DIGEST OF HB 1189 (Updated March 14, 2017 9:56 am - DI 84)


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
(SENATE SPONSORS — RUCKELSHAUS, DORIOT, GLICK)

January 10, 2017, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 16, 2017, read second time, ordered engrossed.
February 17, 2017, engrossed.
February 20, 2017, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 23, 2017, read first time and referred to Committee on Corrections and Criminal Law.
March 14, 2017, reported favorably — Do Pass.
ENGROSSED
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:

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

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1189, 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 to HB1189 as printed February 14, 2017.)

YOUNG M, Chairperson
Committee Vote: Yeas 8, Nays 0

EH 1189—LS 6352/DI 109