ENGROSSED
HOUSE BILL No. 1299

DIGEST OF HB 1299 (Updated April 3, 2019 1:16 pm - DI 128)

Citations Affected: IC 33-24.

Synopsis: Veterans affairs. Requires the office of judicial administration with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

Effective: January 1, 2020.

Zent, Clere, Bauer, Baird

(SENATE SPONSOR — GLICK)

January 14, 2019, read first time and referred to Committee on Courts and Criminal Code.
February 14, 2019, amended, reported — Do Pass.
February 18, 2019, read second time, ordered engrossed. Engrossed.
February 19, 2019, read third time, passed. Yeas 96, nays 0.
SENATE ACTION
March 4, 2019, read first time and referred to Committee on Judiciary.
April 4, 2019, amended, reported favorably — Do Pass.

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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. 1299

———

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 33-24-6-3, AS AMENDED BY P.L.161-2018,
2   SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3   JANUARY 1, 2020]: Sec. 3. (a) The office of judicial administration
4   shall do the following:
5   (1) Examine the administrative and business methods and systems
6   employed in the offices of the clerks of court and other offices
7   related to and serving the courts and make recommendations for
8   necessary improvement.
9   (2) Collect and compile statistical data and other information on
10   the judicial work of the courts in Indiana. All justices of the
11   supreme court, judges of the court of appeals, judges of all trial
12   courts, and any city or town courts, whether having general or
13   special jurisdiction, court clerks, court reporters, and other
14   officers and employees of the courts shall, upon notice by the
15   chief administrative officer and in compliance with procedures
16   prescribed by the chief administrative officer, furnish the chief
17   administrative officer the information as is requested concerning

the nature and volume of judicial business. The information must
include the following:

    (A) The volume, condition, and type of business conducted by
    the courts.

    (B) The methods of procedure in the courts.

    (C) The work accomplished by the courts.

    (D) The receipt and expenditure of public money by and for
    the operation of the courts.

    (E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than
two (2) times per year, on the nature and volume of judicial work
performed by the courts as determined by the information
required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial
qualifications commission in the performance by the commissions
of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section
12 of this chapter.

(7) By December 31, 2013, develop and implement a standard
protocol for sending and receiving court data:

    (A) between the protective order registry, established by
    IC 5-2-9-5.5, and county court case management systems;

    (B) at the option of the county prosecuting attorney, for:

      (i) a prosecuting attorney's case management system;

      (ii) a county court case management system; and

      (iii) a county court case management system developed and
      operated by the office of judicial administration;

    to interface with the electronic traffic tickets, as defined by
    IC 9-30-3-2.5; and

    (C) between county court case management systems and the
    case management system developed and operated by the office
    of judicial administration.

The standard protocol developed and implemented under this
subdivision shall permit private sector vendors, including vendors
providing service to a local system and vendors accessing the
system for information, to send and receive court information on
an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving
information that relates to certain individuals who may be
prohibited from possessing a firearm and transmitting this
information to the Federal Bureau of Investigation for inclusion

1   in the NICS.
2   (9) Establish and administer an electronic system for receiving
3   drug related felony conviction information from courts. The office
4   of judicial administration shall notify NPLEx of each drug related
5   felony entered after June 30, 2012, and do the following:
6   (A) Provide NPLEx with the following information:
7   (i) The convicted individual's full name.
8   (ii) The convicted individual's date of birth.
9   (iii) The convicted individual's driver's license number, state
10   personal identification number, or other unique number, if
11   available.
12   (iv) The date the individual was convicted of the felony.
13   Upon receipt of the information from the office of judicial
14   administration, a stop sale alert must be generated through
15   NPLEx for each individual reported under this clause.
16   (B) Notify NPLEx if the felony of an individual reported under
17   clause (A) has been:
18   (i) set aside;
19   (ii) reversed;
20   (iii) expunged; or
21   (iv) vacated.
22   Upon receipt of information under this clause, NPLEx shall
23   remove the stop sale alert issued under clause (A) for the
24   individual.
25   (10) Staff the judicial technology oversight committee established
26   by IC 33-23-17-2.
27   (11) After July 1, 2018, establish and administer an electronic
28   system for receiving from courts felony conviction information for
29   each felony described in IC 20-28-5-8(c). The office of judicial
30   administration shall notify the department of education at least
31   one (1) time each week of each felony described in
32   IC 20-28-5-8(c) entered after July 1, 2018, and do the following:
33   (A) Provide the department of education with the following
34   information:
35   (i) The convicted individual's full name.
36   (ii) The convicted individual's date of birth.
37   (iii) The convicted individual's driver's license number, state
38   personal identification number, or other unique number, if
39   available.
40   (iv) The date the individual was convicted of the felony.
41   (B) Notify the department of education if the felony of an
42   individual reported under clause (A) has been:

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1   (i) set aside;

2   (ii) reversed; or

3   (iii) vacated.

4   (12) Perform legal and administrative duties for the justices as

5   determined by the justices.

6   (13) Provide staff support for the judicial conference of Indiana

7   established in IC 33-38-9.

8   **(14) Work with the United States Department of Veterans**

9   **Affairs to identify and address the needs of veterans in the**

10   **court system.**

11   (b) All forms to be used in gathering data must be approved by the

12 supreme court and shall be distributed to all judges and clerks before

13 the start of each period for which reports are required.

14   (c) The office of judicial administration may adopt rules to

15 implement this section.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1299, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2020]".

Page 4, delete lines 8 through 25, begin a new line block indented and insert:

"(14) Develop and implement a standard protocol to electronically send or receive criminal case information between the office of judicial administration's court case management system and an electronic repository to determine if an individual is a veteran:

(A) in the United States Department of Defense data base of individuals with prior active military service (as defined in IC 25-1-17-2); and

(B) in the national guard registries, in collaboration with the national guard (as defined in IC 10-16-1-13);

at least one (1) time each week. Information, including personal identifiers, obtained under this subdivision may be shared with county prosecutors, a veterans' court, and other entities for use in helping to address the needs of veterans in the court system.".

and when so amended that said bill do pass.

(Reference is to HB 1299 as introduced.)

MCNAMARA

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1299, 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 4, line 8, delete "Develop and implement a standard protocol to" and insert "**Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.**".

Page 4, delete lines 9 through 22.

and when so amended that said bill do pass.

(Reference is to HB 1299 as printed February 15, 2019.)

HEAD, Chairperson

Committee Vote: Yeas 9, Nays 0.