

SENATE BILL No. 255

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-13-1-1; IC 31-31-5-2; IC 36-2-16.5.

Synopsis: Probation officer salaries. Requires the county fiscal body to establish a salary schedule for probation officers in consultation with judges and probation officers.

Effective: July 1, 2003.

Kenley

January 9, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 255



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

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

1 SECTION 1. IC 11-13-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A court or
3 division of a court authorized to impose probation shall appoint one (1)
4 or more probation officers, depending on the needs of the court, except
5 that two (2) or more divisions within a court, two (2) or more courts
6 within a county, or two (2) or more courts not in the same county may
7 jointly appoint and employ one (1) or more probation officers for the
8 purpose of meeting the requirements of this section.

9 (b) A person may be appointed as a probation officer after the
10 effective date established by the judicial conference of Indiana only if
11 that person meets the minimum employment qualifications adopted by
12 the conference, except that this requirement does not apply to any
13 person certified as a qualified probation officer before that effective
14 date. Any uncertified person appointed as a probation officer after the
15 effective date who fails to successfully complete the written
16 examination established under section 8 of this chapter within six (6)
17 months after the date of his appointment is prohibited from exercising



1 the powers of a probation officer as granted by law.

2 (c) Probation officers shall serve at the pleasure of the appointing
3 court and are directly responsible to and subject to the orders of the
4 court. The amount and time of payment of salaries of probation officers
5 shall be fixed by the court consistent with section 8 of this chapter to
6 **county fiscal body in accordance with the salary schedule adopted**
7 **by the county fiscal body under IC 36-2-16.5. The salary of a**
8 **probation officer shall** be paid out of the county or city treasury by the
9 county auditor or city controller. Probation officers are entitled to their
10 actual expenses necessarily incurred in the performance of their duties.
11 Probation officers shall give a bond if the court so directs in a sum to
12 be fixed by the court.

13 (d) A court, or two (2) or more courts acting jointly, may designate
14 a probation officer to direct and supervise the work of the probation
15 department.

16 SECTION 2. IC 31-31-5-2 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) **The salary of a**
18 **probation officer shall be fixed by the county fiscal body in**
19 **accordance with the salary schedule adopted by the county fiscal**
20 **body under IC 36-2-16.5. The salary of a probation officer shall be**
21 **paid by the county.**

22 (b) Subject to the approval of the county fiscal body, the judge shall
23 fix and the county shall pay the salaries of ~~the probation officers and~~
24 ~~other~~ juvenile court employees **other than probation officers.**

25 ~~(b)~~ (c) In addition to their annual salary, probation officers shall be
26 reimbursed for any necessary travel expenses incurred in the
27 performance of their duties in accordance with the law governing state
28 officers and employees.

29 SECTION 3. IC 36-2-16.5 IS ADDED TO THE INDIANA CODE
30 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2003]:

32 **Chapter 16.5. Salary Schedule for Probation Officers**

33 **Sec. 1. This chapter applies to all counties.**

34 **Sec. 2. As used in this chapter, "probation officer" means a**
35 **probation officer or a juvenile probation officer.**

36 **Sec. 3. In consultation with:**

37 **(1) at least one (1) judge of a court or division of a court**
38 **authorized to impose probation; and**

39 **(2) at least one (1) probation officer;**

40 **the county fiscal body shall adopt a salary schedule setting the**
41 **compensation of a probation officer. The salary schedule must**
42 **comply with the minimum compensation requirements for**

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1 **probation officers adopted by the judicial conference of Indiana**
2 **under IC 11-13-1-8.**

3 **Sec. 4. The county fiscal body shall fix the salary of a probation**
4 **officer based on the salary schedule described in this chapter.**

5 **Sec. 5. Unless otherwise specified in the salary schedule, a**
6 **probation officer shall have the same benefits, holidays, and hours**
7 **as other county employees.**

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