



January 19, 2018

SENATE BILL No. 211

DIGEST OF SB 211 (Updated January 17, 2018 2:05 pm - DI 84)

Citations Affected: IC 36-8.

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.

Brown L

January 3, 2018, read first time and referred to Committee on Local Government.
January 18, 2018, reported favorably — Do Pass.

SB 211—LS 6699/DI 107



January 19, 2018

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

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- 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.**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 211, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 211 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 8, Nays 0

