

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 223 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 5-22-17-15 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2009]: **Sec. 15. (a) This section applies to a contract entered into**
- 6 **or renewed after June 30, 2009.**
- 7 **(b) As used in this section, "correctional facility" has the**
- 8 **meaning set forth in IC 4-13.5-1-1.**
- 9 **(c) A state agency may not enter into or renew a contract for the**
- 10 **operation or management of a correctional facility.**
- 11 SECTION 2. IC 11-8-3-2 IS AMENDED TO READ AS FOLLOWS
- 12 [EFFECTIVE UPON PASSAGE]: **Sec. 2. (a) Except as provided in**
- 13 **subsection (b), the department may contract with any city, county,**
- 14 **state, other state, or federal authority to receive persons committed to**
- 15 **that authority into facilities and programs operated by the department.**
- 16 **The department may charge, under such contracts, fees for its services**
- 17 **commensurate with its costs.**
- 18 **(b) The department may not contract with another state to**
- 19 **receive persons that would be assigned to a maximum, medium, or**
- 20 **minimum security facility as described in IC 35-38-3-6."**
- 21 Page 3, after line 4, begin a new paragraph and insert:
- 22 "SECTION 7. **An emergency is declared for this act.**"
- 23 Renumber all SECTIONS consecutively.
- (Reference is to ESB 223 as printed April 7, 2009.)

Representative Michael