

SENATE BILL No. 112

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-3-5-1.

Synopsis: Continuance for conflict with study committee. Requires a court or governmental entity to grant a continuance upon the motion of a party, a defendant, or an attorney if the party, defendant, or attorney is a member of the general assembly and a proceeding of the court or governmental entity conflicts with the member's attendance at a meeting of a study committee.

Effective: July 1, 2018.

Randolph Lonnie M

January 3, 2018, read first time and referred to Committee on Rules and Legislative Procedure.



Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 112

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

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

1 SECTION 1. IC 2-3-5-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2018]: Sec. 1. **(a)** Whenever a:
3 (1) party to a civil action;
4 (2) defendant in a criminal action; or
5 (3) party in an administrative adjudication before a state or local
6 governmental entity;
7 shall, in person or by attorney, move the court or other governmental
8 entity before which such action is pending for a continuance on the
9 grounds that said party or defendant, or his or her attorney, is a member
10 of the general assembly of the state of Indiana, the court or other
11 governmental entity shall grant such motion for a continuance to a date
12 not sooner than thirty (30) days following the date of adjournment of
13 the session of the general assembly during which such cause of action
14 has been set or rule has been made returnable.
15 **(b) If:**
16 **(1) a member of the general assembly is:**
17 **(A) a party to a civil action;**



1 **(B) a defendant in a criminal action;**
2 **(C) a party in an administrative adjudication before a state**
3 **or local governmental entity; or**
4 **(D) the attorney of a person described in clauses (A)**
5 **through (C); and**
6 **(2) a proceeding of the court or other governmental entity in**
7 **which an action or administrative adjudication described in**
8 **subdivision (1) is pending conflicts with the member's**
9 **attendance at a meeting of a study committee established**
10 **under IC 2-5, regardless of whether the member attends the**
11 **meeting as a member of the study committee or as a witness**
12 **appearing in the member's legislative capacity;**
13 **the party, defendant, or attorney may move the court or other**
14 **governmental entity before which the action is pending for a**
15 **continuance on the grounds of the conflict with the study**
16 **committee described in subdivision (2). The court or other**
17 **governmental entity shall grant a motion for a continuance made**
18 **under this subsection to a date mutually agreed upon by the parties**
19 **and the court or other governmental entity.**

