



# COMMITTEE REPORT

**MR. PRESIDENT:**

**The Senate Committee on Judiciary, to which was referred House Bill No. 1033, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 1, delete lines 1 through 15, begin a new paragraph and insert:  
2           "SECTION 1. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,  
3           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]: Sec. 2. (a) To qualify for financial aid under this  
5           chapter, a county must establish a community corrections advisory  
6           board by resolution of the county executive or, in a county having a  
7           consolidated city, by the city-county council. A community corrections  
8           advisory board consists of:  
9           (1) the county sheriff or the sheriff's designee;  
10           (2) the prosecuting attorney or the prosecuting attorney's  
11           designee;  
12           (3) the executive of the most populous municipality in the county  
13           or the executive's designee;  
14           (4) **in a county:**  
15            **(A) without a consolidated city,** two (2) judges having  
16            criminal jurisdiction, if available, appointed by the circuit  
17            court judge or the judges' designees; **or**  
18            **(B) with a consolidated city, one (1) of the judges must be**  
19            **the chief judge selected under IC 33-33-49-14.1(c) and the**

- 1                   **other judge shall be appointed by the chief judge;**
- 2           **(5) in a county:**
- 3                   **(A) without a consolidated city,** one (1) judge having
- 4                   juvenile jurisdiction, appointed by the circuit court judge; **or**
- 5                   **(B) with a consolidated city, one (1) judge having juvenile**
- 6                   **jurisdiction, appointed by the chief judge selected under**
- 7                   **IC 33-33-49-14.1(c);**
- 8           (6) one (1) public defender or the public defender's designee, if
- 9           available, or one (1) attorney with a substantial criminal defense
- 10           practice appointed by the county executive or, in a county having
- 11           a consolidated city, by the city-county council;
- 12           (7) one (1) victim, or victim advocate if available, appointed by
- 13           the county executive or, in a county having a consolidated city, by
- 14           the city-county council;
- 15           (8) one (1) ex-offender, if available, appointed by the county
- 16           executive or, in a county having a consolidated city, by the
- 17           city-county council;
- 18           (9) the director of the local office of the department of child
- 19           services or the director's designee;
- 20           **(10) in a county:**
- 21                   **(A) without a consolidated city,** a representative from a
- 22                   juvenile correctional facility or juvenile detention center in the
- 23                   county, but if no facility exists, one (1) mental health
- 24                   representative chosen by the judge described in subdivision
- 25                   **(5); or**
- 26                   **(B) with a consolidated city, a mental health**
- 27                   **representative, which could include a representative from**
- 28                   **a juvenile correctional facility or juvenile detention center**
- 29                   **in the county, appointed by the chief judge selected under**
- 30                   **IC 33-33-49-14.1(c);**
- 31           (11) a representative from the Juvenile Detention Alternatives
- 32           Initiative, but if no program exists, a representative from the court
- 33           appointed special advocate program in the county or guardian ad
- 34           litem program in the county; and
- 35           (12) the following members appointed by the county executive or,
- 36           in a county having a consolidated city, by the city-county council:
- 37                   (A) One (1) member of the county fiscal body or the member's
- 38                   designee.

- 1 (B) One (1) probation officer.  
 2 (C) One (1) juvenile probation officer.  
 3 (D) One (1) educational administrator.  
 4 (E) One (1) representative of a private correctional agency, if  
 5 such an agency exists in the county.  
 6 (F) One (1) mental health administrator, or, if there is none  
 7 available in the county, one (1) psychiatrist, psychologist, or  
 8 physician.  
 9 (G) Four (4) lay persons, at least one (1) of whom must be a  
 10 member of a minority race if a racial minority resides in the  
 11 county and a member of that minority is willing to serve.
- 12 (b) Designees of officials designated under subsection (a)(1)  
 13 through (a)(6), (a)(9), and (a)(12)(A) serve at the pleasure of the  
 14 designating official.
- 15 (c) Members of the advisory board appointed by the county  
 16 executive or, in a county having a consolidated city, by the city-county  
 17 council, shall be appointed for a term of four (4) years. The criminal  
 18 defense attorney, the ex-offender, and the victim or victim advocate  
 19 shall be appointed for a term of four (4) years. Other members serve  
 20 only while holding the office or position held at the time of  
 21 appointment. ~~The~~ **In a county that does not have a consolidated city,**  
 22 **the** circuit court judge may fill the position of the judge having juvenile  
 23 court jurisdiction by self appointment if the circuit court judge is  
 24 otherwise qualified. A vacancy occurring before the expiration of the  
 25 term of office shall be filled in the same manner as original  
 26 appointments for the unexpired term. Members may be reappointed.
- 27 (d) Two (2) or more counties, by resolution of their county  
 28 executives or, in a county having a consolidated city, by the city-county  
 29 council, may combine to apply for financial aid under this chapter. If  
 30 counties so combine, the counties may establish one (1) community  
 31 corrections advisory board to serve these counties. This board must  
 32 contain the representation prescribed in subsection (a), but the  
 33 members may come from the participating counties as determined by  
 34 agreement of the county executives or, in a county having a  
 35 consolidated city, by the city-county council.
- 36 (e) The members of the community corrections advisory board shall,  
 37 within thirty (30) days after the last initial appointment is made, meet  
 38 and elect one (1) member as chairman and another as vice chairman

1 and appoint a secretary-treasurer who need not be a member. A  
 2 majority of the members of a community corrections advisory board  
 3 may provide for a number of members that is:

- 4 (1) less than a majority of the members; and
- 5 (2) at least six (6);

6 to constitute a quorum for purposes of transacting business. The  
 7 affirmative votes of at least five (5) members, but not less than a  
 8 majority of the members present, are required for the board to take  
 9 action. A vacancy in the membership does not impair the right of a  
 10 quorum to transact business.

11 (f) The county executive and county fiscal body shall provide  
 12 necessary assistance and appropriations to the community corrections  
 13 advisory board established for that county. Appropriations required  
 14 under this subsection are limited to amounts received from the  
 15 following sources:

- 16 (1) Department grants.
- 17 (2) User fees.
- 18 (3) Other funds as contained within an approved plan.

19 Additional funds may be appropriated as determined by the county  
 20 executive and county fiscal body."

21 Delete pages 2 through 3.

22 Page 4, delete lines 1 through 11.

23 Page 4, line 20, delete "County".

24 Page 4, delete lines 40 through 42, begin a new paragraph and  
 25 insert:

26 "SECTION 5. IC 33-33-49-13.1, AS AMENDED BY P.L.186-2025,  
 27 SECTION 173, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE UPON PASSAGE]: Sec. 13.1. (a) As used in this  
 29 chapter:

- 30 (1) "close relative" has the meaning set forth in IC 33-23-11-2;
- 31 and
- 32 (2) "committee" refers to the Marion County judicial selection  
 33 committee established by subsection (b).

34 (b) The Marion County judicial selection committee is established  
 35 to:

- 36 (1) select nominees for the court; and
- 37 (2) make ~~recommendations to the voters~~ **determinations**  
 38 concerning the ~~retention suitability~~ **of a judge on the court. to**

1 **continue to hold judicial office.**

2 (c) The committee consists of the following fourteen (14) members:

3 (1) Four (4) members who reside in Marion County, appointed as  
4 follows:

5 (A) One (1) member appointed by the speaker of the house of  
6 representatives.

7 (B) One (1) member appointed by the minority leader of the  
8 house of representatives.

9 (C) One (1) member appointed by the president pro tempore  
10 of the senate.

11 (D) One (1) member appointed by the minority leader of the  
12 senate.

13 A person appointed under this subdivision may not be a member  
14 of the general assembly.

15 ~~(2) An attorney who resides in Marion County and practices~~  
16 ~~primarily in the area of criminal law, appointed by the president~~  
17 ~~of the Indianapolis bar association.~~

18 ~~(3) An attorney who resides in Marion County and practices~~  
19 ~~primarily in the area of criminal law, appointed by the president~~  
20 ~~of the Marion County bar association.~~

21 ~~(4) An attorney who resides in Marion County, appointed by the~~  
22 ~~president of the Indiana Trial Lawyers Association.~~

23 ~~(5) An attorney who resides in Marion County, appointed by the~~  
24 ~~president of the Defense Trial Counsel of Indiana. Two (2)~~  
25 **attorneys who reside in Marion County and practice**  
26 **primarily in the areas of criminal, juvenile, or family law,**  
27 **appointed by the governor.**

28 **(3) Two (2) attorneys who reside in Marion County and**  
29 **practice primarily in the areas of criminal, juvenile, or family**  
30 **law, appointed by the chief justice of the supreme court.**

31 ~~(6) (4) Two (2) members appointed by the chairperson of each~~  
32 ~~major political party (as defined by IC 3-5-2.1-62(2)) in Marion~~  
33 ~~County. Each of the four (4) members appointed under this~~  
34 ~~subdivision must reside in Marion County and must reflect the~~  
35 ~~diversity and makeup of Marion County.~~

36 ~~(7) (5) The chief judge of the Indiana Court of Appeals or a~~  
37 ~~designee of the chief judge who is a judge of the Indiana Court of~~  
38 ~~Appeals. The chief judge or chief judge's designee serves as the~~

- 1 vice chairperson of the committee ex officio.
- 2 ~~(8)~~ **(6)** The chief justice of Indiana or a designee of the chief  
 3 justice who is a justice of the Indiana Supreme Court. The chief  
 4 justice or chief justice's designee serves as the chairperson of the  
 5 committee ex officio.
- 6 (d) If a member of the committee is employed by a law firm, no  
 7 other person employed by the same law firm may be appointed to the  
 8 committee.
- 9 (e) A member of the committee may not be:
- 10 (1) a current or former judge of the Marion superior or circuit  
 11 court;
- 12 (2) a current or former judicial officer appointed by the Marion  
 13 superior or circuit court;
- 14 (3) a current or former employee of the Marion superior or circuit  
 15 court; or
- 16 (4) a close relative of anyone **who:**
- 17 **(A) currently works in a position** described in subdivision  
 18 (1), (2), or (3); **or**
- 19 **(B) has held a position described in subdivision (1), (2), or**  
 20 **(3) within the previous six (6) years.**
- 21 This subsection does not apply to a member appointed under  
 22 subsection ~~(c)(7)~~ **(c)(5)** or ~~(c)(8)~~: **(c)(6)**.
- 23 (f) All attorney members of the committee must be in active and  
 24 good standing with the Indiana Supreme Court.
- 25 (g) **Except as provided in subsection (v)**, each member of the  
 26 committee who is not an ex officio member serves a four (4) year term.  
 27 ~~beginning on July 1, 2017, and ending on June 30, 2021.~~ A member of  
 28 the committee may be reappointed for one (1) or more additional four  
 29 (4) year terms **but a member cannot serve consecutive terms. If a**  
 30 ~~member is appointed to fill a vacancy, the member serves during the~~  
 31 ~~unexpired term of the member's predecessor and may be reappointed~~  
 32 ~~for one (1) or more additional four (4) year terms.~~
- 33 (h) If a vacancy exists on the committee, the appointing authority  
 34 who appointed the former member whose position has become vacant  
 35 shall appoint an individual to fill the vacancy **and serve the remainder**  
 36 **of the unexpired term.**
- 37 (i) An ex officio member of the committee ceases to be a member  
 38 of the committee at the time the person no longer holds the office that

- 1 entitles the person to be a member of the committee.
- 2 (j) A member of the committee described in subsection (c)(1)  
 3 through ~~(c)(6)~~ **(c)(4)** who no longer resides in Marion County is  
 4 considered to have resigned from the committee. A member of the  
 5 committee who no longer resides in Marion County shall notify the  
 6 chairperson in writing of the member's change in residence.
- 7 (k) A quorum consists of nine (9) members of the committee.
- 8 (l) The affirmative votes of nine (9) members of the committee are  
 9 required for the committee to take official action with respect to any  
 10 candidate for judicial office.
- 11 (m) The committee shall:
- 12 (1) nominate judicial candidates for the court in accordance with  
 13 section 13.4 of this chapter; and
- 14 (2) make ~~recommendations~~ **determinations** concerning ~~retention~~  
 15 **the suitability of a judge to continue to hold judicial office** in  
 16 accordance with ~~section~~ **sections 13.7 and 13.8** of this chapter.
- 17 (n) The committee meets upon the call of the chairperson.
- 18 (o) The committee shall meet in the Indiana statehouse or in any  
 19 other appropriate location in Marion County, as determined by the  
 20 chairperson.
- 21 (p) Except as otherwise provided in subsection (q) or otherwise  
 22 provided in this chapter, the committee may adopt its own policies and  
 23 operating procedures. The policies and procedures must comply with  
 24 IC 5-14-1.5 (the open door law) and this chapter, and must include  
 25 procedures by which eligible candidates for a vacancy on the court may  
 26 submit their names to the committee. The policies and procedures are  
 27 public records, and the meetings of the committee at which the policies  
 28 and procedures are considered for initial adoption or amendment must  
 29 be publicly announced and open to the public. Applications of  
 30 candidates for judicial appointment are public records.
- 31 (q) Notwithstanding IC 5-14-1.5-2, the committee is a public agency  
 32 for the purposes of IC 5-14-1.5. The committee may meet in executive  
 33 session under IC 5-14-1.5-6.1 for the consideration of a candidate for  
 34 appointment to or retention on the court if:
- 35 (1) notice of the executive session is given in the manner  
 36 prescribed by IC 5-14-1.5-5; and
- 37 (2) all interviews of candidates are conducted at meetings open to  
 38 the public.

1 (r) Notwithstanding IC 5-14-3-4, all public records (as defined in  
2 IC 5-14-3-2) of the committee are subject to IC 5-14-3-3, including  
3 records described in IC 5-14-3-4(b)(12). However, the following  
4 records are excepted from public inspection and copying at the  
5 discretion of the committee:

6 (1) Personnel files of committee employees and members and  
7 files of applicants for employment with the committee to the  
8 extent permitted under IC 5-14-3-4(b)(8).

9 (2) Records specifically prepared for discussion or developed  
10 during discussion in an executive session under IC 5-14-1.5-6.1,  
11 unless the records are prepared for use in the consideration of a  
12 candidate for retention or judicial appointment.

13 (3) Investigatory records prepared for the committee until:

14 (A) the records are considered in connection with the  
15 consideration of a candidate;

16 (B) the records are publicly discussed by the committee in  
17 connection with the consideration of a candidate;

18 (C) a candidate elects to have the records released by the  
19 committee; or

20 (D) the committee elects to release the records that the  
21 committee considers appropriate in response to publicly  
22 disseminated statements relating to the activities or actions of  
23 the committee;

24 whichever occurs first.

25 (4) The work product of an attorney (as defined in IC 5-14-3-2)  
26 representing the committee.

27 (s) When an event described by subsection (r)(3) occurs, the  
28 investigatory record becomes available for public inspection and  
29 copying under IC 5-14-3-3.

30 (t) A former member of the committee may not be nominated as a  
31 judge of the court if the person has served as a member of the  
32 committee within the previous five (5) years.

33 (u) On or before July 1, 2027, and July 1 biennially thereafter, the  
34 committee shall submit a report to the executive director of the  
35 legislative services agency, in an electronic format under IC 5-14-6, for  
36 review by the interim committee on government in accordance with  
37 IC 1-1-15.5-4 and IC 2-5-1.3-13(g). The report shall describe:

38 (1) official action taken; and

1 (2) actionable items considered;  
 2 by the committee during the preceding two (2) years.

3 (v) **This subsection applies only to members appointed under**  
 4 **this section as in effect before the amendments made by HEA**  
 5 **1033-2026. The term of a member appointed under subsection**  
 6 **(c)(1)(A), (c)(1)(B), (c)(2), and (c)(4) and one (1) member of each**  
 7 **political party appointed under subsection (c)(6), as in effect before**  
 8 **the amendments made by HEA 1033-2026, expires on June 30,**  
 9 **2026. The term of a member appointed under subsection (c)(1)(C),**  
 10 **(c)(1)(D), (c)(3), and (c)(5) and one (1) member of each political**  
 11 **party appointed under subsection (c)(6), as in effect before the**  
 12 **amendments made by HEA 1033-2026, expires on June 30, 2028.**  
 13 **A member removed from the committee under this subsection who**  
 14 **has served less than four (4) years of the member's term may be**  
 15 **reappointed for a consecutive term. This subsection expires July 1,**  
 16 **2028.**

17 (w) **The term of a member appointed under subsection (c)(1)(A),**  
 18 **(c)(1)(B), one (1) member appointed under subsection (c)(2) and**  
 19 **(c)(3), and one (1) member of each major political party appointed**  
 20 **under subsection (c)(4) begins on July 1, 2026. The term of a**  
 21 **member appointed under subsection (c)(1)(C), (c)(1)(D), one (1)**  
 22 **member appointed under subsection (c)(2) and (c)(3), and one (1)**  
 23 **member of each major political party appointed under subsection**  
 24 **(c)(4) begins on July 1, 2028."**

25 Delete pages 5 through 7.

26 Page 8, delete lines 1 through 27.

27 Page 10, line 30, delete "a minimum of".

28 Page 10, line 30, strike "three (3)" and insert "**five (5)**".

29 Page 11, strike lines 5 through 6.

30 Page 11, line 7, strike "(5)" and insert "**(4)**".

31 Page 11, line 10, strike "(6)" and insert "**(5)**".

32 Page 11, line 11, strike "(7)" and insert "**(6)**".

33 Page 11, line 14, strike "(8)" and insert "**(7)**".

34 Page 11, line 17, strike "(9)" and insert "**(8)**".

35 Page 11, between lines 19 and 20, begin a new line block indented  
 36 and insert:

37 "**(9) Information from the supreme court disciplinary**  
 38 **commission or the commission on judicial qualifications**

1 regarding any disciplinary action pending or commenced  
2 before the commission, including but not limited to notices of  
3 inquiry, notices of investigation, filed charges, or resolutions.  
4 This information shall be received in executive session, is  
5 confidential, and is not subject to public access."

6 Page 11, line 31, delete "at least".

7 Page 11, line 31, strike "three (3)" and insert "five (5)".

8 Page 11, line 35, delete "vacancy," and insert "vacancy within the  
9 same political party,".

10 Page 12, line 24, strike "may" and insert "is eligible to".

11 Page 12, line 28, after "office." insert "If a judge does not appear  
12 before the committee as required by this subsection, the committee  
13 shall provide notice to the clerk that the question of the judge's  
14 retention may not be on the ballot.".

15 Page 12, line 42, strike "executive session" and insert "a public  
16 hearing".

17 Page 13, line 3, after "chapter." insert "The committee shall meet  
18 in executive session when deliberating as to the suitability of a  
19 judge wishing to retain judicial office.".

20 Page 16, delete lines 25 through 42, begin a new paragraph and  
21 insert:

22 "SECTION 12. IC 33-33-49-14.1 IS ADDED TO THE INDIANA  
23 CODE AS A NEW SECTION TO READ AS FOLLOWS  
24 [EFFECTIVE UPON PASSAGE]: Sec. 14.1. (a) This section applies  
25 to the selection of the executive committee in 2026 to begin serving  
26 a term starting on January 1, 2027, and selection of each executive  
27 committee thereafter. An executive committee comprised of four  
28 (4) superior court judges is responsible for the administrative  
29 operation and conduct of the court. At least one (1) of the four (4)  
30 judges serving on the executive committee must be of a different  
31 political party.

32 (b) Not later than November 15 of the final year of an executive  
33 committee's term, the full court shall meet to select four (4)  
34 candidates for the executive committee to start serving the next  
35 year. The candidates for the executive committee are selected by a  
36 vote of two-thirds (2/3) of the sitting judges who will hold office on  
37 January 1 of the next year. If all candidates for the executive  
38 committee cannot be filled by this two-thirds (2/3) vote, the

1 member will be selected by the chair of the judicial selection  
2 committee established by section 13.1 of this chapter.

3 (c) The four (4) candidates selected under subsection (b) shall be  
4 submitted to the chair of the judicial selection committee for  
5 approval. Not later than December 15 in the year in which the  
6 executive committee members are selected, the chair of the judicial  
7 selection committee may:

8 (1) allow each new executive committee member to submit an  
9 application for the chief judge position; and

10 (2) interview each new executive committee member.

11 The chair of the judicial selection committee shall consider the  
12 feedback of incumbent executive committee members and superior  
13 court judges in an executive session and shall select one (1) member  
14 of the executive committee as the chief judge. A vacancy of the  
15 chief judge position shall be filled by the procedure established  
16 under this subsection.

17 (d) If a vacancy occurs on the executive committee, not later  
18 than thirty (30) days after the vacancy exists:

19 (1) a vote must be taken in the manner described in subsection

20 (b) to select candidates to fill the vacancy; and

21 (2) the candidates identified in subdivision (1) must be  
22 submitted to the chair of the judicial selection committee for  
23 approval.

24 (e) Starting January 1, 2027, a member of the executive  
25 committee serves for a term of three (3) years.

26 (f) The chair of the judicial selection committee may remove any  
27 member of the executive committee, including the chief judge, for  
28 cause.

29 (g) The full court shall do the following:

30 (1) Select candidates for the executive committee under  
31 subsection (b).

32 (2) Approve local rules.

33 (3) Approve the court's annual caseload allocation plan.

34 (4) Review reports from the chief judge and executive  
35 committee.

36 (h) All matters of trial dates, continuances, and subpoenas used  
37 for trial shall be determined by the trial judge in accordance with  
38 rules of the superior court. The executive committee shall perform

1 **duties required under this chapter as well as other duties as**  
2 **determined by rules of the court.**

3 **(i) The court shall, by rules of the court, divide the work of the**  
4 **court into various divisions, including but not limited to the**  
5 **following:**

- 6 **(1) Civil.**
- 7 **(2) Criminal.**
- 8 **(3) Family.**

9 **(j) The work of each division shall be allocated by the rules of**  
10 **the court.**

11 **(k) The court shall keep appropriate records of rules, orders,**  
12 **and assignments of the court."**

13 Page 17, delete lines 1 through 40.

14 Page 18, between lines 33 and 34, begin a new line block indented  
15 and insert:

16 **"(14) Determine for the Marion superior and circuit courts:**

- 17 **(A) operating hours;**
- 18 **(B) holiday hours; and**
- 19 **(C) all court and court facility closure decisions.**

20 **Determinations made under this subdivision shall be made in**  
21 **consultation with the circuit court judge."**

22 Page 18, line 38, delete "majority".

23 Page 19, line 42, strike "judges of the superior court" and insert  
24 **"executive committee".**

25 Page 20, line 1, strike "However,".

26 Page 20, line 2, strike "notwithstanding any other law, at least two  
27 (2) of the commissioners".

28 Page 20, line 2, delete "or".

29 Page 20, line 3, delete "magistrates".

30 Page 20, line 3, strike "appointed under this chapter shall be  
31 appointed by the".

32 Page 20, strike line 4.

33 Page 21, line 33, delete "Notwithstanding" and insert **"Subject to"**.

- 1 Page 23, line 15, strike "elected" and insert "**selected**".
- 2 Page 28, line 10, delete "elected" and insert "**selected**".
- 3 Renumber all SECTIONS consecutively.  
(Reference is to HB 1033 as printed January 12, 2026.)

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

Committee Vote: Yeas 7, Nays 4.

**Carrasco**

**Chairperson**