



February 18, 2000

ENGROSSED
SENATE BILL No. 175

DIGEST OF SB 175 (Updated February 17, 2000 11:23 AM - DI 98)

Citations Affected: Noncode.

Synopsis: Developmentally disabled and criminal justice system study. Requires the department of correction, in cooperation with the office of the secretary of family and social services, to conduct a study regarding certain persons with developmental disabilities who are incarcerated. Requires that the results of the study, including recommendations for a more comprehensive study, be presented to the Indiana commission on mental retardation and developmental disabilities not later than September 30, 2000.

Effective: Upon passage.

Riegsecker, Gard, Antich, Howard
(HOUSE SPONSORS — KLINKER, ALDERMAN)

January 10, 2000, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
January 20, 2000, amended, reported favorably — Do Pass.
January 27, 2000, read second time, ordered engrossed.
January 28, 2000, engrossed.
January 31, 2000, read third time, passed. Yeas 45, nays 4.
HOUSE ACTION
February 7, 2000, read first time and referred to Committee on Human Affairs.
February 17, 2000, amended, reported — Do Pass.

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ES 175—LS 6184/DI 98+



February 18, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

ENGROSSED SENATE BILL No. 175

A BILL FOR AN ACT concerning human services.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The department**
2 **of correction, in cooperation with the office of the secretary of**
3 **family and social services, shall conduct a study of individuals with**
4 **developmental disabilities who are:**
5 (1) **incarcerated; and**
6 (2) **considered to be adults (as defined in IC 11-8-1-2).**
7 (b) **The study conducted under subsection (a) must include the**
8 **following:**
9 (1) **The number of individuals described in subsection (a) who**
10 **are identified after October 31, 1999, through current intake**
11 **testing procedures.**
12 (2) **The types of crimes for which individuals with**
13 **developmental disabilities are convicted.**
14 (c) **The department of correction and the office of the secretary**
15 **of family and social services shall report their findings to the**
16 **Indiana commission on mental retardation and developmental**
17 **disabilities not later than September 30, 2000.**

ES 175—LS 6184/DI 98+



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1 **(d) The report required under subsection (c) must include**
2 **recommendations for a comprehensive study of the criminal justice**
3 **system and individuals with developmental disabilities who are**
4 **incarcerated, on parole, or on probation. The study recommended**
5 **under this subsection must include as an objective a comparison of**
6 **the length of time actually served by individuals with**
7 **developmental disabilities and the length of time actually served**
8 **for similar offenses by individuals without developmental**
9 **disabilities.**
10 **(e) This SECTION expires December 31, 2000.**
11 **SECTION 2. An emergency is declared for this act.**

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SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 175.

RIEGSECKER

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COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 175, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, delete "the issues raised".

Page 1, line 4, delete "by the involvement of".

Page 1, line 4, after "disabilities" delete "with" and insert "**who are incarcerated or on parole.**".

Page 1, delete lines 5 through 8.

and when so amended that said bill do pass.

(Reference is to SB 175 as introduced.)

MEEKS R, Chairperson

Committee Vote: Yeas 8, Nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred Senate Bill 175, 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 3, delete "persons" and insert "**individuals**".

Page 1, line 4, delete "incarcerated or on parole." and insert ":

(1) incarcerated; and

(2) considered to be adults (as defined in IC 11-8-1-2)."

Page 1, line 7, delete "persons with developmental disabilities" and insert "**individuals described in subsection (a) who are identified after October 31, 1999, through current intake testing procedures.**".

Page 1, delete line 8.

Page 1, line 9, delete "persons" and insert "**individuals**".

Page 1, delete lines 11 through 18.

Page 2, line 1, after "correction" insert "**and the office of the secretary of family and social services**".

Page 2, line 1, delete "its" and insert "**their**".

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

"(d) The report required under subsection (c) must include recommendations for a comprehensive study of the criminal justice system and individuals with developmental disabilities who are incarcerated, on parole, or on probation. The study recommended under this subsection must include as an objective a comparison of the length of time actually served by individuals with developmental disabilities and the length of time actually served for similar offenses by individuals without developmental disabilities."

Page 2, line 4, delete "(d)" and insert "**(e)**".

and when so amended that said bill do pass.

(Reference is to SB 175 as printed January 21, 2000.)

SUMMERS, Chair

Committee Vote: yeas 10, nays 0.



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