
SENATE BILL No. 22

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-1-9; IC 11-10; IC 12-21-5-4; IC 12-23; IC 12-24-8-1; IC 33-23-16-12.5; IC 34-30-2.

Synopsis: Drug and alcohol abuse and commitments. Provides procedures for the involuntary commitment of a person due to alcohol or drug abuse. Requires the division of mental health and addiction to maintain and operate or contract for alcohol and drug rehabilitation facilities, including faith based facilities. Requires the law enforcement academy to provide training regarding persons with alcohol or drug addictions, including training for involuntary commitments for alcohol or drug use. Requires the department of correction and county jails to provide alcohol and drug rehabilitation to all offenders with alcohol or drug addictions.

Effective: July 1, 2011.

Simpson

January 5, 2011, read first time and referred to Committee on Judiciary.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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SENATE BILL No. 22



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

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

1 SECTION 1. IC 5-2-1-9, AS AMENDED BY P.L.1-2010,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 9. (a) The board shall adopt in accordance with
4 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.
5 The rules, which shall be adopted only after necessary and proper
6 investigation and inquiry by the board, shall include the establishment
7 of the following:

8 (1) Minimum standards of physical, educational, mental, and
9 moral fitness which shall govern the acceptance of any person for
10 training by any law enforcement training school or academy
11 meeting or exceeding the minimum standards established
12 pursuant to this chapter.

13 (2) Minimum standards for law enforcement training schools
14 administered by towns, cities, counties, law enforcement training
15 centers, agencies, or departments of the state.

16 (3) Minimum standards for courses of study, attendance
17 requirements, equipment, and facilities for approved town, city,



- 1 county, and state law enforcement officer, police reserve officer,
- 2 and conservation reserve officer training schools.
- 3 (4) Minimum standards for a course of study on cultural diversity
- 4 awareness that must be required for each person accepted for
- 5 training at a law enforcement training school or academy.
- 6 (5) Minimum qualifications for instructors at approved law
- 7 enforcement training schools.
- 8 (6) Minimum basic training requirements which law enforcement
- 9 officers appointed to probationary terms shall complete before
- 10 being eligible for continued or permanent employment.
- 11 (7) Minimum basic training requirements which law enforcement
- 12 officers appointed on other than a permanent basis shall complete
- 13 in order to be eligible for continued employment or permanent
- 14 appointment.
- 15 (8) Minimum basic training requirements which law enforcement
- 16 officers appointed on a permanent basis shall complete in order
- 17 to be eligible for continued employment.
- 18 (9) Minimum basic training requirements for each person
- 19 accepted for training at a law enforcement training school or
- 20 academy that include six (6) hours of training in interacting with:
 - 21 (A) persons with autism, mental illness, addictive disorders,
 - 22 mental retardation, and developmental disabilities; and
 - 23 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
 - 24 to be provided by persons approved by the secretary of family and
 - 25 social services and the board.
- 26 (10) Minimum standards for a course of study on human and
- 27 sexual trafficking that must be required for each person accepted
- 28 for training at a law enforcement training school or academy and
- 29 for inservice training programs for law enforcement officers. The
- 30 course must cover the following topics:
 - 31 (A) Examination of the human and sexual trafficking laws
 - 32 (IC 35-42-3.5).
 - 33 (B) Identification of human and sexual trafficking.
 - 34 (C) Communicating with traumatized persons.
 - 35 (D) Therapeutically appropriate investigative techniques.
 - 36 (E) Collaboration with federal law enforcement officials.
 - 37 (F) Rights of and protections afforded to victims.
 - 38 (G) Providing documentation that satisfies the Declaration of
 - 39 Law Enforcement Officer for Victim of Trafficking in Persons
 - 40 (Form I-914, Supplement B) requirements established under
 - 41 federal law.
 - 42 (H) The availability of community resources to assist human

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and sexual trafficking victims.

(11) Minimum basic training requirements for each person accepted for training at a law enforcement training school or academy that include training in interacting with persons with drug or alcohol addictions, including training for involuntary commitment procedures under IC 12-23-11.

(b) A law enforcement officer appointed after July 5, 1972, and before July 1, 1993, may not enforce the laws or ordinances of the state or any political subdivision unless the officer has, within one (1) year from the date of appointment, successfully completed the minimum basic training requirements established under this chapter by the board. If a person fails to successfully complete the basic training requirements within one (1) year from the date of employment, the officer may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until the officer has successfully completed the training requirements. This subsection does not apply to any law enforcement officer appointed before July 6, 1972, or after June 30, 1993.

(c) Military leave or other authorized leave of absence from law enforcement duty during the first year of employment after July 6, 1972, shall toll the running of the first year, which shall be calculated by the aggregate of the time before and after the leave, for the purposes of this chapter.

(d) Except as provided in subsections (e), (l), (r), and (s), a law enforcement officer appointed to a law enforcement department or agency after June 30, 1993, may not:

- (1) make an arrest;
- (2) conduct a search or a seizure of a person or property; or
- (3) carry a firearm;

unless the law enforcement officer successfully completes, at a board certified law enforcement academy or at a law enforcement training center under section 10.5 or 15.2 of this chapter, the basic training requirements established by the board under this chapter.

(e) This subsection does not apply to:

- (1) a gaming agent employed as a law enforcement officer by the Indiana gaming commission; or
- (2) an:
 - (A) attorney; or
 - (B) investigator;

designated by the securities commissioner as a police officer of the state under IC 23-19-6-1(i).

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1 Before a law enforcement officer appointed after June 30, 1993,
 2 completes the basic training requirements, the law enforcement officer
 3 may exercise the police powers described in subsection (d) if the
 4 officer successfully completes the pre-basic course established in
 5 subsection (f). Successful completion of the pre-basic course authorizes
 6 a law enforcement officer to exercise the police powers described in
 7 subsection (d) for one (1) year after the date the law enforcement
 8 officer is appointed.

9 (f) The board shall adopt rules under IC 4-22-2 to establish a
 10 pre-basic course for the purpose of training:

11 (1) law enforcement officers;

12 (2) police reserve officers (as described in IC 36-8-3-20); and

13 (3) conservation reserve officers (as described in IC 14-9-8-27);

14 regarding the subjects of arrest, search and seizure, the lawful use of
 15 force, interacting with individuals with autism, and the operation of an
 16 emergency vehicle. The pre-basic course must be offered on a periodic
 17 basis throughout the year at regional sites statewide. The pre-basic
 18 course must consist of at least forty (40) hours of course work. The
 19 board may prepare the classroom part of the pre-basic course using
 20 available technology in conjunction with live instruction. The board
 21 shall provide the course material, the instructors, and the facilities at
 22 the regional sites throughout the state that are used for the pre-basic
 23 course. In addition, the board may certify pre-basic courses that may be
 24 conducted by other public or private training entities, including
 25 postsecondary educational institutions.

26 (g) The board shall adopt rules under IC 4-22-2 to establish a
 27 mandatory inservice training program for police officers. After June 30,
 28 1993, a law enforcement officer who has satisfactorily completed basic
 29 training and has been appointed to a law enforcement department or
 30 agency on either a full-time or part-time basis is not eligible for
 31 continued employment unless the officer satisfactorily completes the
 32 mandatory inservice training requirements established by rules adopted
 33 by the board. Inservice training must include training in interacting
 34 with persons with mental illness, addictive disorders, mental
 35 retardation, autism, and developmental disabilities, to be provided by
 36 persons approved by the secretary of family and social services and the
 37 board, and training concerning human and sexual trafficking. The
 38 board may approve courses offered by other public or private training
 39 entities, including postsecondary educational institutions, as necessary
 40 in order to ensure the availability of an adequate number of inservice
 41 training programs. The board may waive an officer's inservice training
 42 requirements if the board determines that the officer's reason for

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1 lacking the required amount of inservice training hours is due to either
 2 of the following:
 3 (1) An emergency situation.
 4 (2) The unavailability of courses.
 5 (h) The board shall also adopt rules establishing a town marshal
 6 basic training program, subject to the following:
 7 (1) The program must require fewer hours of instruction and class
 8 attendance and fewer courses of study than are required for the
 9 mandated basic training program.
 10 (2) Certain parts of the course materials may be studied by a
 11 candidate at the candidate's home in order to fulfill requirements
 12 of the program.
 13 (3) Law enforcement officers successfully completing the
 14 requirements of the program are eligible for appointment only in
 15 towns employing the town marshal system (IC 36-5-7) and having
 16 not more than one (1) marshal and two (2) deputies.
 17 (4) The limitation imposed by subdivision (3) does not apply to an
 18 officer who has successfully completed the mandated basic
 19 training program.
 20 (5) The time limitations imposed by subsections (b) and (c) for
 21 completing the training are also applicable to the town marshal
 22 basic training program.
 23 (6) The program must require training in interacting with
 24 individuals with autism.
 25 (i) The board shall adopt rules under IC 4-22-2 to establish an
 26 executive training program. The executive training program must
 27 include training in the following areas:
 28 (1) Liability.
 29 (2) Media relations.
 30 (3) Accounting and administration.
 31 (4) Discipline.
 32 (5) Department policy making.
 33 (6) Lawful use of force.
 34 (7) Department programs.
 35 (8) Emergency vehicle operation.
 36 (9) Cultural diversity.
 37 (j) A police chief shall apply for admission to the executive training
 38 program within two (2) months of the date the police chief initially
 39 takes office. A police chief must successfully complete the executive
 40 training program within six (6) months of the date the police chief
 41 initially takes office. However, if space in the executive training
 42 program is not available at a time that will allow completion of the

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1 executive training program within six (6) months of the date the police
2 chief initially takes office, the police chief must successfully complete
3 the next available executive training program that is offered after the
4 police chief initially takes office.

5 (k) A police chief who fails to comply with subsection (j) may not
6 continue to serve as the police chief until completion of the executive
7 training program. For the purposes of this subsection and subsection
8 (j), "police chief" refers to:

- 9 (1) the police chief of any city;
- 10 (2) the police chief of any town having a metropolitan police
11 department; and
- 12 (3) the chief of a consolidated law enforcement department
13 established under IC 36-3-1-5.1.

14 A town marshal is not considered to be a police chief for these
15 purposes, but a town marshal may enroll in the executive training
16 program.

17 (l) A fire investigator in the division of fire and building safety
18 appointed after December 31, 1993, is required to comply with the
19 basic training standards established under this chapter.

20 (m) The board shall adopt rules under IC 4-22-2 to establish a
21 program to certify handgun safety courses, including courses offered
22 in the private sector, that meet standards approved by the board for
23 training probation officers in handgun safety as required by
24 IC 11-13-1-3.5(3).

25 (n) The board shall adopt rules under IC 4-22-2 to establish a
26 refresher course for an officer who:

- 27 (1) is hired by an Indiana law enforcement department or agency
28 as a law enforcement officer;
- 29 (2) has not been employed as a law enforcement officer for at
30 least two (2) years and less than six (6) years before the officer is
31 hired under subdivision (1) due to the officer's resignation or
32 retirement; and
- 33 (3) completed at any time a basic training course certified by the
34 board before the officer is hired under subdivision (1).

35 (o) The board shall adopt rules under IC 4-22-2 to establish a
36 refresher course for an officer who:

- 37 (1) is hired by an Indiana law enforcement department or agency
38 as a law enforcement officer;
- 39 (2) has not been employed as a law enforcement officer for at
40 least six (6) years and less than ten (10) years before the officer
41 is hired under subdivision (1) due to the officer's resignation or
42 retirement;

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1 (3) is hired under subdivision (1) in an upper level policymaking
2 position; and

3 (4) completed at any time a basic training course certified by the
4 board before the officer is hired under subdivision (1).

5 A refresher course established under this subsection may not exceed
6 one hundred twenty (120) hours of course work. All credit hours
7 received for successfully completing the police chief executive training
8 program under subsection (i) shall be applied toward the refresher
9 course credit hour requirements.

10 (p) Subject to subsection (q), an officer to whom subsection (n) or
11 (o) applies must successfully complete the refresher course described
12 in subsection (n) or (o) not later than six (6) months after the officer's
13 date of hire, or the officer loses the officer's powers of:

14 (1) arrest;

15 (2) search; and

16 (3) seizure.

17 (q) A law enforcement officer who has worked as a law enforcement
18 officer for less than twenty-five (25) years before being hired under
19 subsection (n)(1) or (o)(1) is not eligible to attend the refresher course
20 described in subsection (n) or (o) and must repeat the full basic training
21 course to regain law enforcement powers. However, a law enforcement
22 officer who has worked as a law enforcement officer for at least
23 twenty-five (25) years before being hired under subsection (n)(1) or
24 (o)(1) and who otherwise satisfies the requirements of subsection (n)
25 or (o) is not required to repeat the full basic training course to regain
26 law enforcement power but shall attend the refresher course described
27 in subsection (n) or (o) and the pre-basic training course established
28 under subsection (f).

29 (r) This subsection applies only to a gaming agent employed as a
30 law enforcement officer by the Indiana gaming commission. A gaming
31 agent appointed after June 30, 2005, may exercise the police powers
32 described in subsection (d) if:

33 (1) the agent successfully completes the pre-basic course
34 established in subsection (f); and

35 (2) the agent successfully completes any other training courses
36 established by the Indiana gaming commission in conjunction
37 with the board.

38 (s) This subsection applies only to a securities enforcement officer
39 designated as a law enforcement officer by the securities
40 commissioner. A securities enforcement officer may exercise the police
41 powers described in subsection (d) if:

42 (1) the securities enforcement officer successfully completes the

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- 1 pre-basic course established in subsection (f); and
- 2 (2) the securities enforcement officer successfully completes any
- 3 other training courses established by the securities commissioner
- 4 in conjunction with the board.

5 (t) As used in this section, "upper level policymaking position"
6 refers to the following:

- 7 (1) If the authorized size of the department or town marshal
- 8 system is not more than ten (10) members, the term refers to the
- 9 position held by the police chief or town marshal.
- 10 (2) If the authorized size of the department or town marshal
- 11 system is more than ten (10) members but less than fifty-one (51)
- 12 members, the term refers to:
- 13 (A) the position held by the police chief or town marshal; and
- 14 (B) each position held by the members of the police
- 15 department or town marshal system in the next rank and pay
- 16 grade immediately below the police chief or town marshal.
- 17 (3) If the authorized size of the department or town marshal
- 18 system is more than fifty (50) members, the term refers to:
- 19 (A) the position held by the police chief or town marshal; and
- 20 (B) each position held by the members of the police
- 21 department or town marshal system in the next two (2) ranks
- 22 and pay grades immediately below the police chief or town
- 23 marshal.

24 (u) This subsection applies only to a correctional police officer
25 employed by the department of correction. A correctional police officer
26 may exercise the police powers described in subsection (d) if:

- 27 (1) the officer successfully completes the pre-basic course
- 28 described in subsection (f); and
- 29 (2) the officer successfully completes any other training courses
- 30 established by the department of correction in conjunction with
- 31 the board.

32 SECTION 2. IC 11-10-1-2 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) A committed
34 criminal offender shall, within a reasonable time, be evaluated
35 regarding:

- 36 (1) ~~his~~ **the offender's** medical, psychological, educational,
- 37 vocational, economic and social condition, and history;
- 38 (2) the circumstances surrounding ~~his~~ **the offender's** present
- 39 commitment;
- 40 (3) ~~his~~ **the offender's** history of criminality; ~~and~~
- 41 **(4) whether the criminal offender is addicted to alcohol or**
- 42 **drugs; and**

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1 ~~(4)~~ **(5)** any additional relevant matters.
 2 (b) In making the evaluation prescribed in subsection (a), the
 3 department may utilize any presentence report, any presentence
 4 memorandum filed by the offender, any reports of any presentence
 5 physical or mental examination, the record of the sentencing hearing,
 6 or other information forwarded by the sentencing court or other agency,
 7 if that information meets the department's minimum standards for
 8 criminal offender evaluation.

9 (c) If an offender has undergone, within two (2) years before the
 10 date of ~~his~~ **the offender's** commitment, a previous departmental
 11 evaluation under this section, the department may rely on the previous
 12 evaluation and the information used at that time. However, this
 13 subsection does not deprive an offender of the right to a medical and
 14 dental examination under IC 11-10-3.

15 SECTION 3. IC 11-10-16 IS ADDED TO THE INDIANA CODE
 16 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2011]:

18 **Chapter 16. Drug and Alcohol Rehabilitation**

19 **Sec. 1. The department and each county jail shall provide**
 20 **mandatory drug and alcohol rehabilitation services to each**
 21 **offender who is addicted to drugs or alcohol.**

22 SECTION 4. IC 12-21-5-4 IS ADDED TO THE INDIANA CODE
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 24 1, 2011]: **Sec. 4. The division shall maintain and operate or contract**
 25 **with a company or organization to maintain and operate sufficient**
 26 **rehabilitation facilities under IC 12-23-11, including faith based**
 27 **facilities.**

28 SECTION 5. IC 12-23-11-1 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) Except as
 30 provided in subsection (b), an individual who is:

- 31 (1) an alcoholic;
- 32 (2) incapacitated by alcohol; or
- 33 (3) a drug abuser;

34 **and is either dangerous or gravely disabled** may be involuntarily
 35 committed to the care of the division under **this chapter or IC 12-26.**

36 (b) A drug abuser who is charged with or convicted of an offense
 37 that makes the individual ineligible to make an election for treatment
 38 under IC 12-23-6 **or this chapter** may not be involuntarily committed
 39 under subsection (a).

40 SECTION 6. IC 12-23-11-3 IS ADDED TO THE INDIANA CODE
 41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 42 1, 2011]: **Sec. 3. Except as provided in section 4 of this chapter, the**

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1 following Indiana courts have jurisdiction over a proceeding under
2 this chapter:

- 3 (1) A court having probate jurisdiction.
- 4 (2) A superior court in a county in which the circuit court has
5 exclusive probate jurisdiction.
- 6 (3) A drug court established under IC 33-23-16.

7 SECTION 7. IC 12-23-11-4 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2011]: **Sec. 4. A juvenile court has concurrent jurisdiction over
10 proceedings under this article that involve a child.**

11 SECTION 8. IC 12-23-11-5 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2011]: **Sec. 5. (a) If a commitment proceeding is begun under
14 IC 12-23-9 or IC 12-23-10, the court acquires jurisdiction over the
15 individual alleged to be an alcoholic, incapacitated by alcohol, or
16 a drug abuser by service of summons on the individual according
17 to the Indiana Rules of Trial Procedure or by entry of an
18 appearance by the individual.**

19 (b) If an individual is being held under section 19 of this
20 chapter, the court retains jurisdiction over the individual by the
21 court's order for continued detention.

22 SECTION 9. IC 12-23-11-6 IS ADDED TO THE INDIANA CODE
23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2011]: **Sec. 6. Except as otherwise provided, a judicial
25 proceeding under this article shall be conducted as other civil
26 proceedings according to the Indiana Rules of Trial Procedure.**

27 SECTION 10. IC 12-23-11-7 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2011]: **Sec. 7. (a) This section does not apply
30 to section 17 of this chapter.**

31 (b) This section does not apply to computation of a period
32 during which an individual may be detained under this article.

33 (c) In computing time under this chapter, Saturdays, Sundays,
34 and legal holidays are not included in the computation if the time
35 prescribed is less than fourteen (14) days.

36 SECTION 11. IC 12-23-11-8 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2011]: **Sec. 8. Upon the filing of a petition for
39 commitment under section 19 of this chapter, an individual may be
40 detained in an appropriate facility:**

- 41 (1) by an order of the court pending a hearing; or
- 42 (2) pending an order of the court under:

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- (A) section 18(n) of this chapter; or
- (B) section 18(q) of this chapter.

SECTION 12. IC 12-23-11-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 9. (a) In a proceeding involving involuntary detention or commitment under this chapter, an appeal from the final order or judgment of the court of original jurisdiction may be taken by any of the following:**

- (1) The individual who is the subject of the proceeding.
- (2) A petitioner in the proceeding.
- (3) An aggrieved person.

(b) An appeal must be taken in the same manner as any other civil case according to the Indiana Rules of Trial and Appellate Procedure.

SECTION 13. IC 12-23-11-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 10. Each division shall adopt rules under IC 4-22-2 to administer this chapter.**

SECTION 14. IC 12-23-11-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 11. Each division shall prescribe the forms that must be used to administer this chapter.**

SECTION 15. IC 12-23-11-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 12. This chapter does not limit or restrict the right of a person to apply to an appropriate court for a writ of habeas corpus.**

SECTION 16. IC 12-23-11-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 13. An individual alleged to be an alcoholic, incapacitated by alcohol, or a drug abuser under section 1 of this chapter has the following rights:**

- (1) To receive adequate notice of a hearing so that the individual or the individual's attorney can prepare for the hearing.
- (2) To receive a copy of a petition or an order relating to the individual.
- (3) To be present at a hearing relating to the individual. The individual's right under this subdivision is subject to the court's right to do the following:

- (A) Remove the individual if the individual is disruptive to the proceedings.

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(B) Waive the individual's presence at a hearing if the individual's presence would be injurious to the individual's mental health or well-being.

(4) To be represented by counsel.

SECTION 17. IC 12-23-11-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 14. (a) An individual alleged to be an alcoholic, incapacitated by alcohol, or a drug abuser under section 1 of this chapter, each petitioner, and all other interested individuals shall be given an opportunity to appear at hearings and to testify.**

(b) An individual alleged to be an alcoholic, incapacitated by alcohol, or a drug abuser under section 1 of this chapter and each petitioner may present and cross-examine witnesses at hearings.

(c) The court may receive the testimony of any individual.

(d) An individual alleged to be an alcoholic, incapacitated by alcohol, or a drug abuser under section 1 of this chapter and a petitioner:

- (1) have a right to a change of judge; and**
- (2) are not entitled to a change of venue from the county.**

(e) A petitioner may be represented by counsel.

(f) The court may appoint counsel for a petitioner upon a showing of the petitioner's indigency, and the court shall pay for such counsel if appointed.

(g) A petitioner, including a petitioner who is a health care provider under IC 16-18-2-295(b), in the petitioner's individual capacity or as a corporation is not required to be represented by counsel. If a petitioner that is a corporation elects not to be represented by counsel, the individual representing the corporation at the commitment hearing must present the court with written authorization from:

- (1) an officer;**
- (2) a director;**
- (3) a principal; or**
- (4) a manager;**

of the corporation that authorizes the individual to represent the interest of the corporation in the proceedings.

(h) The petitioner must prove by clear and convincing evidence that:

- (1) the individual is an alcoholic, incapacitated by alcohol, or a drug abuser under section 1 of this chapter and either dangerous or gravely disabled; and**

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1 **(2) detention or commitment of that individual is appropriate.**
2 SECTION 18. IC 12-23-11-14.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2011]: **Sec. 14.5. (a) A person who without**
5 **malice, bad faith, or negligence acts according to this article and:**
6 **(1) participates in a proceeding for the detention or**
7 **commitment of an individual; or**
8 **(2) assists in the detention, care, and treatment of an**
9 **individual alleged or adjudged to be an alcoholic,**
10 **incapacitated by alcohol, or a drug abuser under section 1 of**
11 **this chapter;**
12 **is immune from any civil or criminal liability that might otherwise**
13 **be imposed as a result of the person's actions.**
14 **(b) The immunity provided by this section does not permit a**
15 **person to do either of the following:**
16 **(1) Physically abuse an individual.**
17 **(2) Deprive an individual of a personal or civil right except**
18 **according to this article.**
19 SECTION 19. IC 12-23-11-15 IS ADDED TO THE INDIANA
20 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2011]: **Sec. 15. Except for gross misconduct,**
22 **if a child's advocate performs the advocate's duties in good faith,**
23 **the advocate is immune from any civil liability that may occur as**
24 **a result of the advocate's performance of duties.**
25 SECTION 20. IC 12-23-11-16 IS ADDED TO THE INDIANA
26 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2011]: **Sec. 16. (a) Detention or commitment**
28 **of an individual under this chapter does not deprive the individual**
29 **of any of the following:**
30 **(1) The right to do the following:**
31 **(A) Dispose of property.**
32 **(B) Execute instruments.**
33 **(C) Make purchases.**
34 **(D) Enter into contracts.**
35 **(E) Give testimony in a court of law.**
36 **(F) Vote.**
37 **(2) A right of a citizen not listed in subdivision (1).**
38 **(b) A procedure is not required for restoration of rights of**
39 **citizenship of an individual detained or committed under this**
40 **chapter.**
41 SECTION 21. IC 12-23-11-17 IS ADDED TO THE INDIANA
42 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2011]: **Sec. 17. (a) A law enforcement officer**
2 **who has reasonable grounds to believe that an individual is an**
3 **alcoholic, incapacitated by alcohol, or a drug abuser, is dangerous,**
4 **and is in immediate need of hospitalization and treatment may do**
5 **the following:**

6 (1) **Apprehend and transport the individual to the nearest**
7 **appropriate facility. The individual may not be transported to**
8 **a state institution.**

9 (2) **Charge the individual with an offense, if applicable.**

10 (b) **A law enforcement officer who transports an individual to**
11 **a facility shall submit to the facility a written statement containing**
12 **the basis for the officer's conclusion that reasonable grounds exist**
13 **under this chapter.**

14 (c) **The statement required by subsection (b) shall be filed with**
15 **the following:**

16 (1) **The individual's records at the facility.**

17 (2) **The appropriate court if action relating to any charges**
18 **filed by the officer against the individual is pursued.**

19 (d) **The director of the facility or a physician may furnish**
20 **emergency treatment necessary to preserve the health and safety**
21 **of the individual detained.**

22 (e) **Except as provided in subsection (f), an individual may not**
23 **be detained under this chapter for more than twenty-four (24)**
24 **hours from the time of admission to the facility.**

25 (f) **If the facility director or the attending physician believes the**
26 **individual should be detained for more than twenty-four (24) hours**
27 **from time of admission to the facility, the facility director or the**
28 **physician must have an application filed for emergency detention**
29 **under section 18 of this chapter immediately upon the earlier of the**
30 **following:**

31 (1) **When a judge becomes available.**

32 (2) **Within seventy-two (72) hours after admission to the**
33 **facility.**

34 (g) **An individual detained under this chapter shall be**
35 **discharged if either the attending physician or facility director**
36 **believes detention is no longer necessary.**

37 (h) **A period of detention under this chapter is in addition to a**
38 **period of detention under section 18 of this chapter.**

39 SECTION 22. IC 12-23-11-18 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2011]: **Sec. 18. (a) An individual may be**
42 **detained in a facility for not more than one hundred twenty (120)**

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1 hours under this section, excluding Saturdays, Sundays, and legal
2 holidays, if a written application for detention is filed with the
3 facility. The individual may not be detained in a state institution
4 unless the detention is instituted by the state institution.

5 (b) An application under subsection (a) must contain the
6 following:

7 (1) A statement of the applicant's belief that the individual is
8 an alcoholic, incapacitated by alcohol, or a drug abuser and
9 either dangerous or gravely disabled.

10 (2) A statement by at least one (1) physician that, based on:

11 (A) an examination; or

12 (B) information given the physician;

13 the individual may be an alcoholic, incapacitated by alcohol,
14 or a drug abuser and either dangerous or gravely disabled.

15 (c) A judicial officer authorized to issue a warrant for arrest in
16 the county in which an individual is present may endorse an
17 application made under this section. The endorsed application
18 authorizes a police officer to take the individual into custody and
19 transport the individual to a facility.

20 (d) The expense of transportation under this section shall be
21 paid by the county in which the individual is present.

22 (e) An individual detained under this section may be examined
23 and given emergency treatment necessary to do the following:

24 (1) Preserve the health and safety of the individual.

25 (2) Protect other persons and property.

26 (f) If during a detention period under this section the facility
27 director or the attending physician determines that there is not
28 probable cause to believe the individual is an alcoholic,
29 incapacitated by alcohol, or a drug abuser and either dangerous or
30 gravely disabled, a report shall be made under subsection (g).

31 (g) Before the end of a detention period under this section, the
32 facility director or the individual's attending physician shall make
33 a written report to the court. The report must contain the
34 following:

35 (1) A statement that the individual has been examined.

36 (2) A statement whether there is probable cause to believe
37 that the individual:

38 (A) is an alcoholic, incapacitated by alcohol, or a drug
39 abuser and either dangerous or gravely disabled; and

40 (B) requires continuing care and treatment.

41 (h) If a report made under subsection (g) states there is not
42 probable cause, the individual shall be discharged from the facility.

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The report must be made part of the individual's record.

(i) If a report made under subsection (g) states there is probable cause, the report shall recommend the following:

(1) That the court hold a hearing to determine whether:

(A) the individual is an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled; and

(B) there is a need for continuing involuntary detention.

(2) That the individual be detained in the facility pending the hearing.

(j) The court shall consider and act upon a report described in subsection (g) within twenty-four (24) hours after receiving the report.

(k) After receiving a report described in subsection (g), the court may do any of the following:

(1) Order the individual released.

(2) Order the individual's continued detention pending a preliminary hearing. The purpose of a hearing under this subdivision is to determine if there is probable cause to believe that the individual is:

(A) an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled; and

(B) in need of temporary or regular commitment.

(3) Order a final hearing. The purpose of a hearing ordered under this subdivision is to determine if the individual is:

(A) an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled; and

(B) in need of temporary or regular commitment.

(l) A hearing ordered under subsection (k) must be held not later than two (2) days after the order.

(m) A physician's statement may be introduced into evidence at the preliminary hearing held under subsection (k)(2) without the presence of the physician.

(n) A finding of probable cause may not be entered at a preliminary hearing unless there is oral testimony:

(1) subject to cross-examination; and

(2) of at least one (1) witness who:

(A) has personally observed the behavior of the individual; and

(B) will testify to facts supporting a finding that there is probable cause to believe that the individual is in need of temporary or regular commitment.

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1 (o) At the conclusion of the preliminary hearing, if the court
2 does not find probable cause, the court shall immediately discharge
3 the individual.

4 (p) If the court finds at the conclusion of the preliminary
5 hearing probable cause to believe that the individual needs
6 temporary or regular commitment, the court shall order the
7 detention of the individual in an appropriate facility pending a
8 final hearing.

9 (q) A final hearing shall be held not later than ten (10) days
10 after the date of the preliminary hearing.

11 (r) At a final hearing, an individual may not be found in need of
12 temporary or regular commitment unless at least one (1) physician
13 who has personally examined the individual testifies at the hearing.
14 This testimony may be waived by the individual if the waiver is
15 voluntarily and knowingly given.

16 (s) If an individual has not previously been the subject of a
17 commitment proceeding, the court may order only a temporary
18 commitment.

19 (t) If an individual has previously been the subject of a
20 commitment proceeding, the court may order a regular
21 commitment under section 19 of this chapter, if a longer period of
22 treatment is warranted.

23 (u) If it is determined that there was not probable cause to
24 believe that an individual is an alcoholic, incapacitated by alcohol,
25 or a drug abuser and was dangerous when taken into custody and
26 transported to the facility to be detained, the costs of
27 transportation to and care and maintenance in the facility during
28 the period of detention shall be paid by the county in which the
29 individual was taken into custody.

30 SECTION 23. IC 12-23-11-19 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2011] Sec. 19. (a) An individual who is
33 alleged to be an alcoholic, incapacitated by alcohol, or a drug
34 abuser and either dangerous or gravely disabled may be committed
35 to a facility for not more than ninety (90) days under this chapter.

36 (b) A commitment under this section may be begun by any of
37 the following methods:

38 (1) An order of the court having jurisdiction over the
39 individual following detention under section 18 of this
40 chapter.

41 (2) Filing a petition with a court having jurisdiction in the
42 county:

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- 1 (A) of residence of the individual; or
- 2 (B) where the individual may be found.
- 3 (c) A petitioner under subsection (b)(2) must be at least eighteen
- 4 (18) years of age.
- 5 (d) A petition under subsection (b)(2) must include a physician's
- 6 written statement stating the following:
- 7 (1) The physician has examined the individual within the past
- 8 thirty (30) days.
- 9 (2) The physician believes the individual is:
- 10 (A) an alcoholic, incapacitated by alcohol, or a drug abuser
- 11 and either dangerous or gravely disabled; and
- 12 (B) in need of custody, care, or treatment in an appropriate
- 13 facility.
- 14 (e) Notice of a hearing under this section shall be given to the
- 15 following:
- 16 (1) The individual.
- 17 (2) The petitioner.
- 18 (3) The director or the chief executive officer of a facility
- 19 having care or custody of the individual.
- 20 (f) The notice required by subsection (e) must state the time,
- 21 place, and date of the hearing.
- 22 (g) Within three (3) days after a proceeding is begun under this
- 23 section, the court shall enter an order setting a hearing date.
- 24 (h) If the proceeding was begun under subsection (b)(2), the
- 25 hearing date set under subsection (g) must be more than one (1)
- 26 day but less than fourteen (14) days from the date of notice.
- 27 (i) If the proceeding was begun under subsection (b)(1), the
- 28 hearing shall be held within ten (10) days after issuance of the
- 29 order.
- 30 (j) The court may hold the hearing at a facility or other suitable
- 31 place not likely to have a harmful effect on the individual's health
- 32 or well-being.
- 33 (k) The court may appoint a physician to do the following:
- 34 (1) Examine the individual.
- 35 (2) Report, before the hearing, the physician's opinion as to
- 36 the following:
- 37 (A) Whether the individual is an alcoholic, incapacitated
- 38 by alcohol, or a drug abuser and either dangerous or
- 39 gravely disabled.
- 40 (B) Whether the individual needs temporary commitment
- 41 to a facility for diagnosis, care, and treatment.
- 42 (l) If a report is made under subsection (k) that the individual

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is not either dangerous or gravely disabled, the court may terminate the proceedings and dismiss the petition. Otherwise, the hearing must proceed as scheduled or as continued by the court.

(m) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled, the court may order the individual to:

- (1) be committed to an appropriate facility; or
- (2) enter an outpatient therapy program under section 22 of this chapter for a period of not more than ninety (90) days.

(n) The court's order must require that the facility director or the attending physician file a treatment plan with the court within fifteen (15) days after the individual's admission to the facility under a commitment order.

(o) Unless the court has entered an order under section 20 of this chapter, the facility director or the attending physician may discharge the individual before the end of the commitment period if the facility director or attending physician determines that the individual is not an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled.

(p) If an individual is discharged under subsection (o), the facility director or the attending physician shall notify the court, and the court shall enter an order terminating the commitment.

(q) The period of commitment of an individual under this chapter may be extended for one (1) additional period of not more than ninety (90) days through a proceeding under this subsection. A proceeding under this subsection:

- (1) must begin before the end of the first period of commitment; and
- (2) may begin by filing with the court a report by the attending physician or facility director that states that the individual continues to be:
 - (A) an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled; and
 - (B) in need of continuing custody, care, or treatment in the facility for an additional period of not more than ninety (90) days.

(r) Upon receiving a report under subsection (q), the court shall set a hearing on the report that must be held before the end of the current commitment period.

(s) Notice of the hearing shall be given to the committed individual and all other interested individuals at least five (5) days

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1 before the hearing date.

2 (t) A committed individual's rights and a petitioner's rights and
3 hearing procedures are the same as those provided for the first
4 period of commitment.

5 (u) If at the completion of the hearing and the consideration of
6 the record the individual is found to be:

7 (1) an alcoholic, incapacitated by alcohol, or a drug abuser
8 and either dangerous or gravely disabled; and

9 (2) in need of continuing custody, care, or treatment in the
10 facility;

11 the court may order the individual's continuing custody, care, or
12 treatment in the facility for one (1) additional period of not more
13 than ninety (90) days.

14 (v) At least twenty (20) days before the end of the first or second
15 temporary commitment period, the facility director or the
16 attending physician shall make a report to the court that states the
17 following:

18 (1) The progress of the individual's treatment.

19 (2) Whether the individual is dangerous or gravely disabled.

20 (3) Whether the individual needs continuing care and
21 treatment in a facility for a period of more than ninety (90)
22 days.

23 SECTION 24. IC 12-23-11-20 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2011]: **Sec. 20. (a)** Except as provided in
26 subsection (c), a court that orders a commitment under this
27 chapter may order the facility director to notify the petitioner in
28 the commitment proceeding and any other person designated by
29 the court that the committed individual will be discharged.

30 (b) The notice required under subsection (a) shall be given to the
31 petitioner and any other person designated by the court at least
32 twenty (20) days before the end of the commitment period.

33 (c) Within ten (10) days after receiving a notice under
34 subsection (a), the petitioner may file a petition with the court that
35 ordered the committed individual's commitment requesting a
36 hearing to determine whether the individual should be discharged.

37 (d) The petitioner shall notify the facility director of a petition
38 filed with the court under subsection (c).

39 (e) If the facility director does not receive notice of a request for
40 a hearing within ten (10) days after notice was given under
41 subsection (c), the committed individual shall be discharged unless
42 the facility director determines that the individual is an alcoholic,

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1 incapacitated by alcohol, or a drug abuser and either dangerous or
2 gravely disabled.

3 (f) If the facility director is notified of a petition under
4 subsection (c), the committed individual may not be discharged
5 except as provided in this chapter.

6 (g) If the court receives a petition under subsection (c), the court
7 shall set a hearing date.

8 (h) The hearing date set under subsection (g) must be within
9 twenty (20) days after the petition is filed.

10 (i) If a hearing is not held within twenty (20) days after the filing
11 of the petition, the committed individual shall be discharged unless
12 either of the following applies:

13 (1) The individual agrees to a continuance.

14 (2) The facility director determines that the individual is an
15 alcoholic, incapacitated by alcohol, or a drug abuser and
16 either dangerous or gravely disabled.

17 (j) At the hearing the petitioner is entitled to present evidence
18 concerning the committed individual's drug and alcohol issues.

19 (k) The court shall order the discharge of a committed
20 individual and terminate the commitment if the court finds that the
21 individual is not an alcoholic, incapacitated by alcohol, or a drug
22 abuser and is not either dangerous or gravely disabled.

23 (l) If the court does not order the discharge of the committed
24 individual under subsection (k), the court may appoint a guardian
25 to provide for the individual's continued care.

26 SECTION 25. IC 12-23-11-21 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2011]: **Sec. 21. (a)** A facility director may
29 grant an individual committed to the facility a leave of absence
30 from confinement in the facility for a period designated by the
31 facility director if the facility director or an attending physician
32 determines that the leave of absence is in the best interest of the
33 individual.

34 (b) Upon the discharge of an individual committed under this
35 chapter, the facility director shall notify the committing court of
36 the date of the discharge. The court shall make an entry on the
37 record indicating the date of discharge.

38 SECTION 26. IC 12-23-11-22 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2011]: **Sec. 22. (a)** If a hearing has been held
41 under section 19 of this chapter and the court finds that the
42 individual is:

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1 (1) an alcoholic, incapacitated by alcohol, or a drug abuser
2 and either dangerous or gravely disabled;

3 (2) likely to benefit from an outpatient therapy program that
4 is designed to decrease the individual's dangerousness or
5 disability;

6 (3) not likely to be either dangerous or gravely disabled if the
7 individual complies with the therapy program; and

8 (4) recommended for an outpatient therapy program by the
9 individual's examining physician;

10 the court may order the individual to enter a therapy program as
11 an outpatient.

12 (b) Before the court may issue an order under subsection (a), a
13 representative of an outpatient therapy program approved by the
14 court must represent to the court that the individual may enter
15 that program immediately.

16 (c) The court may require an individual ordered to enter an
17 outpatient therapy program under subsection (a) to do the
18 following:

19 (1) Follow the therapy program the individual enters.

20 (2) Attend each medical, psychiatric, and rehabilitation
21 appointment made for the individual.

22 (3) Reside at a location determined by the court.

23 (4) Comply with other conditions determined by the court.

24 (d) If a staff member of a program involved in the treatment,
25 supervision, rehabilitation, or care of an individual ordered to
26 enter an outpatient therapy program under subsection (a) has
27 reason to believe that the individual has failed to comply with the
28 requirements of subsection (c), the staff member shall immediately
29 notify the court of the failure to comply.

30 (e) An individual may be transferred from an outpatient
31 therapy program to the inpatient unit of the facility that has the
32 original commitment.

33 (f) An individual may not be imprisoned or confined in a jail or
34 correctional facility unless the individual has been placed under
35 arrest.

36 (g) A facility to which an individual is transferred under
37 subsection (e) shall immediately notify the court of the transfer.

38 (h) Upon receiving notification under subsection (d), the court
39 shall reopen the original commitment proceeding and determine
40 whether the:

41 (1) individual:

42 (A) has failed to comply with the requirements of

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subsection (c);

(B) is an alcoholic, incapacitated by alcohol, or a drug abuser and either dangerous or gravely disabled; and

(C) should be committed to a facility under this article; or

(2) individual should continue to be maintained on an outpatient commitment, subject to an additional court order that:

(A) requires a law enforcement officer to apprehend and transport the individual to a facility for treatment; and

(B) applies:

(i) after notification to the court by the facility or provider responsible for the individual's commitment; and

(ii) whenever the individual fails to attend a scheduled outpatient appointment or fails to comply with a condition of the outpatient commitment.

(i) If the court receives notice of a transfer under subsection (g), the court may conduct a review to determine the validity of the transfer.

(j) If an individual is ordered to enter a therapy program under subsection (a), the individual is entitled to a review of the order and release from the program at the same intervals and under the same conditions as an individual committed under section 19 of this chapter.

(k) If an individual:

(1) has been committed under section 19 of this chapter;

(2) is likely to benefit from a therapy program designed to decrease the individual's dangerousness or grave disability;

(3) is not likely to be either dangerous or gravely disabled if the individual continues to follow the therapy program; and

(4) is recommended for an outpatient therapy program by the individual's attending or examining physician;

the facility director in which the individual is committed or the court at the time of commitment may place the individual on outpatient status for the remainder of the individual's commitment period, subject to the conditions of outpatient therapy programs under subsection (l).

(l) An individual placed on outpatient status under subsection (k) may be required to do the following:

(1) Follow the therapy program designed by the facility in which the individual has been placed.

(2) Attend any medical, rehabilitation, or psychiatric

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1 appointments made for the individual with respect to the
2 individual's psychiatric condition.

3 **(3) Reside at a place designated by the facility director.**

4 **(m) If the individual's attending or examining physician**
5 **determines that the individual has failed to comply with the**
6 **requirements under subsection (l) and is likely to be dangerous or**
7 **gravely disabled, the individual:**

8 **(1) may be returned to the facility to which the individual is**
9 **committed under this article as an inpatient; or**

10 **(2) may be transferred to a short term subacute stabilization**
11 **treatment program under this chapter.**

12 **(n) After an individual has been returned to the facility to which**
13 **the individual is committed under this article, the director shall**
14 **conduct a hearing under IC 4-21.5-3 to determine whether:**

15 **(1) the individual has failed to comply with the requirements**
16 **described in subsection (l);**

17 **(2) the individual is in need of inpatient treatment; and**

18 **(3) the individual's outpatient status should be revoked.**

19 **(o) A hearing required by subsection (a) may be conducted by**
20 **a hearing officer appointed by the director.**

21 **(p) An individual may appeal under IC 4-21.5-5 a determination**
22 **of the hearing officer by filing a petition with the court that**
23 **committed the individual under section 19 of this chapter.**

24 SECTION 27. IC 12-24-8-1 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. If an individual
26 escapes from the facility to which an individual is committed under
27 **IC 12-23 or IC 12-26** or fails to comply with the requirements for
28 outpatient status in accordance with IC 12-26-14-8, the sheriff of the
29 county in which the individual is found shall take charge of and return
30 the individual to the nearest state institution or community mental
31 health center that has appropriate and available facilities and personnel
32 to detain the escaped individual.

33 SECTION 28. IC 33-23-16-12.5 IS ADDED TO THE INDIANA
34 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2011]: **Sec. 12.5. A drug court established**
36 **under this chapter has jurisdiction over a proceeding under**
37 **IC 12-23-11.**

38 SECTION 29. IC 34-30-2-47.1 IS ADDED TO THE INDIANA
39 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2011]: **IC 12-23-11-14.5 (Concerning a**
41 **person who takes certain actions with regard to the commitment**
42 **of an individual for involuntary drug or alcohol treatment).**

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1 SECTION 30. IC 34-30-2-47.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **IC 12-23-11-15 (Concerning a child**
4 **advocate in the performance of the child advocate's duties).**

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