



February 17, 2022

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## ENGROSSED SENATE BILL No. 9

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DIGEST OF SB 9 (Updated February 16, 2022 2:58 pm - DI 131)

**Citations Affected:** IC 11-13; IC 31-37; IC 34-30; IC 35-31.5; IC 35-33; IC 35-38; IC 35-44.1.

**Synopsis:** Electronic monitoring standards. Establishes standards, including staffing minimums and notification time frames, for persons and entities responsible for monitoring individuals required to wear a monitoring device as a condition of probation, parole, pretrial release, or community corrections. Provides immunity for acts or omissions performed in connection with implementing monitoring standards. Provides that a defendant commits escape if: (1) the defendant disables or interferes with the operation of an electronic monitoring device; or (2) the defendant violates certain conditions of home detention (under current law, any violation of a condition of home detention constitutes escape). Makes escape committed by a juvenile status offender a status offense under certain circumstances. Makes conforming amendments.

**Effective:** July 1, 2022.

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**Walker K, Crider, Young M,  
Sandlin, Freeman, Koch**

(HOUSE SPONSORS — TORR, BEHNING, SPEEDY, JETER)

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January 4, 2022, read first time and referred to Committee on Corrections and Criminal Law.

January 20, 2022, amended, reported favorably — Do Pass.

January 24, 2022, read second time, amended, ordered engrossed.

January 25, 2022, engrossed. Read third time, passed. Yeas 46, nays 1.

HOUSE ACTION

January 31, 2022, read first time and referred to Committee on Courts and Criminal Code.

February 17, 2022, amended, reported — Do Pass.

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ES 9—LS 6480/DI 106





February 17, 2022

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.

## ENGROSSED SENATE BILL No. 9

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 11-13-1-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. ~~(a)~~ Every probation  
3 department shall annually compile, and make available to the judicial  
4 conference of Indiana upon request, accurate statistical information  
5 pertaining to its operation, including:  
6 (1) presentence and predisposition reports prepared;  
7 (2) investigations and reports regarding cases assigned to that  
8 probation department and disposed of prior to trial;  
9 (3) cases disposed of by termination of supervision, including  
10 revocation of probation;  
11 (4) that probation department's operational costs, including  
12 salaries of probation officers and administrative personnel; and  
13 (5) persons employed.  
14 ~~(b)~~ Before January 5 of each year each probation department shall  
15 send to the judicial conference the following statistical information  
16 concerning home detention for the preceding calendar year:  
17 ~~(1)~~ The number of persons supervised by the department or by a

ES 9—LS 6480/DI 106



- 1 community corrections program who were placed in home  
 2 detention under IC 35-38-2.5.
- 3 (2) The number of persons supervised by the department or by a  
 4 community corrections program who successfully completed a  
 5 period of home detention ordered under IC 35-38-2.5.
- 6 (3) The number of persons supervised by the department or by a  
 7 community corrections program who failed to complete a period  
 8 of home detention ordered under IC 35-38-2.5; and a description  
 9 of the subsequent disposition for those persons.
- 10 (4) For each person under home detention supervised by the  
 11 department or by a community corrections program; a description  
 12 of the most serious offense for which the person was convicted  
 13 with the resulting sentence including a period of home detention  
 14 ordered as a condition of probation.
- 15 (5) The amount of home detention user fees collected by the  
 16 department under IC 35-38-2.5.
- 17 (6) The amount of home detention user fees deposited into the  
 18 community corrections home detention fund for the county in  
 19 which the department is located.
- 20 (7) The average expense per person placed in home detention  
 21 supervised by the department with a monitoring device.
- 22 (8) The average expense per person placed in home detention  
 23 supervised by the department without a monitoring device.
- 24 SECTION 2. IC 11-13-1-9, AS AMENDED BY P.L.24-2014,  
 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2022]: Sec. 9. (a) The judicial conference of Indiana shall:
- 27 (1) keep informed of the work of all probation departments;  
 28 (2) compile and publish statistical and other information that may  
 29 be of value to the probation service;
- 30 (3) inform courts and probation departments of legislation  
 31 concerning probation and of other developments in probation;  
 32 (4) submit to the general assembly before January 15 of each year  
 33 a report in an electronic format under IC 5-14-6 compiling the  
 34 statistics provided to the judicial conference by ~~probation~~  
 35 **departments the local justice reinvestment advisory council**  
 36 ~~under section 4(b) of this chapter; IC 35-38-2.7-2(4); and~~  
 37 (5) require probation departments to submit a community  
 38 supervision collaboration plan as described in IC 11-12-2-4.
- 39 (b) The conference may:
- 40 (1) visit and inspect any probation department and confer with  
 41 probation officers and judges administering probation; and  
 42 (2) require probation departments to submit periodic reports of



1           their work on forms furnished by the conference.  
 2           SECTION 3. IC 31-37-2-8 IS ADDED TO THE INDIANA CODE  
 3 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
 4 1, 2022]: **Sec. 8. A child commits a delinquent act if, before**  
 5 **becoming eighteen (18) years of age, the child:**  
 6           **(1) intentionally flees from lawful detention (as defined in**  
 7 **IC 35-31.5-2-186) where the child has been placed;**  
 8           **(2) knowingly or intentionally violates a home detention order**  
 9 **imposed on the child;**  
 10           **(3) intentionally removes, disables, or interferes with the**  
 11 **operation of an electronic monitoring device or GPS tracking**  
 12 **device that the child is required to wear; or**  
 13           **(4) knowingly or intentionally fails to return to lawful**  
 14 **detention following temporary leave granted for a specified**  
 15 **purpose or limited period;**  
 16 **due to an allegation or adjudication that the child committed an act**  
 17 **described in this chapter.**  
 18           SECTION 4. IC 34-30-2-149.7 IS ADDED TO THE INDIANA  
 19 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 20 [EFFECTIVE JULY 1, 2022]: **Sec. 149.7. IC 35-38-2.7 (Concerning**  
 21 **electronic monitoring standards).**  
 22           SECTION 5. IC 35-31.5-2-24.7 IS ADDED TO THE INDIANA  
 23 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 24 [EFFECTIVE JULY 1, 2022]: **Sec. 24.7. "Backup verification**  
 25 **method", for purposes of IC 35-38-2.7, has the meaning set forth**  
 26 **in IC 35-38-2.7-1.**  
 27           SECTION 6. IC 35-31.5-2-204.7 IS ADDED TO THE INDIANA  
 28 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 29 [EFFECTIVE JULY 1, 2022]: **Sec. 204.7. "Monitor", for purposes**  
 30 **of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1.**  
 31           SECTION 7. IC 35-31.5-2-205, AS ADDED BY P.L.114-2012,  
 32 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2022]: **Sec. 205. "Monitoring device", for purposes of**  
 34 **IC 35-33-8-11, IC 35-38-2.5, and IC 35-38-2.7, has the meaning set**  
 35 **forth in IC 35-38-2.5-3.**  
 36           SECTION 8. IC 35-31.5-2-318.5 IS ADDED TO THE INDIANA  
 37 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
 38 [EFFECTIVE JULY 1, 2022]: **Sec. 318.5. "Supervising agency", for**  
 39 **purposes of IC 35-38-2.7, has the meaning set forth in**  
 40 **IC 35-38-2.7-1.**  
 41           SECTION 9. IC 35-31.5-2-337.3 IS ADDED TO THE INDIANA  
 42 CODE AS A **NEW SECTION TO READ AS FOLLOWS**



1 [EFFECTIVE JULY 1, 2022]: **Sec. 337.3. "Tracked individual", for**  
 2 **purposes of IC 35-38-2.7, has the meaning set forth in**  
 3 **IC 35-38-2.7-1.**

4 SECTION 10. IC 35-31.5-2-352.5 IS ADDED TO THE INDIANA  
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2022]: **Sec. 352.5. "Vulnerable victim", for**  
 7 **purposes of IC 35-38-2.7, has the meaning set forth in**  
 8 **IC 35-38-2.7-1.**

9 SECTION 11. IC 35-33-8-11, AS AMENDED BY P.L.114-2012,  
 10 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2022]: Sec. 11. (a) A court may require a person who has been  
 12 charged with a crime of domestic violence (as described in  
 13 IC 35-31.5-2-78) to wear a **GPS tracking monitoring** device as a  
 14 condition of bail.

15 (b) A court may order a person who is required to wear a **GPS**  
 16 **tracking monitoring** device under subsection (a) to pay any costs  
 17 associated with the **GPS tracking monitoring** device.

18 SECTION 12. IC 35-38-2.5-2.3 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2.3. As used in this  
 20 chapter, "constant supervision" means monitoring a violent offender  
 21 ~~twenty-four (24) hours each day by means in accordance with the~~  
 22 **requirements** described in ~~section 12(b) of this chapter.~~ **IC 35-38-2.7.**

23 SECTION 13. IC 35-38-2.5-3, AS AMENDED BY P.L.170-2014,  
 24 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2022]: Sec. 3. (a) As used in this chapter, "monitoring device"  
 26 means an electronic device that:

27 (1) can record or transmit information twenty-four (24) hours  
 28 each day regarding an offender's

29 ~~(A) presence or absence from the offender's home; or~~

30 ~~(B) precise location;~~

31 (2) is minimally intrusive upon the privacy of the offender or  
 32 other persons residing in the offender's home;

33 (3) with the written consent of the offender and with the written  
 34 consent of other persons residing in the home at the time an order  
 35 for home detention is entered, may record or transmit:

36 (A) a visual image;

37 (B) an electronic communication or any sound; or

38 (C) information regarding the offender's activities while inside  
 39 the offender's home; and

40 (4) can notify a probation department, a community corrections  
 41 program, **the parole board, a pretrial services agency,** or a  
 42 contract agency if the offender violates the terms of a home



1 detention order.

2 (b) The term includes any device that can reliably determine the  
3 location of an offender and track the locations where the offender has  
4 been, including a device that uses a global positioning system satellite  
5 service.

6 (c) The term does not include an unmanned aerial vehicle (as  
7 defined in IC 35-31.5-2-342.3).

8 SECTION 14. IC 35-38-2.5-10, AS AMENDED BY P.L.31-2005,  
9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2022]: Sec. 10. (a) Each probation department or community  
11 corrections program shall establish written criteria and procedures for  
12 determining whether an offender or alleged offender that the  
13 department or program supervises on home detention qualifies as a  
14 violent offender.

15 (b) A probation department or community corrections program shall  
16 use the criteria and procedures established under subsection (a) to  
17 establish a record keeping system that allows the department or  
18 program to quickly determine whether an offender or alleged offender  
19 who violates the terms of a home detention order is a violent offender.

20 (c) A probation department or a community corrections program  
21 charged by a court with supervision of offenders and alleged offenders  
22 ordered to undergo home detention shall provide all law enforcement  
23 agencies (including any contract agencies) having jurisdiction in the  
24 place where the probation department or a community corrections  
25 program is located with a list of offenders and alleged offenders under  
26 home detention supervised by the probation department or the  
27 community corrections program. The list must include the following  
28 information about each offender and alleged offender:

- 29 (1) The offender's name, any known aliases, and the location of  
30 the offender's home detention.  
31 (2) The crime for which the offender was convicted.  
32 (3) The date the offender's home detention expires.  
33 (4) The name, address, and telephone number of the offender's  
34 supervising probation or community corrections program officer  
35 for home detention.  
36 (5) An indication of whether the offender or alleged offender is a  
37 violent offender.

38 (d) Except as provided under section 6(1) of this chapter, a  
39 probation department or community corrections program charged by a  
40 court with supervision of offenders and alleged offenders ordered to  
41 undergo home detention shall, at the beginning of a period of home  
42 detention, set the monitoring device and surveillance equipment to



1 minimize the possibility that the offender or alleged offender can enter  
2 another residence or structure without a violation.

3 (e) A probation department or community corrections program  
4 charged by a court with supervision of offenders and alleged offenders  
5 ordered to undergo home detention shall

6 (1) maintain or contract with a contract agency to maintain  
7 constant supervision of each offender and alleged offender **in**  
8 **accordance with IC 35-38-2.7. and**

9 (2) have adequate staff available twenty-four (24) hours each day  
10 to respond if an offender or alleged offender violates the  
11 conditions of a home detention order.

12 (f) A contract agency that maintains supervision of an offender or  
13 alleged offender under subsection (e)(1) shall notify the contracting  
14 probation department or community corrections program within one (1)  
15 hour if the offender or alleged offender violates the conditions of a  
16 home detention order. However:

17 (1) a community corrections advisory board; if the offender is  
18 serving home detention as part of a community corrections  
19 program; or

20 (2) a probation department; if the offender or alleged offender is  
21 serving home detention as a condition of probation or bail;

22 may shorten the time in which the contract agency must give notice of  
23 a home detention order violation.

24 (g) (f) A probation department or community corrections program  
25 may contract with a contract agency under subsection (e)(1) (e) only if  
26 the contract agency can comply with subsection (f): **the requirements**  
27 **described in IC 35-38-2.7.**

28 SECTION 15. IC 35-38-2.5-12, AS AMENDED BY P.L.31-2005,  
29 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2022]: Sec. 12. (a) A probation department or community  
31 corrections program charged by a court with supervision of a violent  
32 offender placed on home detention under this chapter shall **comply**  
33 **with IC 35-38-2.7.**

34 (1) cause a local law enforcement agency or contract agency  
35 described in section 10 of this chapter to be the initial agency  
36 contacted upon determining that the violent offender is in  
37 violation of a home detention order;

38 (2) maintain constant supervision of the violent offender using  
39 surveillance equipment and a monitoring device that can transmit  
40 information twenty-four (24) hours each day regarding an  
41 offender's precise location by either:

42 (A) using the supervising entity's equipment and personnel; or





1 (B) contracting with a contract agency; and  
 2 (3) have adequate staff available twenty-four (24) hours each day  
 3 to respond if the violent offender violates the conditions of a  
 4 home detention order.

5 (b) A contract agency that maintains supervision of a violent  
 6 offender under subsection (a)(2) shall notify the contracting probation  
 7 department or community corrections program within one (1) hour if  
 8 the violent offender violates the conditions of a home detention order.  
 9 However, a:

10 (1) community corrections advisory board, if the violent offender  
 11 is serving home detention as part of a community corrections  
 12 program; or

13 (2) probation department, if the violent offender is serving home  
 14 detention as a condition of probation or bail;

15 may shorten the time in which the contract agency must give notice of  
 16 a home detention order violation.

17 (c) (b) A probation department or community corrections program  
 18 may contract with a contract agency under subsection (a)(2) (a) only if  
 19 the contract agency can comply with subsection (b): **the requirements**  
 20 **described in IC 35-38-2.7.**

21 SECTION 16. IC 35-38-2.7 IS ADDED TO THE INDIANA CODE  
 22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2022]:

24 **Chapter 2.7. Electronic Monitoring Standards**

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

26 (1) "Backup verification method" means a method of  
 27 determining whether a tracked individual is in an approved  
 28 location in the event that the tracked individual's monitoring  
 29 device loses communication with the monitor. The term may  
 30 include making electronic or telephonic contact with an  
 31 employer of a tracked individual.

32 (2) "Monitor" means the person responsible for tracking an  
 33 individual's location by means of a monitoring device. The  
 34 term includes:

35 (A) a supervising agency, if employees of a supervising  
 36 agency conduct the tracking; or

37 (B) a third party contractor, if the supervising agency has  
 38 contracted with a third party to conduct the tracking.

39 (3) "Monitoring device" has the meaning set forth in  
 40 IC 35-38-2.5-3.

41 (4) "Supervising agency" means:

42 (A) a court, in the case of an individual who is required to



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wear a monitoring device as a condition of probation or pretrial release;

(B) a community corrections program, in the case of an individual who is required to wear a monitoring device as a condition of community corrections; or

(C) the parole board, in the case of an individual who is required to wear a monitoring device as a condition of parole.

(5) "Tracked individual" means an individual required to wear a monitoring device.

(6) "Vulnerable victim" means the victim of a crime committed or alleged to have been committed by a tracked individual:

(A) under circumstances suggesting that the tracked individual may disturb, harass, or harm the victim, as determined by a court or the supervising agency;

(B) if the tracked individual is the subject of a protection order, restraining order, or no contact order with respect to the victim; or

(C) that is a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5).

**Sec. 2. A monitor must do the following:**

(1) Provide notification to the supervising agency as soon as possible, but not later than fifteen (15) minutes, after:

(A) the monitoring device of a tracked individual suffers an unexplained or undocumented loss of communication with the monitor, and the monitor is unable to verify the tracked individual's presence at an approved location by using a backup verification method, if applicable;

(B) a tracked individual enters a prohibited exclusion zone; or

(C) a tracked individual removes, disables, or otherwise interferes with a monitoring device.

In addition, if the tracked individual has committed or is alleged to have committed a crime against a vulnerable victim, the monitor shall notify the vulnerable victim and request local law enforcement to conduct a welfare check on the vulnerable victim in accordance with the protocol developed by the supervising agency under section 3 of this chapter.

(2) Employ at least one (1) employee per:

(A) thirty (30) tracked individuals placed on electronic



- 1                   **monitoring due to being charged with or convicted of:**  
 2                    (i) a crime of violence (as defined in IC 35-50-1-2(a)); or  
 3                    (ii) a crime of domestic or sexual violence (as defined in  
 4                    IC 16-18-2-88.5); or  
 5                   **(B) seventy-five (75) tracked individuals placed on**  
 6                   **electronic monitoring who are not charged with or**  
 7                   **convicted of:**  
 8                    (i) a crime of violence (as defined in IC 35-50-1-2(a)); or  
 9                    (ii) a crime of domestic or sexual violence (as defined in  
 10                    IC 16-18-2-88.5).
- 11                   **(3) Verify in person the location of each tracked individual**  
 12                   **placed on electronic monitoring due to being charged with or**  
 13                   **convicted of:**  
 14                    (A) a crime of violence (as defined in IC 35-50-1-2(a)); or  
 15                    (B) a crime of domestic or sexual violence (as defined in  
 16                    IC 16-18-2-88.5);  
 17                   **by making one (1) scheduled in person contact and one (1)**  
 18                   **unannounced in person contact with the individual in every**  
 19                   **thirty (30) day period.**
- 20                   **(4) Beginning January 1, 2023, transmit a quarterly report to**  
 21                   **the local justice reinvestment advisory council (established by**  
 22                   **IC 33-38-9.5-4) that includes information concerning:**  
 23                    (A) the total number of persons under supervision,  
 24                    whether they are under pretrial or postdisposition  
 25                    supervision, and the charges they are facing or have been  
 26                    convicted of;  
 27                    (B) the number of persons under supervision assigned to  
 28                    each employee;  
 29                    (C) the total costs and fees levied and collected;  
 30                    (D) the number of persons under supervision whose  
 31                    supervision has been terminated and the reason for  
 32                    termination; and  
 33                    (E) the number of false location alerts or device  
 34                    malfunctions in the case of each person under supervision.
- 35                   **The report must be submitted not later than fifteen (15)**  
 36                   **calendar days after the close of each quarter. The local justice**  
 37                   **reinvestment advisory council shall transmit each report**  
 38                   **electronically to the legislative council, to the judicial**  
 39                   **conference of Indiana, and to the statewide justice**  
 40                   **reinvestment advisory council (established by IC 33-38-9.5-2),**  
 41                   **which shall publish the reports quarterly. The report to the**  
 42                   **legislative council must be in an electronic format under**



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**IC 5-14-6.**  
**Sec. 3. A supervising agency must do the following:**  
**(1) Establish conditions relating to approved and unapproved locations for each tracked individual under the supervising agency's supervision.**  
**(2) Communicate the conditions described in subdivision (1) to the monitor.**  
**(3) Develop and establish a protocol for the monitor to use in contacting the supervising agency, vulnerable victim, and local law enforcement with respect to a violation by a tracked individual.**  
**(4) Develop and publish a policy prohibiting certain relationships between a tracked individual and a monitor and employees of a monitor, including:**  
**(A) personal associations and relationships; and**  
**(B) business relationships.**  
**(5) Develop or approve detailed contingency plans for the monitor's operation in case of natural disaster, power outage, loss of telephone service, fire, flood, equipment malfunction, death, incapacitation, or personal emergency of a monitor, and, in the case of a third party contractor, the financial insolvency of the monitor.**  
**(6) Specify a backup verification method for a tracked individual if there is reason to believe that the tracked individual's monitoring device may lose communication with the monitor at an approved location. However, a supervising agency has the discretion to establish a backup verification method for any tracked individual regardless of whether the supervising agency has reason to believe that the monitoring device may lose communication at an approved location.**  
**Sec. 4. A monitor that is a third party contractor:**  
**(1) may not employ or be owned by any person convicted of a felony within the previous seven (7) years; and**  
**(2) may not employ an individual who was a tracked individual within the previous one (1) year.**  
**Sec. 5. (a) The supervising agency shall:**  
**(1) inform a vulnerable victim of where the tracked individual is not permitted to be;**  
**(2) if the vulnerable victim wishes to be informed if the tracked individual commits a violation as described in section 2(1)(A) through 2(1)(C) of this chapter, obtain the best manner of contacting the vulnerable victim from the**



1 vulnerable victim and provide this information to the  
2 monitor; and

3 (3) advise the vulnerable victim that events such as power  
4 outages, Internet outages, and natural disasters may interfere  
5 with the ability of the monitor to notify the vulnerable victim  
6 in a timely manner.

7 (b) Upon notice from a monitor of a possible violation by a  
8 tracked individual as described in section 2(1)(A) through 2(1)(C)  
9 of this chapter, the supervising agency shall, as soon as practicable,  
10 seek a warrant for the arrest of the tracked individual.

11 Sec. 6. (a) This subsection applies to a tracked individual who is  
12 charged with or convicted of a crime of violence (as defined in  
13 IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as  
14 defined in IC 16-18-2-88.5). As soon as possible, but not later than:

15 (1) fifteen (15) minutes after a warrant has been issued for a  
16 tracked individual to whom this subsection applies, a local law  
17 enforcement agency shall transmit details of the warrant to all  
18 active units; and

19 (2) sixty (60) minutes after a warrant has been issued for a  
20 tracked individual to whom this subsection applies, a local law  
21 enforcement agency shall dispatch a law enforcement officer  
22 to apprehend the tracked individual.

23 (b) This subsection applies to a tracked individual who is not  
24 charged with or convicted of a crime of violence (as defined in  
25 IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as  
26 defined in IC 16-18-2-88.5). As soon as possible, but not later than:

27 (1) sixty (60) minutes after a warrant has been issued for a  
28 tracked individual to whom this subsection applies, a local law  
29 enforcement agency shall transmit details of the warrant to all  
30 active units; and

31 (2) forty-eight (48) hours after a warrant has been issued for  
32 a tracked individual to whom this subsection applies, a local  
33 law enforcement agency shall dispatch a law enforcement  
34 officer to apprehend the tracked individual.

35 (c) The local law enforcement agency shall keep a record of each  
36 dispatch made under this section.

37 Sec. 7. (a) This subsection applies to contracts entered into and  
38 renewed after June 30, 2022. In addition to any penalties described  
39 in the contract, a supervising agency may cancel the contract of a  
40 third party contractor that fails to comply with the requirements  
41 of this chapter.

42 (b) If:



- 1           **(1) the supervising agency is a court; and**  
 2           **(2) the supervising agency has:**  
 3               **(A) canceled a contract under this section; or**  
 4               **(B) determined that it will not renew its contract with the**  
 5               **third party contractor due to the contractor's**  
 6               **performance;**

7           **the supervising agency shall inform the office of judicial**  
 8           **administration of its act or determination, along with a description**  
 9           **of its reasons. The office of judicial administration shall inform**  
 10           **every court that may act as a supervising agency of the identity of**  
 11           **the third party contractor, of the act or determination made by the**  
 12           **supervising agency, and of the reasons for the act or determination**  
 13           **by the supervising agency.**

14           **Sec. 8. (a) Except as described in subsection (b), the following**  
 15           **are immune from civil liability for an act or omission that occurs**  
 16           **in connection with the implementation of this chapter:**

- 17               **(1) A monitor.**  
 18               **(2) A supervising agency.**  
 19               **(3) A law enforcement agency.**  
 20               **(4) An employee of a person described in subdivisions (1)**  
 21               **through (3).**

22           **(b) The immunity described in subsection (a) does not apply if**  
 23           **the person committed gross negligence or willful or wanton**  
 24           **misconduct.**

25           **SECTION 17. IC 35-44.1-3-4, AS AMENDED BY P.L.158-2013,**  
 26           **SECTION 511, IS AMENDED TO READ AS FOLLOWS**  
 27           **[EFFECTIVE JULY 1, 2022]: Sec. 4. (a) This section does not apply**  
 28           **to a child who:**

- 29               **(1) flees from lawful detention (as defined in IC 35-31.5-2-186)**  
 30               **where the child has been placed;**  
 31               **(2) violates a home detention order imposed on the child;**  
 32               **(3) removes, disables, or interferes with the operation of an**  
 33               **electronic monitoring device or GPS tracking device that the**  
 34               **child is required to wear; or**  
 35               **(4) fails to return to lawful detention following temporary**  
 36               **leave granted for a specified purpose or limited period;**  
 37           **due to an allegation or adjudication that the child committed an act**  
 38           **described in IC 31-37-2-3 through IC 31-37-2-7 (status offenses),**  
 39           **unless the child, while committing the offense, draws or uses a**  
 40           **deadly weapon or inflicts bodily injury on another person.**

41           **(b) A person, except as provided in subsection (b); (c), who**  
 42           **intentionally flees from lawful detention commits escape, a Level 5**



1 felony. However, the offense is a Level 4 felony if, while committing  
 2 it, the person draws or uses a deadly weapon or inflicts bodily injury on  
 3 another person.

4 ~~(b)~~ (c) A person who:

5 (1) knowingly or intentionally violates a home detention order,  
 6 **except for a provision of a home detention order relating to:**

7 **(A) the possession or consumption of alcohol or a**  
 8 **controlled substance in the person's home;**

9 **(B) tardiness to or missed appointments with supervising**  
 10 **staff; or**

11 **(C) the failure to pay user fees; or**

12 **(2) intentionally removes, disables, or interferes with the**  
 13 **operation of** an electronic monitoring device or GPS tracking  
 14 device;

15 commits escape, a Level 6 felony.

16 ~~(c)~~ (d) A person who knowingly or intentionally fails to return to  
 17 lawful detention following temporary leave granted for a specified  
 18 purpose or limited period commits failure to return to lawful detention,  
 19 a Level 6 felony. However, the offense is a Level 5 felony if, while  
 20 committing it, the person draws or uses a deadly weapon or inflicts  
 21 bodily injury on another person.



## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 9, 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 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-37-2-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 8. A child commits a delinquent act if, before becoming eighteen (18) years of age, the child:**

- (1) intentionally flees from lawful detention (as defined in IC 35-31.5-2-186) where the child has been placed;**
- (2) knowingly or intentionally violates a home detention order imposed on the child;**
- (3) intentionally removes, disables, or interferes with the operation of an electronic monitoring device or GPS tracking device that the child is required to wear; or**
- (4) knowingly or intentionally fails to return to lawful detention following temporary leave granted for a specified purpose or limited period;**

**due to an allegation or adjudication that the child committed an act described in this chapter.**

SECTION 2. IC 34-30-2-149.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 149.7. IC 35-38-2.7 (Concerning electronic monitoring standards).**

SECTION 3. IC 35-31.5-2-204.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 204.7. "Monitor", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1."**

Page 1, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 4. IC 35-31.5-2-318.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 318.5. "Supervising agency", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1.**

SECTION 5. IC 35-31.5-2-337.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 337.3. "Tracked individual", for purposes of IC 35-38-2.7, has the meaning set forth in**





**IC 35-38-2.7-1.**

SECTION 6. IC 35-31.5-2-352.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 352.5. "Vulnerable victim", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1."**

Page 1, delete lines 6 through 17.

Delete page 2.

Page 3, delete lines 1 through 5.

Page 4, between lines 25 and 26, begin a new line block indented and insert:

**"(5) "Vulnerable victim" means the victim of a crime committed or alleged to have been committed by a tracked individual:**

**(A) under circumstances suggesting that the tracked individual may disturb, harass, or harm the victim, as determined by a court or the supervising agency;**

**(B) if the tracked individual is the subject of a protection order, restraining order, or no contact order with respect to the victim; or**

**(C) that is a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5)."**

Page 4, delete lines 26 through 42, begin a new paragraph and insert:

**"Sec. 2. A monitor must do the following:**

**(1) Provide notification to the supervising agency as soon as possible, but not later than fifteen (15) minutes, after:**

**(A) the monitoring device of a tracked individual suffers an unexplained or undocumented loss of communication with the monitor;**

**(B) a tracked individual enters a prohibited exclusion zone;**  
**or**

**(C) a tracked individual removes, disables, or otherwise interferes with a monitoring device.**

**In addition, if the tracked individual has committed or is alleged to have committed a crime against a vulnerable victim, the monitor shall notify the vulnerable victim and request local law enforcement to conduct a welfare check on the vulnerable victim in accordance with the protocol developed by the supervising agency under section 3 of this chapter.**

**(2) Employ at least one (1) employee per:**



- (A) thirty (30) tracked individuals placed on electronic monitoring due to being charged with or convicted of:
- (i) a crime of violence (as defined in IC 35-50-1-2(a)); or
  - (ii) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5); or
- (B) seventy-five (75) tracked individuals placed on electronic monitoring who are not charged with or convicted of:
- (i) a crime of violence (as defined in IC 35-50-1-2(a)); or
  - (ii) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5).
- (3) Verify in person the location of each tracked individual placed on electronic monitoring due to being charged with or convicted of:
- (A) a crime of violence (as defined in IC 35-50-1-2(a)); or
  - (B) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5);
- by making one (1) scheduled in person contact and one (1) unannounced in person contact with the individual in every thirty (30) day period.
- (4) Transmit a quarterly report to the local justice reinvestment advisory council (established by IC 33-38-9.5-4) that includes information concerning:
- (A) the total number of persons under supervision, whether they are under pretrial or post-disposition supervision, and the charges they are facing or have been convicted of;
  - (B) the number of persons under supervision assigned to each employee;
  - (C) the total costs and fees levied and collected;
  - (D) the number of persons under supervision whose supervision has been terminated and the reason for termination; and
  - (E) the number of false location alerts or device malfunctions in the case of each person under supervision.
- The report must be submitted not later than fifteen (15) calendar days after the close of each quarter. The local justice reinvestment advisory council shall transmit each report electronically to the legislative council and to the statewide justice reinvestment advisory council (established by IC 33-38-9.5-2), which shall publish the reports quarterly. The report to the legislative council must be in an electronic



**format under IC 5-14-6."**

Page 5, line 8, after "agency," insert "**vulnerable**".

Page 5, delete lines 27 through 42, begin a new paragraph and insert:

**"Sec. 5. (a) The supervising agency shall:**

**(1) inform a vulnerable victim of where the tracked individual is not permitted to be;**

**(2) if the vulnerable victim wishes to be informed if the tracked individual commits a violation as described in section 2(1)(A) through 2(1)(C) of this chapter, obtain the best manner of contacting the vulnerable victim from the vulnerable victim and provide this information to the monitor; and**

**(3) advise the vulnerable victim that events such as power outages, Internet outages, and natural disasters may interfere with the ability of the monitor to notify the vulnerable victim in a timely manner.**

**(b) Upon notice from a monitor of a possible violation by a tracked individual as described in section 2(1)(A) through 2(1)(C) of this chapter, the supervising agency shall, as soon as practicable, seek a warrant for the arrest of the tracked individual.**

**Sec. 6. (a) This subsection applies to a tracked individual who is charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than:**

**(1) fifteen (15) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and**

**(2) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual.**

**(b) This subsection applies to a tracked individual who is not charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than:**

**(1) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and**

**(2) forty-eight (48) hours after a warrant has been issued for**



**a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual.**

**(c) The local law enforcement agency shall keep a record of each dispatch made under this section."**

Page 6, delete line 1.

Page 6, between lines 20 and 21, begin a new paragraph and insert:

**"Sec. 8. (a) Except as described in subsection (b), the following are immune from civil liability for an act or omission that occurs in connection with the implementation of this chapter:**

- (1) A monitor.**
- (2) A supervising agency.**
- (3) A law enforcement agency.**
- (4) An employee of a person described in subdivisions (1) through (3).**

**(b) The immunity described in subsection (a) does not apply if the person committed gross negligence or willful or wanton misconduct."**

Page 6, delete lines 21 through 37, begin a new paragraph and insert:

**"SECTION 11. IC 35-44.1-3-4, AS AMENDED BY P.L.158-2013, SECTION 511, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) This section does not apply to a child who:**

- (1) flees from lawful detention (as defined in IC 35-31.5-2-186) where the child has been placed;**
- (2) violates a home detention order imposed on the child;**
- (3) removes, disables, or interferes with the operation of an electronic monitoring device or GPS tracking device that the child is required to wear; or**
- (4) fails to return to lawful detention following temporary leave granted for a specified purpose or limited period;**

**due to an allegation or adjudication that the child committed an act described in IC 31-37-2-3 through IC 31-37-2-7 (status offenses), unless the child, while committing the offense, draws or uses a deadly weapon or inflicts bodily injury on another person.**

**(b) A person, except as provided in subsection ~~(b)~~, (c), who intentionally flees from lawful detention commits escape, a Level 5 felony. However, the offense is a Level 4 felony if, while committing it, the person draws or uses a deadly weapon or inflicts bodily injury on another person.**

**~~(b)~~ (c) A person who:**



- (1) knowingly or intentionally violates a home detention order; or
- (2) intentionally removes, **disables, or interferes with the operation of** an electronic monitoring device or GPS tracking device;

commits escape, a Level 6 felony.

(~~e~~) (d) A person who knowingly or intentionally fails to return to lawful detention following temporary leave granted for a specified purpose or limited period commits failure to return to lawful detention, a Level 6 felony. However, the offense is a Level 5 felony if, while committing it, the person draws or uses a deadly weapon or inflicts bodily injury on another person."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 9 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 9, Nays 0.

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#### SENATE MOTION

Madam President: I move that Senate Bill 9 be amended to read as follows:

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 35-31.5-2-24.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 24.7. "Backup verification method", for purposes of IC 35-38-2.7, has the meaning set forth in IC 35-38-2.7-1.**"

Page 3, between lines 26 and 27, begin a new line block indented and insert:

**"(1) "Backup verification method" means a method of determining whether a tracked individual is in an approved location in the event that the tracked individual's monitoring device loses communication with the monitor. The term may include making electronic or telephonic contact with an employer of a tracked individual."**

Page 3, line 27, delete "(1)" and insert "(2)".

Page 3, line 34, delete "(2)" and insert "(3)".



Page 3, line 36, delete "(3)" and insert "(4)".

Page 4, line 4, delete "(4)" and insert "(5)".

Page 4, line 6, delete "(5)" and insert "(6)".

Page 4, line 22, delete "monitor;" and insert **"monitor, and the monitor is unable to verify the tracked individual's presence at an approved location by using a backup verification method, if applicable;"**.

Page 6, between lines 14 and 15, begin a new line block indented and insert:

**"(6) Specify a backup verification method for a tracked individual if there is reason to believe that the tracked individual's monitoring device may lose communication with the monitor at an approved location. However, a supervising agency has the discretion to establish a backup verification method for any tracked individual regardless of whether the supervising agency has reason to believe that the monitoring device may lose communication at an approved location."**

(Reference is to SB 9 as printed January 21, 2022.)

WALKER K

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SENATE MOTION

Madam President: I move that Senate Bill 9 be amended to read as follows:

Page 8, line 31, delete "order;" and insert "order, **except for a provision of a home detention order relating to:**

**(A) the possession or consumption of alcohol or a controlled substance in the person's home;**

**(B) tardiness to or missed appointments with supervising staff; or**

**(C) the failure to pay user fees;"**.

(Reference is to SB 9 as printed January 21, 2022.)

POL JR.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to

ES 9—LS 6480/DI 106



which was referred Senate Bill 9, 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:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 11-13-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. ~~(a)~~ Every probation department shall annually compile, and make available to the judicial conference of Indiana upon request, accurate statistical information pertaining to its operation, including:

- (1) presentence and predisposition reports prepared;
- (2) investigations and reports regarding cases assigned to that probation department and disposed of prior to trial;
- (3) cases disposed of by termination of supervision, including revocation of probation;
- (4) that probation department's operational costs, including salaries of probation officers and administrative personnel; and
- (5) persons employed.

~~(b) Before January 5 of each year each probation department shall send to the judicial conference the following statistical information concerning home detention for the preceding calendar year:~~

- ~~(1) The number of persons supervised by the department or by a community corrections program who were placed in home detention under IC 35-38-2.5.~~
- ~~(2) The number of persons supervised by the department or by a community corrections program who successfully completed a period of home detention ordered under IC 35-38-2.5.~~
- ~~(3) The number of persons supervised by the department or by a community corrections program who failed to complete a period of home detention ordered under IC 35-38-2.5; and a description of the subsequent disposition for those persons.~~
- ~~(4) For each person under home detention supervised by the department or by a community corrections program; a description of the most serious offense for which the person was convicted with the resulting sentence including a period of home detention ordered as a condition of probation.~~
- ~~(5) The amount of home detention user fees collected by the department under IC 35-38-2.5.~~
- ~~(6) The amount of home detention user fees deposited into the community corrections home detention fund for the county in which the department is located.~~
- ~~(7) The average expense per person placed in home detention~~



supervised by the department with a monitoring device.

(8) ~~The average expense per person placed in home detention supervised by the department without a monitoring device.~~

SECTION 2. IC 11-13-1-9, AS AMENDED BY P.L.24-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 9. (a) The judicial conference of Indiana shall:

- (1) keep informed of the work of all probation departments;
- (2) compile and publish statistical and other information that may be of value to the probation service;
- (3) inform courts and probation departments of legislation concerning probation and of other developments in probation;
- (4) submit to the general assembly before January 15 of each year a report in an electronic format under IC 5-14-6 compiling the statistics provided to the judicial conference by ~~probation departments~~ **the local justice reinvestment advisory council** under ~~section 4(b) of this chapter; IC 35-38-2.7-2(4);~~ and
- (5) require probation departments to submit a community supervision collaboration plan as described in IC 11-12-2-4.

(b) The conference may:

- (1) visit and inspect any probation department and confer with probation officers and judges administering probation; and
- (2) require probation departments to submit periodic reports of their work on forms furnished by the conference."

Page 2, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 10. IC 35-38-2.5-2.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2.3. As used in this chapter, "constant supervision" means monitoring a violent offender ~~twenty-four (24) hours each day by means in accordance with the requirements~~ described in ~~section 12(b) of this chapter; IC 35-38-2.7."~~

Page 3, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 14. IC 35-38-2.5-10, AS AMENDED BY P.L.31-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 10. (a) Each probation department or community corrections program shall establish written criteria and procedures for determining whether an offender or alleged offender that the department or program supervises on home detention qualifies as a violent offender.

(b) A probation department or community corrections program shall use the criteria and procedures established under subsection (a) to establish a record keeping system that allows the department or program to quickly determine whether an offender or alleged offender





who violates the terms of a home detention order is a violent offender.

(c) A probation department or a community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall provide all law enforcement agencies (including any contract agencies) having jurisdiction in the place where the probation department or a community corrections program is located with a list of offenders and alleged offenders under home detention supervised by the probation department or the community corrections program. The list must include the following information about each offender and alleged offender:

- (1) The offender's name, any known aliases, and the location of the offender's home detention.
- (2) The crime for which the offender was convicted.
- (3) The date the offender's home detention expires.
- (4) The name, address, and telephone number of the offender's supervising probation or community corrections program officer for home detention.
- (5) An indication of whether the offender or alleged offender is a violent offender.

(d) Except as provided under section 6(1) of this chapter, a probation department or community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall, at the beginning of a period of home detention, set the monitoring device and surveillance equipment to minimize the possibility that the offender or alleged offender can enter another residence or structure without a violation.

(e) A probation department or community corrections program charged by a court with supervision of offenders and alleged offenders ordered to undergo home detention shall

- (1) maintain or contract with a contract agency to maintain constant supervision of each offender and alleged offender **in accordance with IC 35-38-2.7. and**
- (2) have adequate staff available twenty-four (24) hours each day to respond if an offender or alleged offender violates the conditions of a home detention order.

(f) A contract agency that maintains supervision of an offender or alleged offender under subsection (e)(1) shall notify the contracting probation department or community corrections program within one (1) hour if the offender or alleged offender violates the conditions of a home detention order. However:

- (1) a community corrections advisory board; if the offender is serving home detention as part of a community corrections



program; or  
 (2) a probation department, if the offender or alleged offender is serving home detention as a condition of probation or bail;  
 may shorten the time in which the contract agency must give notice of a home detention order violation.

~~(g)~~ (f) A probation department or community corrections program may contract with a contract agency under subsection ~~(e)(1)~~ (e) only if the contract agency can comply with subsection (f): **the requirements described in IC 35-38-2.7.**

SECTION 15. IC 35-38-2.5-12, AS AMENDED BY P.L.31-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 12. (a) A probation department or community corrections program charged by a court with supervision of a violent offender placed on home detention under this chapter shall **comply with IC 35-38-2.7.**

~~(1)~~ cause a local law enforcement agency or contract agency described in section 10 of this chapter to be the initial agency contacted upon determining that the violent offender is in violation of a home detention order;

(2) maintain constant supervision of the violent offender using surveillance equipment and a monitoring device that can transmit information twenty-four (24) hours each day regarding an offender's precise location by either:

- (A) using the supervising entity's equipment and personnel; or
- (B) contracting with a contract agency; and

(3) have adequate staff available twenty-four (24) hours each day to respond if the violent offender violates the conditions of a home detention order.

(b) A contract agency that maintains supervision of a violent offender under subsection (a)(2) shall notify the contracting probation department or community corrections program within one (1) hour if the violent offender violates the conditions of a home detention order.

However, a:

(1) community corrections advisory board, if the violent offender is serving home detention as part of a community corrections program; or

(2) probation department, if the violent offender is serving home detention as a condition of probation or bail;

may shorten the time in which the contract agency must give notice of a home detention order violation.

~~(c)~~ (b) A probation department or community corrections program may contract with a contract agency under subsection ~~(a)(2)~~ (a) only if



the contract agency can comply with ~~subsection (b):~~ **the requirements described in IC 35-38-2.7.**"

Page 5, line 26, delete "Transmit" and insert "**Beginning January 1, 2023, transmit**".

Page 5, line 30, delete "post-disposition" and insert "**postdisposition**".

Page 6, line 2, delete "council" and insert "**council, to the judicial conference of Indiana,**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 9 as reprinted January 25, 2022.)

MCNAMARA

Committee Vote: yeas 9, nays 0.

