

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 ENROLLED ACT No. 1531

AN ACT to amend the Indiana Code concerning corrections.

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

SECTION 1. IC 11-8-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 10. Video Conferencing by Confined Persons

Sec. 1. (a) If:

- (1) a person is confined in a department facility;**
 - (2) the person is required to make an appearance before the judge of a court;**
 - (3) the:**
 - (A) department facility; and**
 - (B) court room;****have the capability of conducting two-way video conferencing between the department facility and the court room;**
 - (4) the judge, on the judge's own motion, orders the person to make the person's appearance by use of video conferencing; and**
 - (5) the person consents to the use of video conferencing;**
- the person shall appear before the judge while located in the department facility by use of video conferencing.**

(b) If a person's appearance before a judge under this section is conducted by video conferencing, the judge shall ensure that the

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appearance is recorded if a record of the appearance would have been kept if the person had appeared in the judge's court room.

Sec. 2. (a) This section applies only to a mental health evaluation conducted for the purpose of mental health assessment and treatment. This section does not apply to a mental health evaluation conducted for the purpose of:

(1) determining whether a person is competent to stand trial; or

(2) establishing a defense to the commission of a crime, including the defense of mental disease or defect under IC 35-41-3-6.

(b) 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:

(A) county jail; and

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

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

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

(5) the judge, on the judge's own motion, 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.

(c) If a person's mental health evaluation under this section is conducted by video conferencing, the mental health evaluation may not be recorded.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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