

March 27, 2019

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## SENATE RESOLUTION No. 52

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### DIGEST OF RESOLUTION

A SENATE RESOLUTION urging the Legislative Council to assign the topics of court costs for indigent individuals and the look-back time period for prior unrelated convictions in Indiana's criminal code to the appropriate study committee.

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**Tallian, Randolph Lonnie M**

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March 19, 2019, read first time and referred to Committee on Corrections and Criminal Law.  
March 26, 2019, reported favorably — Do Pass.

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SR 52—DR 3848/DI AM



March 27, 2019

First Regular Session 121st General Assembly (2019)

## SENATE RESOLUTION No. 52

MADAM PRESIDENT:

I offer the following resolution and move its adoption:

1           A SENATE RESOLUTION urging the Legislative Council  
2 to assign the topics of court costs for indigent individuals and  
3 the look-back time period for prior unrelated convictions in  
4 Indiana's criminal code to the appropriate study committee.

5           *Whereas, The term "indigent individual" commonly refers*  
6 *to a person who is too poor to hire a lawyer and who, upon*  
7 *indictment, becomes eligible to receive aid from a court-*  
8 *appointed attorney and a waiver of court costs;*

9           *Whereas, Current Indiana Criminal Code does not define*  
10 *the term "indigent";*

11           *Whereas, It is unclear how Indiana courts are determining*  
12 *indigence when considering court costs;*

13           *Whereas, During sentencing for some offenses, judges have*  
14 *the discretion to consider and individual's prior convictions in*  
15 *determining the appropriate sentence; and*

16           *Whereas, Current Indiana Code does not provide standard*  
17 *guidelines regarding consideration of prior unrelated*  
18 *convictions during sentencing: Therefore,*

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1                                    *Be it resolved by the Senate of the*  
2                                    *General Assembly of the State of Indiana:*

3                                    SECTION 1. That the Legislative Council is urged to assign to an  
4                                    appropriate study committee the topics of indigency in Indiana's  
5                                    criminal code and establishing guidelines on the use of look-back  
6                                    periods for judges during sentencing of a convicted individual.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Resolution No. 52, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution DO PASS.

(Reference is to SR 52 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 8, Nays 0

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