

PROPOSED AMENDMENT

SB 71 # 1

DIGEST

Probate code study committee. Repeals the probate code study committee and requires the interim study committee on courts and the judiciary to study and recommend needed changes concerning the probate code, trust code, and other relevant statutes in even-numbered years.

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:

3 "SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.186-2025,
4 SECTION 270, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) A study committee shall
6 study the issues assigned by the legislative council that are within the
7 subject matter for the study committee, as described in section 4 of this
8 chapter.

9 (b) In addition to the issues assigned under subsection (a), the
10 interim study committee on roads and transportation shall advise the
11 bureau of motor vehicles regarding the suitability of a special group (as
12 defined in IC 9-13-2-170) to receive a special group recognition license
13 plate for the special group (as defined in IC 9-13-2-170) for the first
14 time under IC 9-18.5-12-4 and the suitability of a special group (as
15 defined in IC 9-13-2-170) to continue participating in the special group
16 recognition license plate program under IC 9-18.5-12-5.

17 (c) In addition to the issues assigned under subsection (a), the
18 interim study committee on corrections and criminal code shall review
19 current trends with respect to criminal behavior, sentencing,
20 incarceration, and treatment and may:

21 (1) identify particular needs of the criminal justice system that can
22 be addressed by legislation; and

23 (2) prepare legislation to address the particular needs found by the
24 committee.

25 (d) In each even-numbered year, in addition to the issues assigned
26 under subsection (a), the interim study committee on courts and the

1 judiciary shall review, consider, and make recommendations
 2 concerning all requests for new courts, new judicial officers, and
 3 changes in jurisdiction of existing courts. A request under this
 4 subsection must include at least the following information to receive
 5 full consideration by the committee:

6 (1) The level of community support for the change, including
 7 support from the local fiscal body.

8 (2) The results of a survey that shall be conducted by the county
 9 requesting the change, sampling members of the bar, members of
 10 the judiciary, and local officials to determine needs and concerns
 11 of existing courts.

12 (3) Whether the county is already using a judge or magistrate
 13 from an overserved area of the judicial district.

14 (4) The relative severity of need based on the most recent
 15 weighted caseload measurement system report published by the
 16 office of judicial administration.

17 (5) Whether the county is using any problem solving court as
 18 described in IC 33-23-16-11, and, if so, the list of problem solving
 19 courts established in the county, and any evaluation of the impact
 20 of the problem solving courts on the overall judicial caseload.

21 (6) A description of the:

22 (A) county's population growth in the ten (10) years before the
 23 date of the request; and

24 (B) projected population growth in the county for the ten (10)
 25 years after the date of the request, to the extent available;

26 and any documentation to support the information provided under
 27 this subdivision.

28 (7) A description of the county's use of pre-incarceration
 29 diversion services and post-incarceration reentry services in an
 30 effort to decrease recidivism.

31 (8) If the request is a request for a new court or new courts, an
 32 acknowledgment from the county fiscal body (as defined in
 33 IC 36-1-2-6) with the funding sources and estimated costs the
 34 county intends to pay toward the county's part of the operating
 35 costs associated with the new court or new courts.

36 The office of judicial administration shall post the list of required
 37 information provided under this subsection on its website.

38 (e) In each even-numbered year, in addition to the issues assigned
 39 under subsection (a), the interim study committee on courts and the
 40 judiciary shall **do the following:**

1 (1) Review the most recent weighted caseload measurement
 2 system report published by the office of judicial administration
 3 and do the following:

4 (1) (A) Identify each county in which the number of courts or
 5 judicial officers exceeds the number used by the county in that
 6 report year.

7 (2) (B) Determine the number of previous report years in
 8 which the number of courts or judicial officers in a county
 9 identified in ~~subdivision (1)~~ clause (A) exceeded the number
 10 used by the county in that particular report year.

11 (3) (C) Make a recommendation on whether the number of
 12 courts or judicial officers in the county should be decreased.

13 The office of judicial administration shall post a list of the number
 14 of courts or judicial officers used in each county for each report
 15 year, and the number of years in which the number of courts or
 16 judicial officers in the county has exceeded the number used by
 17 the county, on its website.

18 (2) Study and recommend to the general assembly needed
 19 changes to the following:

20 (A) The probate code (IC 29-1).

21 (B) The trust code (IC 30-4).

22 (C) Any other statute affecting the administration of a
 23 decedent's estate, guardianship, probate jurisdiction, trust,
 24 or fiduciary.

25 (f) In addition to studying the issues assigned under subsection (a),
 26 the interim study committee on child services shall:

27 (1) review the annual reports submitted by:

28 (A) each local child fatality review team under IC 16-49-3-7;

29 (B) the statewide child fatality review committee under
 30 IC 16-49-4-11; and

31 (C) the department of child services under IC 31-25-2-24;

32 during the immediately preceding twelve (12) month period, and
 33 may make recommendations regarding changes in policies or
 34 statutes to improve child safety; and

35 (2) report to the legislative council before November 1 of each
 36 interim, in an electronic format under IC 5-14-6, the results of:

37 (A) the committee's review under subdivision (1); and

38 (B) the committee's study of any issue assigned to the
 39 committee under subsection (a).

40 (g) In each even-numbered year, in addition to the issues assigned

1 under subsection (a), the interim study committee on government shall
2 do the following:

3 (1) Determine whether a group has met in the immediately
4 preceding two (2) years.

5 (2) Review reports submitted to the committee in accordance with
6 IC 1-1-15.5-4.

7 (3) Identify all interstate compacts that have been fully
8 operational for at least two (2) years to which the state is a party.

9 (4) Consider whether to:

10 (A) remain a party to; or

11 (B) withdraw from;

12 each interstate compact.

13 (5) If the committee determines that the state should withdraw
14 from an interstate compact, identify the steps needed to withdraw.

15 (6) Report before November 1 to the legislative council, in an
16 electronic format under IC 5-14-6 the committee's:

17 (A) recommendations for proposed legislation to repeal
18 groups:

19 (i) that have not met during the immediately preceding two

20 (2) years; and

21 (ii) after reviewing a group's report under subdivision (2);

22 and

23 (B) findings and recommendations regarding the interstate
24 compacts.

25 As used in this subsection, "group" refers to an authority, a board, a
26 commission, a committee, a council, a delegate, a foundation, a panel,
27 or a task force that is established by statute, has at least one (1)
28 legislator assigned to it, and is not staffed by the legislative services
29 agency.

30 (h) In 2026 and 2027, in addition to the issues assigned under
31 subsections (a) and (f), the interim study committee on child services
32 shall review the report submitted by the child welfare task force under
33 IC 2-5-55.7-8. This subsection expires December 31, 2027.

34 SECTION 2. IC 2-5-16.1 IS REPEALED [EFFECTIVE JULY 1,
35 2026]. (Probate Code Study Committee)."

36 Renumber all SECTIONS consecutively.

(Reference is to SB 71 as reprinted January 9, 2026.)