



January 30, 2015

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## HOUSE BILL No. 1531

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DIGEST OF HB 1531 (Updated January 28, 2015 4:11 pm - DI 69)

**Citations Affected:** IC 11-8.

**Synopsis:** Video conferencing by confined persons. Provides that if: (1) a person is confined in a department of correction (department) facility; (2) the person is required to make an appearance before the judge of a court; (3) the department facility and court room have the capability of conducting two-way video conferencing; and (4) the judge orders the person to make the person's appearance by use of video conferencing; the person shall appear before the judge while located in the department facility by use of video conferencing. Provides that if: (1) a person is confined in a county jail; (2) a judge of a court has ordered the person to undergo a mental health evaluation; (3) the county jail and location of the provider of mental health services who will conduct the mental health evaluation have the capability of conducting two-way video conferencing; (4) the mental health evaluation may be conducted by two-way video conferencing; and (5) the judge orders the person to undergo the mental health evaluation by use of video conferencing; the person shall undergo the mental health evaluation while located in the county jail by use of video conferencing.

**Effective:** July 1, 2015.

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**Davisson, Steuerwald, Karickhoff**

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January 20, 2015, read first time and referred to Committee on Courts and Criminal Code.  
January 29, 2015, reported — Do Pass.

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HB 1531—LS 6903/DI 69





January 30, 2015

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. 1531

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

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

1 SECTION 1. IC 11-8-10 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]:  
4 **Chapter 10. Video Conferencing by Confined Persons**  
5 **Sec. 1. (a) If:**  
6 **(1) a person is confined in a department facility;**  
7 **(2) the person is required to make an appearance before the**  
8 **judge of a court but the person is not required to be physically**  
9 **present in the judge's court room;**  
10 **(3) the:**  
11 **(A) department facility; and**  
12 **(B) court room;**  
13 **have the capability of conducting two-way video conferencing**  
14 **between the department facility and the court room; and**  
15 **(4) the judge, on the judge's own motion, orders the person to**

HB 1531—LS 6903/DI 69



1           make the person's appearance by use of video conferencing;  
2           the person shall appear before the judge while located in the  
3           department facility by use of video conferencing.

4           (b) If a person's appearance before a judge under this section is  
5           conducted by video conferencing, the judge shall ensure that the  
6           appearance is recorded if a record of the appearance would have  
7           been kept if the person had appeared in the judge's court room.

8           Sec. 2. (a) If:

9           (1) a person is confined in a county jail;

10          (2) a judge of a court has ordered the person to undergo a  
11          mental health evaluation;

12          (3) the:

13               (A) county jail; and

14               (B) location of the provider of mental health services who  
15               will conduct the mental health evaluation;

16          have the capability of conducting two-way video conferencing  
17          between the county jail and the location;

18          (4) the mental health evaluation may be conducted by  
19          two-way video conferencing; and

20          (5) the judge, on the judge's own motion, orders the person to  
21          undergo the mental health evaluation by use of video  
22          conferencing;

23          the person shall undergo the mental health evaluation while located  
24          in the county jail by use of video conferencing.

25          (b) If a person's mental health evaluation under this section is  
26          conducted by video conferencing, the judge shall ensure that the  
27          mental health evaluation is recorded if the evaluation would have  
28          been recorded if the person and the provider of mental health  
29          services had both been present in the same room.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1531, 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 1531 as introduced.)

WASHBURNE

Committee Vote: Yeas 11, Nays 0

