

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1044, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 33-24-4-9 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2010]: **Sec. 9. (a) The clerk of the supreme court is not personally**
6 **liable for any act or omission occurring in connection with the**
7 **performance of the clerk's official duties, unless the act or omission**
8 **constitutes gross negligence or an intentional disregard of the**
9 **responsibilities of the office of clerk.**
10 **(b) The fact that the clerk is not personally liable under**
11 **subsection (a) does not preclude an action against the clerk's bond**
12 **based on an error or omission committed by the clerk."**
13 Page 1, between lines 10 and 11, begin a new paragraph and insert:
14 "SECTION 3. IC 34-30-2-140.7 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS

- 1 [EFFECTIVE JULY 1, 2010]: **Sec. 140.7. IC 33-24-4-9 (Concerning**
- 2 **the personal liability of the clerk of the supreme court)."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1044 as printed January 8, 2010.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 0.

Senator Steele, Chairperson