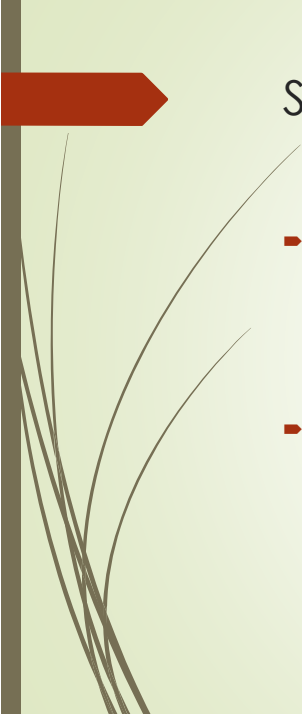




New Legislation

Clerk of the Circuit Court Conference 2019



SEA 2 School Bus Safety

- Amends IC 33-37-5-18 and is effective 7-1-19
 - Safe Schools fee determined by court (\$200 to \$1,000)
 - Adds the fee to the offense of passing a school bus with extended stop arm under IC 9-21-8-52

- Amends IC 33-37-7-2 and is effective 7-1-19
 - Changes distribution of fee
 - 75% is sent to the State
 - 25% is remitted to Auditor for deposit in general fund.



SEA 127 Referendum for School Safety

- Effective 7-1-19 and amends IC 6-1.1-20-3.5
 - Additional requirements for controlled project funding
- Effective 7-1-19 and amends IC 20-46 to add Chapter 9
 - School Safety Referendum Tax Levy
 - Procedures to add the question to the ballot



SEA 208 Electronic Service

- Amends IC 1-1-7-1 and is effective 7-1-19
 - Allows a person to use electronic filing or service instead of mailing in certain cases if electronic filing or service is authorized by rules adopted by the supreme court.



SEA 235 Expungements

- Amends IC 5-2-9 to add a new section 9 that is effective 7-1-19
 - When an IDACS coordinator receives notice from a county clerk that a protective order has been dismissed, the IDACS coordinator shall remove the name of the respondent from the registry.

- Amends IC 34-26 to add a new chapter, 7.5 which is effective 7-1-19
 - Procedures to expunge a protection order

- Amends IC 35-38-9-4 and is effective 7-1-19
 - Provides that a person convicted of a felony that results in death to another person may not seek an expungement of that felony.



SEA 405 Risk Limiting Audits

- Amends IC 3-12 to add a new chapter 13 and is effective 1-1-20
 - Risk Limiting Audits

- Amends IC 3-12 to add a new chapter 14 and is effective 1-1-20
 - Election Procedure Audits



SEA 488 Public Defenders

- Amends IC 33-40 on public defenders and is effective 7-1-19
- Allows for a multi-county public defender's office
 - Designate an auditor of the constituent counties to account for the funds



SEA 518 Probate Matters

- Amends IC 29-1 to add a new Chapter 22 and is effective 7-1-19
 - Establishes an Electronic Estate Planning Documents Registry
 - Administered by Indiana Supreme Court and office of judicial administration



SEA 558 Election Security

- ▶ Amends IC 3-6 to add a new chapter 4.9 effective 7-1-19
 - ▶ Administration enforcement mechanism for enforcement of election laws other than campaign finance laws.
- ▶ Amends IC 3-7-26-15 and is effective 7-1-19
 - ▶ Multi-factor authentication to access statewide voter registration file
 - ▶ County office must provide a statement with election division to state name and contact information for at least one person who will be contact person regarding cybersecurity issues
- ▶ Amends IC 3-11-4 to add section 5.2 effective 7-1-19
 - ▶ Communication for absentee ballots must contain certain information



SEA 558 Election Security

- ▶ Amends IC 3-11-4-17.7 and is effective 7-1-19
 - ▶ Replacement Absentee Ballots
- ▶ Amends IC 3-11-8-9 and is effective 7-1-19
 - ▶ Inspector must record number of individuals who are waiting to vote
- ▶ Amends IC 3-11.5 by adding Chapter 8 and is effective on 7-1-19
 - ▶ Counting of absentee ballots cast on electronic voting systems




SEA 570 Election Cyber Security

- Amends IC 3-7-26.3 to add a new section 35 effective 7-1-19
 - Requires the Secretary of State to establish proficiency standards for county access to computerized list
- Amends IC 3-11-3-10 and is effective 7-1-19
 - Delivery of Electronic Poll Book to inspector; delivery of voting system
- Amends IC 3-11-8-6 and is effective 7-1-19 requiring a secure facility for polls
- Amends IC 3-11-8-10.3 and is effective 4-23-19 that county board is responsible to ensure all electronic poll books are dedicated devices



HEA 1034 Controlled Projects and Debt

- Amends IC 6-1.1-20-1.1 and is effective 7-1-19
 - Excludes from definition projects on roads, streets, bridges and road, street and bridge appurtenances
- Amends IC 6-1.1-20-3.1 and is effective 7-1-19
 - Petition and Remonstrance process, controlled project includes a project that when added to the cost of all other projects exceeds 1% of GAV but less than 2% of GAV.
- Amends IC 6-1.1-20-3.5 and is effective 7-1-19
 - Referendum process, controlled project include a project that when added to the cost of all other projects exceeds 2% of GAV



HEA 1087 Payment of Court Costs

- Amends IC 33-3-2-3 and is effective 7-1-19
- Allows the court to reduce some or all of the costs owed by a person who has successfully performed court ordered community service or uncompensated volunteer work approved by the court



HB 1192 Theft by Public Servants

- Amends various statutes on Pension Funds
- The person's contributions or benefits or both may be transferred to reimburse the person's employer for loss resulting from the person's criminal taking of the employer's property.
- Must have an order of restitution from the court.



HEA 1311 Absentee Ballots

- Amends IC 3-11-4-3 and is effective 7-1-19
 - Allows for electronic mail for an absentee ballot from a confined voter
 - Extends deadline to 12 days before election for other voters to submit application
 - After December 31, 2019 and absentee ballot may not be received before December 1 of the year before the election



HEA 1375 State Board of Accounts

- Amends IC 5-11-1-9.4 to provide for confidential reporting of malfeasance, misfeasance and nonfeasance
- Amends IC 6-1.1-37-10 on the application of payments of property taxes and is effective 7-1-19
- Amends IC 33-32-3-6 and is effective 7-1-19 that you only need 2 copies of the monthly report provided to the auditor.
- Amends IC 36-2-5-3.7 and is effective 7-1-19 to allow for the county fiscal body to set a salary schedule for governing boards that have a higher compensation for presiding officers.
- Amends IC 36-2-5-13 to define compensation



HEA 1427 Local Government Matters

- Amends IC 33-32-2-9 and is effective 7-1-19
 - Requires newly elected Clerks to attend newly elected training

- Amends IC 36-2-7-19 and is effective 7-1-19
 - expands the use of the county elected official training fund to include newly elected officers and one or more designees of a county elected officers.