



February 16, 2011

SENATE BILL No. 540

DIGEST OF SB 540 (Updated February 14, 2011 9:09 pm - DI 106)

Citations Affected: IC 11-13.

Synopsis: Discharge of long term inmates. Specifies that a period of confinement is consecutive even if an inmate was released on the basis of an erroneous court order, and requires the department of correction to identify an offender to the parole board and provide certain information if the offender has been consecutively confined for 21 to 25 years, depending on the amount of educational credit time earned by the offender.

Effective: July 1, 2011.

Waterman

January 18, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
February 15, 2011, reported favorably — Do Pass.

C
o
p
y

SB 540—LS 7450/DI 106+



February 16, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C
O
P
Y

SENATE BILL No. 540

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

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

- 1 SECTION 1. IC 11-13-9-2, AS AMENDED BY P.L.42-2010,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 2. (a) **As used in this section, confinement is**
4 **"consecutive" if:**
- 5 (1) **the inmate has remained in the continuous custody of the**
6 **department for the requisite length of time; or**
 - 7 (2) **the inmate would have remained in the continuous custody**
8 **of the department for the requisite length of time, but:**
 - 9 (A) **was released from the custody of the department on the**
10 **basis of an erroneous court order; and**
 - 11 (B) **returned to the custody of the department not later**
12 **than seventy-two (72) hours after the erroneous court**
13 **order was rescinded.**
- 14 (b) Notwithstanding any other law, as soon as practicable after an
15 inmate has been confined to the custody of the department for:
- 16 (1) **twenty-five (25) consecutive years; or**
 - 17 (2) **twenty-four (24) consecutive years if the inmate has**

SB 540—LS 7450/DI 106+



1 **received one (1) year of credit time under IC 35-50-6-3.3;**
2 **(3) twenty-three (23) consecutive years if the inmate has**
3 **received two (2) years of credit time under IC 35-50-6-3.3;**
4 **(4) twenty-two (22) consecutive years if the inmate has**
5 **received three (3) years of credit time under IC 35-50-6-3.3;**
6 **or**
7 **(5) twenty-one (21) consecutive years if the inmate has received**
8 **four (4) years of credit time under ~~IC 35-50-6~~, IC 35-50-6-3.3;**
9 the department shall ~~(1)~~ identify the inmate to the parole board and ~~(2)~~
10 provide the parole board with the inmate's offender progress report.

C
O
P
Y



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 540, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 540 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 10, Nays 0.

**C
o
p
y**

