

# HOUSE BILL No. 1370

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-24; IC 33-24-6-3.

**Synopsis:** Domestic violence registry. Establishes a domestic violence registry that contains a record of individuals convicted of a crime of domestic violence and individuals who are the subject of a protective order.

**Effective:** July 1, 2022.

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## Hatcher, Campbell

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January 11, 2022, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

## HOUSE BILL No. 1370

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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 5-2-24 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2022]:

4 **Chapter 24. Domestic Violence Registry**

5 **Sec. 1. The following definitions apply throughout this chapter:**

6 (1) "Crime of domestic violence" means a crime that occurs  
7 when a family or household member (as defined in  
8 IC 35-31.5-2-128) commits, attempts to commit, or conspires  
9 to commit any of the following against another family or  
10 household member:

- 11 (A) A homicide offense under IC 35-42-1.  
12 (B) A battery offense under IC 35-42-2.  
13 (C) Kidnapping or confinement under IC 35-42-3.  
14 (D) Human and sexual trafficking crimes under  
15 IC 35-42-3.5.  
16 (E) A sex offense under IC 35-42-4.  
17 (F) Robbery under IC 35-42-5.



- (G) Arson or mischief under IC 35-43-1.
  - (H) Burglary or trespass under IC 35-43-2.
  - (I) Disorderly conduct under IC 35-45-1.
  - (J) Intimidation or harassment under IC 35-45-2.
  - (K) Voyeurism under IC 35-45-4.
  - (L) Stalking under IC 35-45-10.
  - (M) An offense against the family under IC 35-46-1-2 through IC 35-46-1-8, IC 35-46-1-12, IC 35-46-1-15.1, or IC 35-46-1-15.3.
  - (N) A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5.
  - (O) "Office" refers to the office of judicial administration created under IC 33-24-6-1.
  - (P) "Registry" means the domestic violence registry established under section 2 of this chapter.

Sec. 2. The office shall establish and maintain a domestic violence registry.

**Sec. 3. For every individual who is convicted of a crime of domestic violence or is subject to an order of protection issued after a hearing held under IC 34-26-5-9(a)(2), the registry must contain:**

- (1) the name;**
  - (2) the age;**
  - (3) the last known city of residence;**
  - (4) a photograph, if available;**
  - (5) a description of the crime of domestic violence conviction; and**
  - (6) any other identifying information, as determined by the office;**

**of the individual convicted of the crime of domestic violence or subject to the order of protection issued after a hearing held under IC 34-26-5-9(a)(2).**

**Sec. 4. (a) The office shall publish the registry on the office's Internet web site. The registry must be searchable and available to the public.**

(b) The office shall ensure that the registry is updated at least one (1) time every thirty (30) days.

(c) The office shall ensure that the registry displays the following or similar words:

"Based on information submitted to law enforcement, a person whose name appears in this registry has been



convicted of a crime of domestic violence or is subject to a protective order under IC 34-26-5-9(a)(2). However, information on the registry may not be complete.".

SECTION 2. IC 33-24-6-3, AS AMENDED BY P.L.115-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief 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 court

(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



1                   IC 5-2-9-5.5, and county court case management systems;  
2                   (B) at the option of the county prosecuting attorney, for:  
3                   (i) a prosecuting attorney's case management system;  
4                   (ii) a county court case management system; and  
5                   (iii) a county court case management system developed and  
6                   operated by the office of judicial administration;  
7                   to interface with the electronic traffic tickets, as defined by  
8                   IC 9-30-3-2.5; and  
9                   (C) between county court case management systems and the  
10                  case management system developed and operated by the office  
11                  of judicial administration.

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

17                  (8) Establish and administer an electronic system for receiving  
18                  information that relates to certain individuals who may be  
19                  prohibited from possessing a firearm for the purpose of:

20                  (A) transmitting this information to the Federal Bureau of  
21                  Investigation for inclusion in the NICS; and  
22                  (B) beginning July 1, 2021, compiling and publishing certain  
23                  statistics related to the confiscation and retention of firearms  
24                  as described under section 14 of this chapter.

25                  (9) Establish and administer an electronic system for receiving  
26                  drug related felony conviction information from courts. The office  
27                  of judicial administration shall notify NPLEx of each drug related  
28                  felony entered after June 30, 2012, and do the following:

29                  (A) Provide NPLEx with the following information:  
30                  (i) The convicted individual's full name.  
31                  (ii) The convicted individual's date of birth.  
32                  (iii) The convicted individual's driver's license number, state  
33                  personal identification number, or other unique number, if  
34                  available.  
35                  (iv) The date the individual was convicted of the felony.

36                  Upon receipt of the information from the office of judicial  
37                  administration, a stop sale alert must be generated through  
38                  NPLEx for each individual reported under this clause.

39                  (B) Notify NPLEx if the felony of an individual reported under  
40                  clause (A) has been:

41                  (i) set aside;  
42                  (ii) reversed;



- (iii) expunged; or
- (iv) vacated.

Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.

(10) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

B) Notify the department of education if the individual reported under clause (A) has been:

(i) set aside;

(ii) reversed; or

(iii) vacated.

(11) Perform legal and administrative duties for the justices as determined by the justices.

(12) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

(13) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(14) If necessary for purposes of IC 35-47-16-1, issue a retired judicial officer an identification card identifying the retired judicial officer as a retired judicial officer.

**(15) Establish and maintain a domestic violence registry under IC 5-2-24.**

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

