

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

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

MR. SPEAKER:

I move that House Bill 1016 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 5-2-11-5, AS AMENDED BY P.L.26-2007,
- 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2013]: Sec. 5. (a) As used in this section, "commission"
- 6 means the commission for a drug free Indiana established by
- 7 IC 5-2-6-16.
- 8 (b) Subject to subsections (c) and (d), **and except as provided in**
- 9 **subsection (f)**, a county fiscal body shall annually appropriate from the
- 10 fund amounts allocated by the county legislative body for the use of
- 11 persons, organizations, agencies, and political subdivisions to carry out
- 12 recommended actions contained in a comprehensive drug free
- 13 communities plan submitted by the local coordinating council and
- 14 approved by the commission as follows:
- 15 (1) For persons, organizations, agencies, and political
- 16 subdivisions to provide prevention and education services, at least
- 17 twenty-five percent (25%) of the money in the fund.
- 18 (2) For persons, organizations, agencies, and political
- 19 subdivisions to provide intervention and treatment services, at
- 20 least twenty-five percent (25%) of the money in the fund.
- 21 (3) For persons, organizations, agencies, and political
- 22 subdivisions to provide criminal justice services and activities, at
- 23 least twenty-five percent (25%) of the money in the fund.
- 24 (4) A county fiscal body shall allocate the remaining twenty-five

1 percent (25%) of the money in the fund to persons, organizations,  
 2 agencies, and political subdivisions to provide services and  
 3 activities under subdivisions (1) through (3) based on the  
 4 comprehensive drug free communities plan submitted by the local  
 5 coordinating council and approved by the commission.

6 (c) In the comprehensive drug free communities plan, the local  
 7 coordinating council shall determine the amount of funds the county  
 8 fiscal body shall appropriate to implement the objectives approved in  
 9 the comprehensive drug free communities plan.

10 (d) If the comprehensive drug free communities plan is not  
 11 approved by the commission, the county fiscal body may not  
 12 appropriate any funds at the request of the local coordinating council  
 13 or any other local entity. **However, the county fiscal body may**  
 14 **appropriate funds in accordance with subsection (f), if applicable.**

15 (e) If funds are allocated by a county legislative body under  
 16 subsection (b) and the commission has not approved the  
 17 comprehensive drug free communities plan for the county, the  
 18 commission may:

19 (1) approve and appoint a new local coordinating council for the  
 20 county;

21 (2) freeze funds allocated by the county legislative body, **except**  
 22 **for funds allocated under subsection (f);** or

23 (3) reevaluate the comprehensive drug free communities plan.

24 (f) **This subsection applies to a county having a population of**  
 25 **more than four hundred thousand (400,000) but less than seven**  
 26 **hundred thousand (700,000). The fiscal body of a county described**  
 27 **in this subsection may adopt an ordinance establishing a pilot**  
 28 **project to supplement the funding of a veteran's court with money**  
 29 **in the fund. The ordinance shall establish the amount of money to**  
 30 **be used to supplement the veteran's court; however, not more than**  
 31 **fifty percent (50%) of the money in the fund may be used to**  
 32 **supplement the veteran's court. Notwithstanding subsections (c)**  
 33 **through (e), the county fiscal body shall annually appropriate from**  
 34 **the fund the amount allocated by the ordinance to supplement the**  
 35 **costs of a veteran's court. Money in the fund not allocated to**  
 36 **supplement the costs of a veteran's court shall be allocated on a pro**  
 37 **rata basis in accordance with subsection (b). A pilot project**  
 38 **established in accordance with this subsection expires June 30,**  
 39 **2018. "**

40 Page 3, between lines 19 and 20, begin a new paragraph and insert:

41 "SECTION 3. IC 33-23-16-22, AS ADDED BY P.L.108-2010,  
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 43 JULY 1, 2013]: Sec. 22. (a) The costs of a problem solving court may,  
 44 at the discretion of the fiscal body of the unit, be supplemented out of  
 45 the city general fund or the county general fund and may be further  
 46 supplemented by payment from the user fee fund upon appropriation

- 1 made under IC 33-37-8.
- 2 (b) A problem solving court may apply for and receive the
- 3 following:
- 4 (1) Gifts, bequests, and donations from private sources.
- 5 (2) Grants and contract money from governmental sources.
- 6 (3) Other forms of financial assistance approved by the court to
- 7 supplement the problem solving court's budget.
- 8 **(c) The costs of a veteran's court may, at the discretion of the**
- 9 **fiscal body of the unit, be supplemented out of the county drug free**
- 10 **community fund in a county that has established a pilot project**
- 11 **under IC 5-2-11-5(f). This subsection expires June 30, 2018."**
- 12 Renumber all SECTIONS consecutively.  
(Reference is to HB 1016 as printed January 18, 2013.)

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Representative Candelaria Reardon