

February 16, 1998

**ENGROSSED
SENATE BILL No. 289**

DIGEST OF SB 289 (Updated February 12, 1998 5:55 pm - DI 76)

Citations Affected: Noncode.

Synopsis: Probation services study. Establishes the probation services study committee. Requires the committee to study: (1) the mission of probation services; (2) the duties, roles, and responsibilities of probation officers; (3) organizational changes considered necessary to improve the efficiency and thoroughness of the delivery of probation services; (4) improvements to the salary schedules and benefits available to probation officers and probation support staff; (5) training standards; (6) caseload and case classification standards; and (7) methods and levels of funding for probation services. Provides that the committee expires on November 1, 2000.

Effective: Upon passage.

Miller, Bowser, Randolph

(HOUSE SPONSORS — DOBIS, FOLEY)

January 8, 1998, read first time and referred to Committee on Judiciary.
January 29, 1998, reported favorably — Do Pass.
February 2, 1998, read second time, ordered engrossed. Engrossed.
February 3, 1998, read third time, passed. Yeas 47, nays 3.

HOUSE ACTION

February 10, 1998, read first time and referred to Committee on Courts and Criminal Code.
February 16, 1998, amended, reported — Do Pass.

ES 289—LS 7091/DI 51+



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February 16, 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 SENATE BILL No. 289

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

- 1 **SECTION 1. Sec. 1. As used in this SECTION, "committee"**
2 **refers to the probation services study committee established by**
3 **section 2 of this SECTION.**
- 4 **Sec. 2. Given that probation services are an integral part of the**
5 **law enforcement and correctional processes and are critical to**
6 **ensure safety in Indiana communities, the probation services study**
7 **committee is established.**
- 8 **Sec. 3. (a) The committee shall study, review, and make**
9 **recommendations concerning the following:**
- 10 **(1) The mission of probation services.**
11 **(2) The duties, roles, and responsibilities of probation officers.**
12 **(3) Organizational changes considered necessary to improve**
13 **the efficiency and thoroughness of the delivery of probation**
14 **services.**
15 **(4) Improvements to the salary schedules and benefits**
16 **available to probation officers and probation support staff.**

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- 1 **(5) Training standards.**
 2 **(6) Caseload and case classification standards.**
 3 **(7) Methods and levels of funding for probation services.**
 4 **(b) The committee may study other topics as assigned by the**
 5 **legislative council or as directed by the committee's chairman.**
 6 **(c) The committee is under the jurisdiction of the legislative**
 7 **council and shall operate under the direction of the legislative**
 8 **council.**
 9 **(d) Before November 1 of each year, the committee shall issue**
 10 **an annual or a final report stating its findings, conclusions, and**
 11 **recommendations. The committee shall issue other reports as**
 12 **directed by the legislative council.**
 13 **Sec. 4. (a) The committee consists of seventeen (17) members.**
 14 **(b) The speaker of the house of representatives, with the advice**
 15 **of the legislative leader of a major political party (as defined in**
 16 **IC 3-5-2-30) that is different from the political party of the speaker**
 17 **of the house of representatives, shall appoint two (2)**
 18 **representatives, not more than one (1) of whom is of the same**
 19 **political party, as members of the committee.**
 20 **(c) The president pro tempore of the senate, with the advice of**
 21 **the legislative leader of a major political party (as defined in**
 22 **IC 3-5-2-30) that is different from the political party of the**
 23 **president pro tempore, shall appoint two (2) senators, not more**
 24 **than one (1) of whom is of the same political party, as members of**
 25 **the committee.**
 26 **(d) The speaker of the house of representatives shall appoint the**
 27 **following additional members of the committee:**
 28 **(1) With the advice of the Indiana Judges Association, one (1)**
 29 **judge who exercises criminal jurisdiction.**
 30 **(2) With the advice of the Association of Indiana Counties,**
 31 **Inc., two (2) individuals who hold public office as a:**
 32 **(A) county clerk;**
 33 **(B) county auditor;**
 34 **(C) county commissioner; or**
 35 **(D) county council member.**
 36 **(3) One (1) individual to represent the judicial conference of**
 37 **Indiana.**
 38 **(4) One (1) individual to represent the department of**
 39 **correction.**
 40 **(5) One (1) individual to represent the prosecuting attorneys**
 41 **council of Indiana.**
 42 **(6) With the advice of the Indiana Sheriffs Association, Inc.,**

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- 1 one (1) county sheriff.
- 2 (e) The president pro tempore of the senate shall appoint the
- 3 following additional members of the committee:
- 4 (1) With the advice of the Indiana Judges Association, one (1)
- 5 judge who exercises juvenile jurisdiction.
- 6 (2) With the advice of the Association of Indiana Counties,
- 7 Inc., one (1) individual who holds public office as a:
- 8 (A) county clerk;
- 9 (B) county auditor;
- 10 (C) county commissioner; or
- 11 (D) county council member.
- 12 (3) With the advice of the Association of Indiana Prosecuting
- 13 Attorneys, Inc., one (1) county prosecuting attorney.
- 14 (4) With the advice of the Probation Officers Professional
- 15 Association of Indiana, one (1) probation officer.
- 16 (5) With the advice of the Indiana Association of Chiefs of
- 17 Police, one (1) municipal police chief.
- 18 (6) With the advice of the Indiana Association of Community
- 19 Corrections Act Counties, one (1) community corrections
- 20 program director.
- 21 (f) The chairman of the legislative council shall name one (1) of
- 22 the members chairman, and the vice chairman of the legislative
- 23 council shall name another member vice chairman. The appointing
- 24 authority may name a different chairman or vice chairman at any
- 25 time.
- 26 (g) A member of the committee may be removed at any time by
- 27 the appointing authority who appointed the member.
- 28 (h) If a vacancy occurs on the committee, the appointing
- 29 authority making the original appointment shall fill the vacancy.
- 30 Sec. 5. Each legislative member and each lay member of the
- 31 committee is entitled to receive the same per diem, mileage, and
- 32 travel allowances paid to individuals serving as legislative and lay
- 33 members, respectively, on interim study committees established by
- 34 the legislative council.
- 35 Sec. 6. Staff and administrative support for the committee shall
- 36 be provided by the legislative services agency.
- 37 Sec. 7. (a) The legislative council may establish a budget for the
- 38 committee.
- 39 (b) Subject to prior authorization of the legislative council, the
- 40 expenses incurred by the committee in performing its duties shall
- 41 be paid from the funds appropriated to the legislative council.
- 42 Sec. 8. The committee expires November 1, 2000.



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1 **Sec. 9. This SECTION expires November 2, 2000.**
2 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill 289, 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 Senate Bill 289 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 289, 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, line 1, delete "IC 2-5-26 IS ADDED TO THE INDIANA CODE AS".

Page 1, line 2, delete "A **NEW CHAPTER TO READ AS FOLLOWS**".

Page 1, line 3, delete ":".

Page 1, delete line 4.

Page 1, line 5, delete "chapter" and insert "**SECTION**".

Page 1, line 7, delete "chapter" and insert "**SECTION**".

Page 2, line 38, delete "councillor" and insert "**council member**".

Page 3, line 14, delete "councillor" and insert "**council member**".

Page 3, line 16, delete "prosecutor" and insert "**prosecuting attorney**".

Page 4, between lines 2 and 3, begin a new paragraph and insert:

"Sec. 8. The committee expires November 1, 2000.

Sec. 9. This SECTION expires November 2, 2000.

and when so amended that said bill do pass.

(Reference is to Senate Bill as printed January 30, 1998.)

DVORAK, Chair

Committee Vote: yeas 12, nays 1.

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