

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1416 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 11-13-9-2, AS AMENDED BY P.L.42-2010,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2011]: Sec. 2. **(a) As used in this section, confinement is**
6 **"consecutive" if:**
7 **(1) the inmate has remained in the continuous custody of the**
8 **department for the requisite length of time; or**
9 **(2) the inmate would have remained in the continuous custody**
10 **of the department for the requisite length of time, but:**
11 **(A) was released from the custody of the department on the**
12 **basis of an erroneous court order; and**
13 **(B) returned to the custody of the department not later**
14 **than seventy-two (72) hours after the erroneous court**
15 **order was rescinded.**
16 **(b) Notwithstanding any other law, as soon as practicable after an**
17 **inmate has been confined to the custody of the department for:**
18 **(1) twenty-five (25) consecutive years; or**
19 **(2) twenty-four (24) consecutive years if the inmate has**
20 **received one (1) year of credit time under IC 35-50-6-3.3;**
21 **(3) twenty-three (23) consecutive years if the inmate has**
22 **received two (2) years of credit time under IC 35-50-6-3.3;**
23 **(4) twenty-two (22) consecutive years if the inmate has**
24 **received three (3) years of credit time under IC 35-50-6-3.3;**
25 **or**
26 **(5) twenty-one (21) consecutive years if the inmate has received**
27 **four (4) years of credit time under ~~IC 35-50-6;~~ IC 35-50-6-3.3;**
28 **the department shall ~~(1)~~ identify the inmate to the parole board and ~~(2)~~**
29 **provide the parole board with the inmate's offender progress report."**
30 Renumber all SECTIONS consecutively.

(Reference is to EHB 1416 as printed April 1, 2011.)

Senator WATERMAN