

# SENATE BILL No. 356

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-40-5-2.

**Synopsis:** Indiana public defender commission. Increases the membership of the Indiana public defender commission from 11 members to 15 members. Provides that commission membership includes the following: (1) One member appointed by the board of directors of the public defender council of Indiana, who is an attorney admitted to the practice of law in Indiana. (2) One member appointed by the dean of a state funded Indiana law school. (3) Two members appointed by the Indiana State Bar Association, who: (A) are admitted to the practice of law in Indiana; (B) each have at least five years of criminal defense experience; and (C) belong to different political parties.

**Effective:** July 1, 2019.

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January 10, 2019, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 356

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

1 SECTION 1. IC 33-40-5-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The Indiana  
3 public defender commission is established.  
4 (b) The commission is composed of the following ~~eleven (11)~~  
5 **fifteen (15)** members, none of whom may be a law enforcement officer  
6 or a court employee:  
7 (1) Three (3) members appointed by the governor, with not more  
8 than two (2) of these individuals belonging to the same political  
9 party.  
10 (2) Three (3) members appointed by the chief justice of the  
11 supreme court, with not more than two (2) of these individuals  
12 belonging to the same political party.  
13 (3) One (1) member appointed by the board of trustees of the  
14 Indiana criminal justice institute, who is an attorney admitted to  
15 practice law in Indiana.  
16 (4) Two (2) members of the house of representatives to be  
17 appointed by the speaker of the house of representatives. The



- 1 members appointed under this subdivision may not be from the  
2 same political party.
- 3 (5) Two (2) members of the senate, to be appointed by the  
4 president pro tempore of the senate. The members appointed  
5 under this subdivision may not be from the same political party.
- 6 **(6) One (1) member appointed by the board of directors of the**  
7 **public defender council of Indiana, who is an attorney**  
8 **admitted to the practice of law in Indiana.**
- 9 **(7) One (1) member appointed by the dean of a state funded**  
10 **Indiana law school.**
- 11 **(8) Two (2) members appointed by the Indiana State Bar**  
12 **Association, who:**
- 13 **(A) are admitted to the practice of law in Indiana;**  
14 **(B) each have at least five (5) years of criminal defense**  
15 **experience; and**  
16 **(C) belong to different political parties.**
- 17 **(c) The appointment described in subsection (b)(7) shall**  
18 **alternate among eligible Indiana law schools.**

