

Adopted	Rejected
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## COMMITTEE REPORT

YES:	19
NO:	0

### MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1061, 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:*

1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 33-33-49-32, AS AMENDED BY P.L.80-2006,  
4 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2013]: Sec. 32. (a) In addition to the magistrate appointed  
6 under section 31 of this chapter, the judges of the superior court may,  
7 by a vote of a majority of the judges, appoint:  
8           (1) ~~four (4) full-time magistrates under IC 33-23-5 until January~~  
9           ~~1, 2008, not more than two (2) of whom may be from the same~~  
10           ~~political party; and~~  
11           (2) (1) eight (8) full-time magistrates under IC 33-23-5 after  
12           December 31, 2007, **and until January 1, 2014**, not more than  
13           four (4) of whom may be from the same political party; **and**  
14           (2) **twelve (12) full-time magistrates under IC 33-23-5 after**  
15           **December 31, 2013, not more than six (6) of whom may be**

1           **from the same political party.**  
2           (b) The magistrates continue in office until removed by the vote of  
3 a majority of the judges of the court.  
4           (c) A party to a superior court proceeding that has been assigned to  
5 a magistrate appointed under this section may request that an elected  
6 judge of the superior court preside over the proceeding instead of the  
7 magistrate to whom the proceeding has been assigned. A request under  
8 this subsection must be in writing and must be filed with the court:  
9           (1) in a civil case, not later than:  
10           (A) ten (10) days after the pleadings are closed; or  
11           (B) thirty (30) days after the case is entered on the  
12           chronological case summary, in a case in which the defendant  
13           is not required to answer; or  
14           (2) in a criminal case, not later than ten (10) days after the  
15           omnibus date.  
16           Upon a timely request made under this subsection by either party, the  
17           magistrate to whom the proceeding has been assigned shall transfer the  
18           proceeding back to the superior court judge."  
19           Re-number all SECTIONS consecutively.  
              (Reference is to HB 1061 as printed February 8, 2013.)

**and when so amended that said bill do pass.**

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Representative Brown T