



February 21, 2012

**ENGROSSED
HOUSE BILL No. 1092**

DIGEST OF HB 1092 (Updated February 16, 2012 12:06 pm - DI 58)

Citations Affected: IC 33-33.

Synopsis: Johnson superior court judge. Adds a fourth judge to the Johnson superior court as of January 1, 2015. Specifies that the part of the total salary and benefits otherwise paid by the state for the new judge will not be paid until a building in existence on January 1, 2012, has been rehabilitated and is ready as a place for the court to hold sessions.

Effective: July 1, 2012.

Burton, Steuerwald

(SENATE SPONSOR — BRAY)

January 9, 2012, read first time and referred to Committee on Judiciary.

January 25, 2012, reported — Do Pass.

January 27, 2012, read second time, ordered engrossed. Engrossed.

January 30, 2012, read third time, passed. Yeas 92, nays 0.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Judiciary.

February 9, 2012, reported favorably — Do Pass; reassigned to Committee on Appropriations.

February 20, 2012, amended, reported favorably — Do Pass.

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EH 1092—LS 6189/DI 69+



February 21, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1092

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 33-33-41-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) There are
3 established ~~three (3)~~ **four (4)** courts of record to be known as the
4 Johnson superior court No. 1, Johnson superior court No. 2, ~~and~~
5 Johnson superior court No. 3, **and Johnson superior court No. 4.**
6 (b) Except as otherwise provided in this chapter, each Johnson
7 superior court is a standard superior court as described in IC 33-29-1.
8 (c) Johnson County comprises the judicial district of each court.
9 SECTION 2. IC 33-33-41-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The Johnson
11 superior court No. 1 and Johnson superior court No. 2 each have one
12 (1) judge who shall hold sessions in the Johnson County courthouse in
13 Franklin.
14 (b) The Johnson superior court No. 3 ~~has~~ **and Johnson superior**
15 **court No. 4 each have** one (1) judge who shall hold sessions in a place
16 to be determined and provided by the board of county commissioners
17 of Johnson County.

EH 1092—LS 6189/DI 69+



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1 SECTION 3. IC 33-33-41-4.1 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2012]: **Sec. 4.1. (a) Notwithstanding sections**
4 **3 and 4 of this chapter, the Johnson superior court No. 4 is not**
5 **established until January 1, 2015.**
6 (b) The initial election of the judge of the Johnson superior
7 court No. 4 added by section 3 of this chapter is the general election
8 on November 4, 2014. The term of the initially elected judge begins
9 January 1, 2015.
10 (c) Notwithstanding IC 33-38-5, the part of the total salary and
11 benefits that would otherwise be paid by the state for the judge of
12 the new Johnson superior court No. 4 may not be paid by the
13 auditor of state until the auditor of state receives a resolution of the
14 board of county commissioners of Johnson County that sets forth
15 the board's determination that a building in existence on January
16 1, 2012, has been rehabilitated and is ready as a place for the court
17 added by section 3 of this chapter to hold sessions.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1092, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FOLEY, Chair

Committee Vote: yeas 7, nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1092, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is made to House Bill 1092 as printed January 25, 2012.)

BRAY, Chairperson

Committee Vote: Yeas 9, Nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1092, 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:

Page 2, delete line 10, begin a new paragraph and insert:

"(c) Notwithstanding IC 33-38-5, the part of the total salary and benefits that would otherwise be paid by the state for the judge of the new Johnson superior court No. 4 may not be paid by the auditor of state until the auditor of state receives a resolution of the board of county commissioners of Johnson County that sets forth the board's determination that a building in existence on January

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1, 2012, has been rehabilitated and is ready as a place for the court added by section 3 of this chapter to hold sessions."

and when so amended that said bill do pass.

(Reference is to HB 1092 as printed January 25, 2012.)

KENLEY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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