

February 13, 1998

ENGROSSED HOUSE BILL No. 1083

DIGEST OF HB1083 (Updated February 11, 1998 4:40 pm - DI 87)

Citations Affected: IC 12-28.

Synopsis: Licensing residential communities. Requires the community residential facilities council to license one supervised group living facility that is located less than 1,000 feet from another supervised group living facility or from a sheltered workshop if the following conditions are met: (1) The supervised group living facility meets all other requirements for licensure. (2) The supervised group living facility is built on land that is owned by one private entity. (3) The community formed by at least two facilities will provide job opportunities for residents of the supervised group living facilities. Provides that a supervised group living facility meeting the criteria may only locate in only one of the following counties: Posey County, Vanderburgh County, or Warrick County.

Effective: July 1, 1998.

Avery, Stilwell, Becker, L. Lutz

(SENATE SPONSORS — SERVER, O'DAY)

January 6, 1998, read first time and referred to Committee on Local Government.
January 27, 1998, amended, reported — Do Pass.
February 2, 1998, read second time, ordered engrossed. Engrossed.
February 3, 1998, read third time, passed. Yeas 87, nays 5.

SENATE ACTION

February 9, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.
February 12, 1998, reported favorably — Do Pass.

EH 1083—LS 6668/DI 88+



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February 13, 1998

Second Regular Session 110th General Assembly (1998)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

ENGROSSED HOUSE BILL No. 1083

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

- 1 SECTION 1. IC 12-28-5-12, AS AMENDED BY P.L.255-1996,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 12. (a) The council may license only those
4 supervised group living facilities that:
5 (1) meet the standards established under section 10 of this
6 chapter; and ~~that~~
7 (2) are necessary to provide adequate services to developmentally
8 disabled individuals in that geographic area.
9 (b) **A supervised group living facility described in subsection (c)**
10 **may only locate in only one (1) of the following counties:**
11 (1) **a county having a population of more than twenty-five**
12 **thousand nine hundred fifty (25,950) but less than twenty-six**
13 **thousand (26,000);**
14 (2) **a county having a population of more than one hundred**
15 **sixty thousand (160,000) but less than two hundred thousand**
16 **(200,000); or**

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1 **(3) a county having a population of more than forty-four**
2 **thousand (44,000) but less than forty-five thousand (45,000).**
3 **(c) Notwithstanding 431 IAC 1.1-3-7(c) and 431 IAC 1.1-3-7(d),**
4 **the council shall license one (1) supervised group living facility that**
5 **is located less than one thousand (1,000) feet from another**
6 **supervised group living facility or a sheltered workshop under the**
7 **following conditions:**
8 **(1) Both of the supervised group living facilities meet all**
9 **standards for licensure as provided in section 10(3) of this**
10 **chapter.**
11 **(2) Both of the supervised group living facilities are built on**
12 **land that is owned by one (1) private entity.**
13 **(3) The community formed by the supervised group living**
14 **facilities provides job opportunities for residents of the**
15 **supervised group living facilities.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1083, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"(b) A supervised group living facility described in subsection (c) may only locate in only one (1) of the following counties:

(1) a county having a population of more than twenty-five thousand nine hundred fifty (25,950) but less than twenty-six thousand (26,000);

(2) a county having a population of more than one hundred sixty thousand (160,000) but less than two hundred thousand (200,000); or

(3) a county having a population of more than forty-four thousand (44,000) but less than forty-five thousand (45,000)."

Page 1, line 9, delete "(b)" and insert "(c)".

Page 1, line 10, delete "a" and insert "**one (1)**".

and when so amended that said bill do pass.

(Reference is to House Bill 1083 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 10, nays 2.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill 1083, 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 made to House Bill 1083 as printed January 28, 1998.)

GARD, Chairperson

Committee Vote: Yeas 5, Nays 3.

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