

HOUSE BILL No. 1258

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-5-22.

Synopsis: Hamilton superior court. Adds an additional superior court in Hamilton County. (The introduced version of this bill was prepared by the commission on courts.)

Effective: July 1, 2004.

Richardson, Austin

January 15, 2004, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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HOUSE BILL No. 1258



A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

1 SECTION 1. IC 33-5-22-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) There are created
3 ~~five (5)~~ **six (6)** superior courts in Hamilton County, Indiana, each
4 consisting of one (1) judge, who shall hold office for a term of six (6)
5 years, beginning January 1 after the election for the office is held and
6 until a successor is elected and qualified. Every six (6) years, the voters
7 of Hamilton County shall elect at the general election a judge for each
8 superior court.

9 (b) To be eligible to hold office as judge of a superior court, a
10 person must be:

- 11 (1) a resident of Hamilton County;
- 12 (2) under seventy (70) years of age when taking office; and
- 13 (3) admitted to the practice of law in Indiana.

14 SECTION 2. IC 33-5-22-2 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. The superior courts
16 shall be known as the Hamilton superior court No. 1, the Hamilton
17 superior court No. 2, the Hamilton superior court No. 3, the Hamilton



1 superior court No. 4, ~~and~~ the Hamilton superior court No. 5, and the
 2 **Hamilton superior court No. 6.** The county of Hamilton shall
 3 constitute the judicial district of each court. Each court is a court of
 4 record and general jurisdiction and shall have a seal containing the
 5 words "Hamilton Superior Court (insert No. 1, No. 2, No. 3, No. 4, ~~or~~
 6 No. 5, **or No. 6**) of Hamilton County, Indiana".

7 SECTION 3. IC 33-5-22-8 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. The Hamilton
 9 superior court No. 4, ~~and~~ the Hamilton superior court No. 5, **and the**
 10 **Hamilton superior court No. 6** have a standard small claims and
 11 misdemeanor division.

12 SECTION 4. [EFFECTIVE JULY 1, 2004] (a) **Notwithstanding**
 13 **IC 33-5-22-1 and IC 33-5-22-2, each as amended by this act, the**
 14 **Hamilton superior court is not expanded to six (6) judges until**
 15 **January 1, 2007.**

16 (b) **Notwithstanding IC 33-5-22-8, as amended by this act, the**
 17 **Hamilton superior court No. 6 does not have a standard small**
 18 **claims and misdemeanor division until January 1, 2007.**

19 (c) **The initial election of the judge of the Hamilton superior**
 20 **court No. 6 added by IC 33-5-22-1 and IC 33-5-22-2, each as**
 21 **amended by this act, is the general election on November 7, 2006.**
 22 **The term of the initially elected judge begins January 1, 2007.**

23 (d) **This SECTION expires January 2, 2007.**

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