



February 21, 2014

**ENGROSSED
SENATE BILL No. 171**

DIGEST OF SB 171 (Updated February 19, 2014 2:41 pm - DI 84)

Citations Affected: IC 11-12; IC 11-13.

Synopsis: Community supervision. Requires a community corrections program to develop a plan of collaboration with the county probation department as a condition of receiving financial assistance from the department of correction. Permits the commissioner of the department of correction to award additional financial aid to counties with an approved community supervision collaboration plan. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

Effective: July 1, 2014.

**Young R Michael, Head, Stoops,
Randolph**

(HOUSE SPONSORS — MCMILLIN, STEUERWALD)

January 8, 2014, read first time and referred to Committee on Corrections & Criminal Law.
January 30, 2014, amended, reported favorably — Do Pass.
February 3, 2014, read second time, ordered engrossed. Engrossed.
February 4, 2014, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 10, 2014, read first time and referred to Committee on Courts and Criminal Code.
February 20, 2014, reported — Do Pass.

ES 171—LS 6514/DI 106



February 21, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 171

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

1 SECTION 1. IC 11-12-2-4, AS AMENDED BY P.L.105-2010,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 4. (a) A county or group of counties seeking
4 financial aid under this chapter must apply to the commissioner in a
5 manner and form prescribed by the commissioner. The application
6 must include a community corrections plan that has been approved by
7 the community corrections board and the county executive or, in a
8 county having a consolidated city, by the city-county council. No
9 county may receive financial aid until its application is approved by the
10 commissioner.
11 (b) A community corrections plan must comply with rules adopted
12 under section 5 of this chapter and must include:
13 (1) a description of each program for which financial aid is
14 sought;
15 (2) the purpose, objective, administrative structure, staffing, and
16 duration of the program;

ES 171—LS 6514/DI 106



- 1 (3) a method to evaluate each component of the program to
 2 determine the overall use of department approved best practices
 3 for the program;
 4 (4) the program's total operating budget, including all other
 5 sources of anticipated income;
 6 (5) the amount of community involvement and client participation
 7 in the program;
 8 (6) the location and description of facilities that will be used in
 9 the program; ~~and~~
 10 (7) the manner in which counties that jointly apply for financial
 11 aid under this chapter will operate a coordinated community
 12 corrections program; **and**
 13 **(8) a plan of collaboration between the probation department**
 14 **and the community corrections program for the provision of**
 15 **community supervision for adult offenders. The community**
 16 **supervision collaboration plan must be submitted to the**
 17 **department and the Indiana judicial center by July 1, 2017,**
 18 **and must include:**
 19 (A) a description of the evidence based services provided
 20 to felony offenders by the community corrections program
 21 and the probation department;
 22 (B) the manner in which the community corrections
 23 program and the probation department intend to reduce
 24 the duplication of services to offenders under community
 25 supervision;
 26 (C) the manner in which the community corrections
 27 program and the probation department intend to
 28 coordinate operations and collaborate on the supervision
 29 of adult felony offenders;
 30 (D) the eligibility criteria established for community based
 31 services provided to adult felony offenders;
 32 (E) the criteria for using the community corrections
 33 program as an intermediate sanction for an offender's
 34 violation of probation conditions;
 35 (F) a description of how financial aid from the department,
 36 program fees, and probation user fees will be used to
 37 provide services to adult felony offenders; and
 38 (G) documentary evidence of compliance with department
 39 rules for community corrections programs and judicial
 40 conference of Indiana standards for probation
 41 departments.
 42 (c) A community corrections plan must be annually updated,



1 approved by the county executive or, in a city having a consolidated
2 city, by the city-county council, and submitted to the commissioner.

3 (d) No amendment to or substantial modification of an approved
4 community corrections plan may be placed in effect until the
5 department and county executive, or in a county having a consolidated
6 city, the city-county council, have approved the amendment or
7 modification.

8 (e) A copy of the final plan as approved by the department shall be
9 made available to the board in a timely manner.

10 **(f) The commissioner may, subject to availability of funds, give**
11 **priority in issuing additional financial aid to counties with a**
12 **community supervision collaboration plan approved by the**
13 **department and the Indiana judicial center. The additional**
14 **financial aid may be used for any evidence based service or**
15 **program in the approved plan.**

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

19 (1) keep informed of the work of all probation departments;

20 (2) compile and publish statistical and other information that may
21 be of value to the probation service;

22 (3) inform courts and probation departments of legislation
23 concerning probation and of other developments in probation; ~~and~~

24 (4) submit to the general assembly before January 15 of each year
25 a report in an electronic format under IC 5-14-6 compiling the
26 statistics provided to the judicial conference by probation
27 departments under section 4(b) of this chapter; **and**

28 **(5) require probation departments to submit a community**
29 **supervision collaboration plan as described in IC 11-12-2-4.**

30 (b) The conference may:

31 (1) visit and inspect any probation department and confer with
32 probation officers and judges administering probation; and

33 (2) require probation departments to submit periodic reports of
34 their work on forms furnished by the conference.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 171, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 171 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 8, Nays 1.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 171, 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 SB 171 as printed January 31, 2014.)

Committee Vote: Yeas 9, Nays 0

Representative McMillin

