

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 6382

BILL NUMBER: HB 1033

NOTE PREPARED: Dec 1, 2025

BILL AMENDED:

SUBJECT: Various Judicial Matters.

FIRST AUTHOR: Rep. Lopez

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill has the following provisions:

Marion County Chief Judge: It requires that, in a county having a consolidated city, the chief judge must: (1) be appointed to the Community Corrections Advisory Board; and (2) appoint the second judge and a mental health representative.

Full Court: It defines "full court" as the total of all Marion County superior court judges who are appointed and serving as judges. It specifies which duties are the responsibility of the full court and which are to be determined by a trial judge.

Marion County Judicial Selection Committee: It requires the Marion County Judicial Selection Committee (judicial selection committee) to nominate a minimum of three candidates to the Governor when a judicial vacancy exists and allows the Governor to appoint any of the nominated candidates when filling more than one vacancy. It requires the judicial selection committee to determine that a judge is suitable to retain judicial office before a judge's request for retention may be placed on the ballot. It requires the judicial selection committee to appoint the chief judge.

It specifies that if a newly appointed judge is filling a vacancy of a judge whose term ends the same year as the appointment, the newly appointed judge shall serve a term that expires on December 31 of the sixth full year following the appointment.

Terms: It replaces the term "presiding judge" with "chief judge" within the Marion County superior court.

Judicial Retention: It establishes a procedure with specific deadlines for a judge who wishes to stand for retention in 2026.

Marion County Judicial Executive Committee: It repeals and replaces a provision concerning the procedure to select the Marion County Judicial Executive Committee (executive committee) and certain court provisions. It provides that, for an executive committee starting a term on January 1, 2027, and for the

selection of each committee thereafter, the full court shall meet not later than November 15 in the final year of the executive committee's term to select the next executive committee. It requires a two-thirds vote of the sitting judges who will hold office on January 1 of the next year to select members of the executive committee. It increases the term of an executive committee member of the Marion County judiciary from two years to three years. It describes the duties and authority of the executive committee.

It provides that any action taken by the executive committee may only be overruled by a majority vote of 85% of the full court sitting at the time the vote is taken. It provides that a majority vote of 85% of the full court, serving at the time the vote is taken, is required to remove a member of the executive committee. It removes a requirement that the executive committee requires the approval of two-thirds of the judges to determine the number of judicial officers and personnel required to serve the court.

Appointment of Commissioners or Magistrates: It provides that the judge of the circuit court has exclusive authority to appoint commissioners or magistrates allocated to the circuit court. It provides that the executive committee has exclusive authority to appoint commissioners or magistrates allocated to the superior court, and the commissioners and magistrates appointed serve at the pleasure of the executive committee. It specifies that the executive committee has final authority for all employment decisions regarding commissioners and magistrates. It repeals a provision that allows the presiding judge to appoint a magistrate and allows the executive committee to appoint 28 magistrates. It repeals a provision that allows a party to a superior court proceeding to request an elected judge to preside over the proceeding instead of the magistrate.

Justice Reinvestment Advisory Council: It requires a voting member of the justice reinvestment advisory council to cast a vote in person.

Local Justice Reinvestment Advisory Council: It requires that, in a county having a consolidated city, the chief judge or a judge appointed by the chief judge be the chair of the local justice reinvestment advisory council. It provides that a local or regional advisory council may only take action upon the affirmative vote of the members and a member must cast a vote in person.

It also makes conforming changes.

Effective Date: Upon passage.

Explanation of State Expenditures: *Justice Reinvestment Advisory Council (JRAC):* The bill should have no fiscal impact on the JRAC.

Explanation of State Revenues:

Explanation of Local Expenditures: *Marion Co. Judicial Selection Committee:* As proposed, the bill will likely increase the workload of the committee to conduct judicial qualification hearings, make determinations concerning retention, and provide written notice of the committee's approval or rejection of a judge's retention request. A judge may not be re-elected if the committee makes a determination that the judge is not suitable to hold judicial office. Under current law, an incumbent judge must appear only one time before the committee for the purpose of judicial retention.

It also removes the requirement that the committee issue a statement concerning the approval or rejection of a judge's retention request. This provision could reduce workload for the committee to issue statements

concerning retention. However, any reduction will likely be minimal.

Marion County Judicial Executive Committee: The bill will increase the workload of the executive committee to adopt policies and procedures regarding committee terms, voting, commissioner and magistrate appointments, and court caseload allocation plan. The executive committee should be able to accomplish these tasks within existing resources.

Marion Co. Community Corrections Advisory Board: The bill should have no fiscal impact on the advisory board.

Marion Co. Local Justice Reinvestment Advisory Council: The bill should have no fiscal impact on the advisory council.

Explanation of Local Revenues:

State Agencies Affected: Office of Judicial Administration; Office of the Governor.

Local Agencies Affected: Marion County.

Information Sources:

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