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# HOUSE BILL No. 1039

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-12-5-2.5.

**Synopsis:** County inmate public works crews. Allows a county sheriff to establish a program that allows county jail inmates to perform work outside the jail on county inmate public works crews. Specifies inmate eligibility requirements for participation on crews. Requires inmates to dress in distinctive county jail uniforms while performing work on crews. Allows a sheriff to require a crew to perform any work the sheriff determines to be appropriate and of benefit to the community, except for work involving the construction, reconstruction, alteration, or renovation of a public building, airport facility, or other structure that is paid for out of a public fund or a special assessment.

**Effective:** July 1, 2000.

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## Sturtz

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January 10, 2000, read first time and referred to Committee on Courts and Criminal Code.

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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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# HOUSE BILL No. 1039



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 11-12-5-2.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2000]: **Sec. 2.5. (a) As used in this section, "crew" refers to a**
- 4 **county inmate public works crew formed by a county sheriff under**
- 5 **this section.**
- 6 **(b) The county sheriff may establish a program that allows**
- 7 **persons who have been committed to the county jail upon:**
- 8 **(1) conviction of a crime; or**
- 9 **(2) adjudication of contempt;**
- 10 **to be temporarily released from custody to work on a crew under**
- 11 **this section.**
- 12 **(c) A person is:**
- 13 **(1) eligible to participate on a crew if:**
- 14 **(A) the person volunteers to work on the crew;**
- 15 **(B) the person:**
- 16 **(i) is assigned to credit Class I as described in**
- 17 **IC 35-50-6; or**



- 1           (ii) has not been assigned to a credit class as described in  
 2           IC 35-50-6 but is otherwise considered eligible for  
 3           temporary release under this section by the county  
 4           sheriff; and  
 5           (C) the county sheriff does not consider the person to be a  
 6           risk to the safety of the community; and  
 7       (2) not eligible to participate on a crew if:  
 8           (A) the person has been committed to the department of  
 9           correction;  
 10          (B) the sentencing or committing court disapproves of the  
 11          person's release; or  
 12          (C) the person has been convicted of:  
 13           (i) a violent crime (as defined in IC 5-2-6.1-8);  
 14           (ii) a forcible felony (as defined in IC 35-41-1-11); or  
 15           (iii) a sex offense under IC 35-42-4 or IC 35-46-1-3.  
 16       (d) The county sheriff:  
 17           (1) may select those persons who are eligible under this  
 18           section to participate on a crew formed by the sheriff;  
 19           (2) shall require persons to dress in distinctive county jail  
 20           uniforms while performing work on a crew;  
 21           (3) shall personally supervise or assign a deputy sheriff to  
 22           supervise a crew; and  
 23           (4) may require a crew to perform any work the sheriff  
 24           determines to be:  
 25           (A) appropriate; and  
 26           (B) of benefit to the community.  
 27       (e) A person who participates on a crew is not eligible to receive  
 28       worker's compensation benefits as a result of any injury sustained  
 29       during the person's participation on the crew.  
 30       (f) A crew or a person who participates on a crew may not  
 31       perform any public work (as defined in IC 36-1-12-2).

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