

SENATE BILL No. 211

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-10-21.

Synopsis: Jail commissary fund. Requires a sheriff to maintain a record of the jail commissary fund's (fund) activities. Requires the state board of accounts to prescribe commissary forms to record fund activities. Requires a sheriff to provide certain information concerning the fund to the county fiscal body by certain dates.

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. 211

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

- 1 SECTION 1. IC 36-8-10-21, AS AMENDED BY P.L.216-2007,
- 2 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2018]: Sec. 21. (a) This section applies to any county that has
- 4 a jail commissary that sells merchandise to inmates.
- 5 (b) A jail commissary fund is established, referred to in this section
- 6 as "the fund". The fund is separate from the general fund, and money
- 7 in the fund does not revert to the general fund.
- 8 (c) The sheriff, or the sheriff's designee, shall deposit all money
- 9 from commissary sales into the fund, which the sheriff or the sheriff's
- 10 designee shall keep in a depository designated under IC 5-13-8.
- 11 (d) The sheriff, or the sheriff's designee, at the sheriff's or the
- 12 sheriff's designee's discretion and without appropriation by the county
- 13 fiscal body, may disburse money from the fund for:
- 14 (1) merchandise for resale to inmates through the commissary;
- 15 (2) expenses of operating the commissary, including, but not
- 16 limited to, facilities and personnel;
- 17 (3) special training in law enforcement for employees of the



- 1 sheriff's department;
- 2 (4) equipment installed in the county jail;
- 3 (5) equipment, including vehicles and computers, computer
- 4 software, communication devices, office machinery and
- 5 furnishings, cameras and photographic equipment, animals,
- 6 animal training, holding and feeding equipment and supplies, or
- 7 attire used by an employee of the sheriff's department in the
- 8 course of the employee's official duties;
- 9 (6) an activity provided to maintain order and discipline among
- 10 the inmates of the county jail;
- 11 (7) an activity or program of the sheriff's department intended to
- 12 reduce or prevent occurrences of criminal activity, including the
- 13 following:
- 14 (A) Substance abuse.
- 15 (B) Child abuse.
- 16 (C) Domestic violence.
- 17 (D) Drinking and driving.
- 18 (E) Juvenile delinquency;
- 19 (8) expenses related to the establishment, operation, or
- 20 maintenance of the sex and violent offender registry web site
- 21 under IC 36-2-13-5.5; or
- 22 (9) any other purpose that benefits the sheriff's department that is
- 23 mutually agreed upon by the county fiscal body and the county
- 24 sheriff.
- 25 Money disbursed from the fund under this subsection must be
- 26 supplemental or in addition to, rather than a replacement for, regular
- 27 appropriations made to carry out the purposes listed in subdivisions (1)
- 28 through (8).
- 29 (e) The sheriff shall maintain:
- 30 (1) a record of the fund's receipts and disbursements; **and**
- 31 (2) **a record of the fund's activities.**
- 32 (f) The state board of accounts shall prescribe ~~the form forms~~ for
- 33 ~~this record~~ **the records described in subsection (e).**
- 34 (g) The sheriff shall semiannually provide ~~a copy of this record of~~
- 35 ~~receipts and disbursements~~ **the information described in subsection**
- 36 **(e) on the forms described in subsection (f)** to the county fiscal body
- 37 ~~The semiannual reports are due: by:~~
- 38 (1) ~~on July 1~~ **July 15 of each year, for the previous January**
- 39 **through June; and**
- 40 (2) ~~December 31~~ **January 15 of each year, for the previous July**
- 41 **through December.**

