



January 28, 2012

HOUSE BILL No. 1152

DIGEST OF HB 1152 (Updated January 25, 2012 8:01 pm - DI 69)

Citations Affected: IC 33-35.

Synopsis: City and town courts. Provides that certain city or town courts have jurisdiction over misdemeanors if the judge of the city or town court is an attorney in good standing under the requirements of the Indiana supreme court. Requires a judge of the following city and town courts to be an attorney in good standing under the requirements of the Indiana supreme court: (1) Clarksville town court. (2) Edgewood town court. (3) Elkhart city court. (4) Goshen city court. (5) Jeffersonville city court. (6) Mooresville town court. (7) Nappanee city court. (8) New Castle city court. (9) Terre Haute city court.

Effective: July 1, 2012.

McClain

January 9, 2012, read first time and referred to Committee on Courts and Criminal Code.
January 27, 2012, amended, reported — Do Pass.

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HB 1152—LS 6424/DI 69+



January 28, 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.

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HOUSE BILL No. 1152

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 33-35-2-3, AS AMENDED BY P.L.55-2010,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 3. A city court has the following jurisdiction over
4 crimes, infractions, and ordinance violations:
5 (1) Jurisdiction of all violations of the ordinances of the city.
6 (2) Jurisdiction of:
7 (A) all misdemeanors **only if the city court is listed in**
8 **IC 33-35-5-7(c);** and
9 (B) all infractions.
10 (3) If the city that established the city court has entered into an
11 interlocal agreement described in IC 33-35-1-6 with another city
12 or a town, jurisdiction of all other ordinance violations described
13 in the interlocal agreement.
14 SECTION 2. IC 33-35-2-8, AS AMENDED BY P.L.55-2010,
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 8. (a) A town court has exclusive jurisdiction of
17 all violations of the ordinances of the town.

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- 1 (b) A town court also has jurisdiction of:
 2 (1) all misdemeanors **only if the town court is listed in**
 3 **IC 33-35-5-7(c);** and
 4 (2) all infractions.
 5 (c) If the town that established the town court has entered into an
 6 interlocal agreement described in IC 33-35-1-6 with a city or another
 7 town, the town court has jurisdiction of all other ordinance violations
 8 described in the interlocal agreement.
 9 SECTION 3. IC 33-35-5-7 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) A city court is not
 11 a court of record.
 12 (b) A town court is not a court of record.
 13 (c) A person selected as judge of the following courts must be an
 14 attorney in good standing under the requirements of the supreme court:
 15 (1) Anderson city court.
 16 (2) Avon town court.
 17 (3) Brownsburg town court.
 18 (4) Carmel city court.
 19 (5) A city or town court located in Lake County.
 20 (6) Muncie city court.
 21 (7) Noblesville city court.
 22 (8) Plainfield town court.
 23 (9) Greenwood city court.
 24 (10) Martinsville city court.
 25 (11) **Clarksville town court.**
 26 (12) **Edgewood town court.**
 27 (13) **Elkhart city court.**
 28 (14) **Goshen city court.**
 29 (15) **Jeffersonville city court.**
 30 (16) **Mooreville town court.**
 31 (17) **Nappanee city court.**
 32 (18) **New Castle city court.**
 33 (19) **Terre Haute city court.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1152, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, delete "(A)", begin a new line block indented and insert:

"(1)".

Page 2, line 4, delete "(B)", begin a new line block indented and insert:

"(2)".

Page 2, after line 8, begin a new paragraph and insert:

"SECTION 3. IC 33-35-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) A city court is not a court of record.

(b) A town court is not a court of record.

(c) A person selected as judge of the following courts must be an attorney in good standing under the requirements of the supreme court:

- (1) Anderson city court.
- (2) Avon town court.
- (3) Brownsburg town court.
- (4) Carmel city court.
- (5) A city or town court located in Lake County.
- (6) Muncie city court.
- (7) Noblesville city court.
- (8) Plainfield town court.
- (9) Greenwood city court.
- (10) Martinsville city court.
- (11) Clarksville town court.**
- (12) Edgewood town court.**
- (13) Elkhart city court.**
- (14) Goshen city court.**
- (15) Jeffersonville city court.**
- (16) Mooresville town court.**
- (17) Nappanee city court.**
- (18) New Castle city court.**

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(19) Terre Haute city court."

and when so amended that said bill do pass.

(Reference is to HB 1152 as introduced.)

STEUERWALD, Chair

Committee Vote: yeas 9, nays 2.

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