

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 322 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 11-8-10 IS ADDED TO THE INDIANA CODE  
4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2012]:  
6 **Chapter 10. Contractors of the Department**  
7 **Sec. 1. If the department contracts for services with a third**  
8 **party contractor for monitoring services or sex offender treatment,**  
9 **all savings realized by the department will be recognized by the**  
10 **state."**  
11 Page 1, line 8, after "(A);" insert "**or**".  
12 Page 2, line 4, after "2." insert "**(a)**".  
13 Page 2, between lines 18 and 19, begin a new line block indented  
14 and insert:  
15 **"(5) A contractor of the department of correction, including**  
16 **an officer, employee, or agent of the contractor, who directly**  
17 **or indirectly provides:**  
18 **(A) monitoring services; or**  
19 **(B) sex offender treatment;**  
20 **to an individual on parole under IC 11-13-3-4.**  
21 **(b) A contractor or an officer, employee, or agent of a**  
22 **contractor of the department of correction is liable for an act that**  
23 **is considered to be gross negligence or wilfull, wanton, or**  
24 **intentional misconduct."**

- 1 Page 2, line 21, delete "A" and insert "**Except as provided in**
- 2 **section 2(b) of this chapter, a**".
- 3 Page 2, line 21, delete "entity" and insert "entity,".
- 4 Page 2, line 21, strike "or".
- 5 Page 2, line 21, after "employee" insert "**, or an officer, employee,**
- 6 **or agent of a contractor of the department of correction**".  
(Reference is to ESB 322 as printed February 21, 2012.)

---

Representative Steuerwald