

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

SENATE ENROLLED ACT No. 600

AN ACT to amend the Indiana Code concerning courts and court officers.

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

SECTION 1. IC 2-3-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. Whenever a:

- (1) party to a civil action; ~~or a~~
- (2) defendant in a criminal action; ~~or~~
- (3) **party in an administrative adjudication before a state or local governmental entity;**

shall, in person or by attorney, move the court **or other governmental entity** before which such action is pending for a continuance on the grounds that said party or defendant, or his or her attorney, is a member of the general assembly of the state of Indiana, the court **or other governmental entity** shall grant such motion for a continuance to a date not sooner than thirty (30) days following the date of adjournment of the session of the general assembly during which such cause of action has been set or rule has been made returnable.

SECTION 2. IC 33-2.1-7-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3.1. (a) The division of state court administration shall establish and administer an office of guardian ad litem and court appointed special advocate services. The division shall use money it receives from the state general fund to administer the office. If funds for guardian ad litem and court appointed special advocate programs are appropriated by the general

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assembly, the division shall provide matching funds to counties that are required to implement and administer, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33. ~~However, the division may not use more than seventy-five thousand dollars (\$75,000) per state fiscal year for administration of the program.~~ Matching funds must be distributed in accordance with the provisions of section 3.2 of this chapter. A county may use these matching funds to supplement amounts that are collected as fees under IC 31-40-3-1 and used for the operation of guardian ad litem and court appointed special advocate programs. The division may use its administrative fund to provide training services and communication services for local officials and local guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for matching funds under this section.

(b) Matching funds provided to a county under this provision shall be used for guardian ad litem and court appointed special advocate programs and may be deposited in the county's guardian ad litem or court appointed special advocate fund described in IC 31-40-3.

(c) Any matching funds appropriated to the division of state court administration that are not used before July 1 of each fiscal year do not revert but shall be redistributed under this section on July 1. The division shall redistribute the funds among counties providing guardian ad litem and court appointed special advocate programs that are entitled to receive matching funds.

(d) Money appropriated to the division of state court administration does not revert at the end of a state fiscal year to the state general fund.

SECTION 3. IC 33-2.1-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) As used in this chapter, "cause" means a trial, hearing, arraignment, controversy, appeal, case, or any business performed within the official duty of a justice, judge, or prosecuting attorney.

(b) As used in this chapter, "compensation" means any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or for services to be rendered, whether by that person or another.

(c) As used in this chapter, "economic interest" means substantial financial interest in investments, employment, awarding of contracts, purchases, leases, sales, or similar matters.

(d) As used in this chapter, "employer" means any person from whom the judge, justice, or prosecuting attorney or that person's spouse

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receives any nonstate income.

(e) As used in this chapter, "information of a confidential nature" means information obtained by reason of the position or office held and which information has not been, or will not be, communicated to the general public.

(f) As used in this chapter, "person" means any individual, proprietorship, partnership, unincorporated association, trust, business trust, group, limited liability company, or corporation, whether or not operated for profit, or a governmental agency or political subdivision.

(g) As used in this chapter, "judge" means a judge of the court of appeals or the tax court, or of a circuit, superior, municipal, county, or probate court. A judge pro tempore, commissioner, or hearing officer shall be considered a judge if that person shall sit more than twenty (20) days other than Saturdays, Sundays, or holidays in one (1) calendar year as judge, commissioner, or hearing officer in any court.

(h) As used in this chapter, "close relative" means a person related to a person filing a statement of economic interest or to the person's spouse as a son, daughter, grandson, granddaughter, great-grandson, great-granddaughter, father, mother, grandfather, grandmother, great-grandfather, great-grandmother, brother, sister, nephew, niece, uncle, or aunt. Relatives by adoption, half-blood, marriage, or remarriage shall be treated as relatives of whole kinship.

SECTION 4. IC 33-2.1-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. The statement of economic interests shall set forth the following information for the preceding calendar year:

- (1) The name and address of any person **other than a spouse or close relative (as defined in section 1(h) of this chapter)** from whom the justice, judge, prosecuting attorney, or clerk of the supreme court received a gift or gifts having a total fair market value in excess of one hundred dollars (\$100).
- (2) The name of the employer of the justice, judge, prosecuting attorney, or clerk of the supreme court and the employer of that person's spouse.
- (3) The nature of the employer's business.
- (4) The name of any sole proprietorship owned or professional practice operated by the justice, judge, prosecuting attorney, clerk of the supreme court, or that person's spouse and the nature of the business.
- (5) The name of any partnership of which the justice, judge, prosecuting attorney, clerk of the supreme court, or that person's

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spouse is a member and the nature of the partnership's business.

(6) The name of any corporation (except a church) of which the justice, judge, prosecuting attorney, clerk of the supreme court, or that person's spouse is an officer or a director and the nature of the corporation's business.

(7) The name of any corporation in which the justice, judge, prosecuting attorney, clerk of the supreme court, or that person's spouse or unemancipated children under eighteen (18) years of age own stock or stock options having a fair market value in excess of ten thousand dollars (\$10,000).

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