

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 ENROLLED ACT No. 1189

AN ACT to amend the Indiana Code concerning public safety.

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

SECTION 1. IC 10-13-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) The division, under the supervision and direction of the superintendent and in accordance with the rules adopted under this chapter, shall do the following:

- (1) Collect data necessary for the accomplishment of the purposes of this chapter from all persons and agencies mentioned in section 6 of this chapter.
- (2) Prepare and distribute to all the persons and agencies the forms to be used in reporting data to the division. The forms also must provide for items of information needed by federal bureaus, agencies, or departments engaged in the development of national criminal statistics.
- (3) Prescribe the form and content of records to be kept by the persons and agencies to ensure the correct reporting of data to the division.
- (4) Instruct the persons and agencies in the installation, maintenance, and use of records and equipment and in the manner of reporting to the division.
- (5) Tabulate, analyze, and interpret the data collected.
- (6) Supply data, upon request, to federal bureaus, agencies, or departments engaged in collecting and analyzing national

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criminal statistics.

(7) Present the following to the governor:

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

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

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

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

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

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

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

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

~~(3)~~ **(4)** Give the accredited agents of the division access to the records for the purpose of inspection.

~~(4)~~ **(5)** Cooperate with the division to the end that its duties may be properly performed.

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

(c) If a public official or public agency fails to comply with its duties under subsection (a), the division shall notify the Indiana criminal justice institute of the noncompliance in any manner approved by the Indiana criminal justice institute.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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