

# SENATE BILL No. 191

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-13-3.

**Synopsis:** Photos in criminal history files. Provides that a sheriff, police department, or criminal justice agency required to report an arrest to the state central repository for criminal history data shall transmit a photograph of the person who is the subject of the report at the time the arrest is reported. Permits the state police department to adopt guidelines concerning the method of transmitting photographs, and requires a person submitting the photograph to follow the department's guidelines.

**Effective:** July 1, 2006.

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January 9, 2006, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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# SENATE BILL No. 191



A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-13-3-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. (a) As used in this  
3 chapter, "criminal history data" means information collected by  
4 criminal justice agencies, the United States Department of Justice for  
5 the department's information system, or individuals.

- 6 (b) The term consists of the following:
- 7 (1) Identifiable descriptions and notations of arrests, indictments,  
8 informations, or other formal criminal charges.
  - 9 (2) Information, **including a photograph**, regarding a sex and  
10 violent offender (as defined in IC 5-2-12-4) obtained through sex  
11 and violent offender registration under IC 5-2-12.
  - 12 (3) Any disposition, including sentencing, and correctional system  
13 intake, transfer, and release.
  - 14 (4) **A photograph of the person who is the subject of the**  
15 **information described in subdivisions (1) through (3).**

16 SECTION 2. IC 10-13-3-24 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 24. (a) The department



1 shall act as the official state central repository for criminal history data.

2 (b) A sheriff, police department, or criminal justice agency in  
3 Indiana shall report to the department, on forms provided by the  
4 department, all arrests for reportable offenses.

5 (c) **At the time a sheriff, police department, or criminal justice**  
6 **agency makes the report described in subsection (b), the sheriff,**  
7 **police department, or criminal justice agency shall transmit a**  
8 **photograph of the person who is the subject of the report to the**  
9 **department.**

10 (d) The department may adopt guidelines concerning the:

11 (1) form; and

12 (2) manner of transmission (including electronic  
13 transmission);

14 of a photograph described in subsection (c). If the department  
15 adopts guidelines under this subsection, the sheriff, police  
16 department, or criminal justice agency required to transmit a  
17 photograph under subsection (c) shall transmit the photograph in  
18 accordance with the guidelines adopted by the department.

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