

SENATE BILL No. 122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-12-5.5.

Synopsis: Regional jails. Specifies that the executive of a county may enter into an interlocal agreement with one or more other local or state entities for the construction, maintenance, or operation of a regional jail. Provides that in the case of a county, the county executive may not enter into a regional jail agreement unless the regional jail agreement is first approved by both the county fiscal body and the county sheriff. Specifies certain terms that must be included in the regional agreement (in addition to those terms required under all interlocal agreements).

Effective: July 1, 2018.

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January 3, 2018, read first time and referred to Committee on Local Government.



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. 122

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 11-12-5.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2018]:

4 **Chapter 5.5. Regional Jails**

5 **Sec. 1.** As used in this chapter, "regional jail agreement" means
6 an agreement described in section 2(a) of this chapter.

7 **Sec. 2. (a)** Subject to the requirements of this chapter, the
8 executive of a county may enter into an agreement under IC 36-1-7
9 with one (1) or more entities described in IC 36-1-7-1 for the
10 construction, maintenance, or operation of a regional jail.

11 **(b)** In the case of a county, the county executive may not enter
12 into a regional jail agreement under this chapter unless the
13 regional jail agreement is first approved by both the county fiscal
14 body and the county sheriff.

15 **Sec. 3.** In addition to the provisions required under IC 36-1-7-3,
16 a regional jail agreement must include terms concerning the
17 following:



(1) The location of the regional jail.

(2) The acquisition, construction, leasing, maintenance, repair, operation, termination of operations, and administration of the regional jail.

(3) The manner in which each participating entity's proportionate share of the funding for the regional jail will be determined.

(4) The manner in which any:

(A) per diem paid by the state; or

(B) other reimbursement paid by the state;

for the costs of incarcerating individuals in a county jail or the costs of medical care expenses incurred for individuals in a county jail will be used by the participating entities.

(5) Any pledge of local revenue that will be required to carry out the regional agreement or to pay bonds issued or leases entered into by a participating entity to carry out the regional jail agreement.

(6) The standards that will apply to the regional jail.

(7) The method of determining the inmate programs, activities, and services that will be provided at the regional jail.

(8) The method of resolving disputes among the participating entities concerning the regional jail agreement, if any such disputes arise.

Sec. 4. If the participating entities determine that the regional jail agreement entered into under this chapter shall be administered by a separate legal entity as authorized by IC 36-1-7-3(a)(5)(A) or by a joint board as authorized by IC 36-1-7-3(a)(5)(B), the county sheriff of each county participating in the agreement (or the county sheriff's designee) must be included as a member on the governing board of the separate legal entity or as a member of the joint board.

Sec. 5. This chapter supplements and does not limit the authority of any entity to enter into an agreement under IC 36-1-7 concerning regional or multicounty jails.

