



February 15, 2013

---

---

## HOUSE BILL No. 1384

---

DIGEST OF HB 1384 (Updated February 13, 2013 3:54 pm - DI 69)

**Citations Affected:** IC 33-33.

**Synopsis:** Marion County magistrates. Allows the judges of the Marion superior court to appoint 12 full-time magistrates after December 31, 2013.

**Effective:** July 1, 2013.

---

---

**Speedy**

---

---

January 22, 2013, read first time and referred to Committee on Courts and Criminal Code.  
February 14, 2013, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

---

---

C  
O  
P  
Y

HB 1384—LS 7469/DI 69+



February 15, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C  
O  
P  
Y

## HOUSE BILL No. 1384

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 33-33-49-32, AS AMENDED BY P.L.80-2006,  
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2013]: Sec. 32. (a) In addition to the magistrate appointed  
4 under section 31 of this chapter, the judges of the superior court may,  
5 by a vote of a majority of the judges, appoint:  
6 (1) ~~four (4) full-time magistrates under IC 33-23-5 until January~~  
7 ~~1, 2008; not more than two (2) of whom may be from the same~~  
8 ~~political party; and~~  
9 (2) **(1) eight (8) full-time magistrates under IC 33-23-5 after**  
10 **December 31, 2007, and until January 1, 2014, not more than**  
11 **four (4) of whom may be from the same political party; and**  
12 **(2) twelve (12) full-time magistrates under IC 33-23-5 after**  
13 **December 31, 2013, not more than six (6) of whom may be**  
14 **from the same political party.**  
15 (b) The magistrates continue in office until removed by the vote of  
16 a majority of the judges of the court.  
17 (c) A party to a superior court proceeding that has been assigned to

HB 1384—LS 7469/DI 69+



1 a magistrate appointed under this section may request that an elected  
2 judge of the superior court preside over the proceeding instead of the  
3 magistrate to whom the proceeding has been assigned. A request under  
4 this subsection must be in writing and must be filed with the court:  
5 (1) in a civil case, not later than:  
6 (A) ten (10) days after the pleadings are closed; or  
7 (B) thirty (30) days after the case is entered on the  
8 chronological case summary, in a case in which the defendant  
9 is not required to answer; or  
10 (2) in a criminal case, not later than ten (10) days after the  
11 omnibus date.  
12 Upon a timely request made under this subsection by either party, the  
13 magistrate to whom the proceeding has been assigned shall transfer the  
14 proceeding back to the superior court judge.

C  
o  
p  
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1384, 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, delete lines 15 through 42.

Delete pages 3 through 4.

and when so amended that said bill do pass.

(Reference is to HB 1384 as introduced.)

MCMILLIN, Chair

Committee Vote: yeas 13, nays 0.

C  
o  
p  
y

