

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 92 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 34-10-1-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Except as**
5 **provided in subsection (b)**, an indigent person who does not have
6 sufficient means to prosecute or defend an action may apply to the
7 court in which the action is intended to be brought, or is pending, for
8 leave to prosecute or defend as an indigent person.
9 **(b) A person who is committed (as defined in IC 11-8-1-5) to the**
10 **department of correction may not apply to a court under**
11 **subsection (a) for leave to prosecute or defend an action as an**
12 **indigent person."**
13 Re-number all SECTIONS consecutively.
 (Reference is to SB 92 as printed January 18, 2002.)

Senator HERSHMAN