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# SENATE BILL No. 465

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-13-2.

**Synopsis:** Probation officer salaries. Allows a court having probation jurisdiction to apply to the judicial conference of Indiana for state financial assistance to be used for probation officer salaries and benefits. Applies only to courts administering probation that meet or exceed all of the minimum standards adopted by the judicial conference of Indiana. Limits the financial assistance for probation officer salaries to 50% of the minimum cost of salaries for not more than the number of probation officers required by the minimum standards adopted by the conference. Eliminates the requirement that the budget committee approve the salaries and benefits. Allows counties to appropriate funds for probation positions and services. Allows a county fiscal body to make temporary loans to a court for the payment of probation officer salaries and benefits in anticipation of and not in excess of any amount of financial aid that has been approved by the judicial conference of Indiana for the probation officer salaries and benefits. Specifies certain mandatory provisions with respect to the loans. (The introduced version of this bill was prepared by the probation services study committee.)

**Effective:** January 1, 2001.

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January 10, 2000, read first time and referred to Committee on Finance.

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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.

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# SENATE BILL No. 465



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

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

1 SECTION 1. IC 11-13-2-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. There is  
3 established a program of state financial aid to be used for the support  
4 of ~~court~~ probation ~~services~~. **officer salaries and benefits**. The financial  
5 aid program shall be administered by the judicial conference of  
6 Indiana. Funds appropriated to the conference for purposes of this  
7 chapter shall be distributed by the conference. ~~upon approval of the~~  
8 ~~state budget committee~~.

9 SECTION 2. IC 11-13-2-2 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. Funds  
11 appropriated under this program may be made available to any court  
12 administering probation in order to finance expenditures incurred for  
13 ~~either of the following purposes~~:

- 14 (†) salaries **and benefits** for existing or new probation officer  
15 positions.
- 16 (⊖) **In addition, a county may appropriate funds to the court**  
17 **for:**



1           **(1) probation officer salaries and benefits; and**

2           **(2) maintenance or establishment of administrative support**  
 3           **services to probation officers.**

4           SECTION 3. IC 11-13-2-3 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) State  
 6 financial aid for support of probation ~~services~~ **may officer salaries and**  
 7 **benefits shall** be made only to courts ~~meeting that meet or exceed all~~  
 8 the minimum standards adopted by the judicial conference of Indiana  
 9 **under IC 11-13-1-8. and may not exceed However, state financial**  
 10 **aid for probation officer salaries under this subsection is limited to**  
 11 **an amount that is fifty percent (50%) of the minimum cost of the**  
 12 **positions or services being financed. salaries for not more than the**  
 13 **number of probation officers required by the minimum standards**  
 14 **adopted by the conference.** Any court having probation jurisdiction  
 15 may apply for financial assistance under this chapter by submitting an  
 16 application to the conference for review. The application shall ~~be~~  
 17 ~~accompanied by detailed plans regarding the use of~~ **indicate the**  
 18 **number of probation officer positions for which the financial aid is**  
 19 **requested and any other information required by the conference.**

20           (b) The conference may recommend changes or modifications  
 21 necessary to effect compliance with the minimum standards. The  
 22 conference ~~and the state budget committee~~ must approve all financial  
 23 aid granted under this chapter. Any court receiving financial assistance  
 24 under this chapter may be declared ineligible to receive that assistance  
 25 if the court fails to maintain the minimum standards.

26           (c) Two (2) or more courts may jointly apply for financial assistance  
 27 under this chapter.

28           SECTION 4. IC 11-13-2-4 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. At the end of  
 30 each quarter of the fiscal year, courts receiving financial aid under this  
 31 chapter shall submit to the judicial conference of Indiana a verified  
 32 accounting of all amounts expended in providing probation ~~services.~~  
 33 **officer salaries and benefits.** The accounting must designate those  
 34 ~~items~~ **probation officer positions** for which reimbursement is claimed,  
 35 and shall be presented together with a claim for reimbursement. If the  
 36 accounting and claim are approved by the conference, ~~and the state~~  
 37 ~~budget agency,~~ the conference shall submit it to the state auditor for  
 38 payment.

39           SECTION 5. IC 11-13-2-6 IS ADDED TO THE INDIANA CODE  
 40 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
 41 JANUARY 1, 2001]: **Sec. 6. (a) The county fiscal body may, by**  
 42 **ordinance or resolution, make loans for the purpose of procuring**



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- 1     **money to be used by a court administering probation for the**
- 2     **payment of probation officer salaries and benefits if:**
- 3         **(1) the conference approves financial aid for the probation**
- 4         **officer salaries and benefits under section 3 of this chapter;**
- 5         **and**
- 6         **(2) the money procured from the county fiscal body under this**
- 7         **section is a temporary loan to be used for the probation**
- 8         **officer salaries and benefits in anticipation of and not in**
- 9         **excess of the amount of the financial aid approved by the**
- 10        **conference.**
- 11     **(b) Loans under this section are subject to the following**
- 12     **provisions:**
- 13         **(1) The loans must be evidenced by notes of the county in**
- 14         **terms designating the nature of the consideration, the time**
- 15         **and place payable, and the revenues out of which they will be**
- 16         **payable.**
- 17         **(2) The interest accruing on the notes to the date of maturity**
- 18         **may be added to and included in its face value or be made**
- 19         **payable periodically, as provided in the ordinance.**

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