused of any offense that
13 involves a failure to protect the life of a prisoner in the sheriff's
14 custody.
15 (4) Actions in which a violation of IC 2-8.2-4-6 (concerning



1 constitutional convention delegates) has occurred.

2 **(5) Upon the request of the prosecuting attorney or the**
3 **declination of prosecution, actions in which a public officer**
4 **(as defined in IC 5-11-1-16) or public servant (as defined in**
5 **IC 35-31.5-2-261) is accused of committing any of the**
6 **following:**

7 **(A) Official misconduct (IC 35-44.1-1-1).**

8 **(B) Bribery (IC 35-44.1-1-2).**

9 **(C) Ghost employment (IC 35-44.1-1-3).**

10 **(D) Conflict of interest (IC 35-44.1-1-4).**

11 **(E) Profiteering from public service (IC 35-44.1-1-5).**

12 **(F) Interference with the state examiner (IC 35-44.2-1-6).**

13 **(G) Failure to follow the state examiner's directives**
14 **(IC 35-44.2-1-7).**

15 **(H) Failure to provide an annual report to the state**
16 **examiner (IC 35-44.2-1-8).**

