

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1154 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 33-27-4-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. (a) Except as
5 provided in subsection (b), a person may not be certified under this
6 section if:
7 (1) the person:
8 (A) has not served as a:
9 (i) judge; or
10 (ii) justice;
11 (iii) **magistrate; or**
12 (iv) **commissioner appointed under IC 33-33-49 who has**
13 **all the powers and duties prescribed for a magistrate; or**
14 (B) is still serving as a:
15 (i) judge; or
16 (ii) justice;
17 (iii) **magistrate; or**
18 (iv) **commissioner appointed under IC 33-33-49 who has**
19 **all the powers and duties prescribed for a magistrate;**
20 of a court of record in Indiana;
21 (2) the person is not available for the minimum period of
22 commitment for service as a senior judge specified by the
23 supreme court under IC 33-24-3-7; or
24 (3) the combination of:
25 (A) the compensation for senior judges set under
26 IC 33-23-3-5; and
27 (B) any retirement benefits that the person is receiving or is
28 entitled to receive;
29 exceeds the minimum compensation to which judges of the circuit
30 court are entitled under IC 33-38-5.

1 (b) A person who elects to forgo retirement benefits during the
2 period of commitment as a senior judge may be certified as a senior
3 judge under section 2 of this chapter upon verification by the judicial
4 nominating commission of the availability to the person of the
5 election."

6 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1154 as printed February 19, 2010.)

Senator BRAY