



February 14, 2017

HOUSE BILL No. 1189

DIGEST OF HB 1189 (Updated February 14, 2017 12:46 pm - DI 123)

Citations Affected: IC 10-13.

Synopsis: Crime reporting requirements. Requires local law enforcement agencies to provide criminal justice data to the Indiana state police. Requires local law enforcement agencies to participate in a statewide uniform crime report program with the National Incident Based Reporting System (NIBRS). Requires the criminal justice data division of the state police department to report crime statistics to the governor semiannually (rather than annually, as required under current law).

Effective: July 1, 2018.

Ober, Harris

January 10, 2017, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 14, 2017, amended, reported — Do Pass.

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February 14, 2017

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1189

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 10-13-2-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) The division,
3 under the supervision and direction of the superintendent and in
4 accordance with the rules adopted under this chapter, shall do the
5 following:
6 (1) Collect data necessary for the accomplishment of the purposes
7 of this chapter from all persons and agencies mentioned in section
8 6 of this chapter.
9 (2) Prepare and distribute to all the persons and agencies the
10 forms to be used in reporting data to the division. The forms also
11 must provide for items of information needed by federal bureaus,
12 agencies, or departments engaged in the development of national
13 criminal statistics.
14 (3) Prescribe the form and content of records to be kept by the
15 persons and agencies to ensure the correct reporting of data to the
16 division.
17 (4) Instruct the persons and agencies in the installation,

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1 maintenance, and use of records and equipment and in the manner
2 of reporting to the division.

3 (5) Tabulate, analyze, and interpret the data collected.

4 (6) Supply data, upon request, to federal bureaus, agencies, or
5 departments engaged in collecting and analyzing national
6 criminal statistics.

7 (7) Present the following to the governor:

8 (A) ~~Before July 1 of each year,~~ **Not later than June 1 and**
9 **December 1 of each year,** a ~~printed~~ report containing the
10 criminal statistics of the preceding ~~calendar year:~~ **six (6)**
11 **months.**

12 (B) At other times the superintendent considers necessary or
13 the governor requests, reports on public aspects of criminal
14 statistics in a sufficiently general distribution for public
15 enlightenment.

16 (b) ~~The division may not obtain data under this chapter except that~~
17 ~~which is a public record, and~~ All laws regulating privacy or restricting
18 use of the data apply to any data collected.

19 (c) The division may accept data and reports from agencies other
20 than those required to report under this chapter if the data and reports
21 are consistent with the purposes of this chapter.

22 SECTION 2. IC 10-13-2-6, AS AMENDED BY P.L.35-2013,
23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2018]: Sec. 6. (a) If requested by the division, a public official
25 or public agency dealing with crime or criminals or with delinquency
26 or delinquents shall do the following:

27 (1) Install and maintain records needed for reporting data required
28 by the division.

29 (2) Report to the division, as and when prescribed, all data
30 requested.

31 **(3) Report to the division all uniform crime data from the**
32 **federal Uniform Crime Reporting Program using the National**
33 **Incident Based Reporting System (NIBRS) format as required**
34 **by the division.**

35 ~~(4)~~ **(4)** Give the accredited agents of the division access to the
36 records for the purpose of inspection.

37 ~~(5)~~ **(5)** Cooperate with the division to the end that its duties may
38 be properly performed.

39 (b) An official required under this chapter to furnish reports,
40 information, or statistics to the criminal justice data division or a
41 person employed by the official is not liable in any action arising out
42 of having furnished the information in a manner as may be required by



1 this chapter or the rules adopted under this chapter.
2 (c) If a public official or public agency fails to comply with its
3 duties under subsection (a), the division shall notify the Indiana
4 criminal justice institute of the noncompliance in any manner approved
5 by the Indiana criminal justice institute.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1189, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 2 with "[EFFECTIVE JULY 1, 2018]".

Page 2, line 8, after "year," delete "A" and insert: "**Not later than June 1 and December 1 of each year, a**".

Page 2, line 8, delete "on a".

Page 2, line 9, delete "semiannual basis".

Page 2, line 10, strike "calendar year." and insert "**six (6) months.**".

Page 2, line 30, delete "quarterly".

and when so amended that said bill do pass.

(Reference is to HB 1189 as introduced.)

FRYE R

Committee Vote: yeas 9, nays 0.

