

# HOUSE BILL No. 1531

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-8-10.

**Synopsis:** Video conferencing by confined persons. Provides that if: (1) a person is confined in a department of correction (department) facility; (2) the person is required to make an appearance before the judge of a court; (3) the department facility and court room have the capability of conducting two-way video conferencing; and (4) the judge orders the person to make the person's appearance by use of video conferencing; the person shall appear before the judge while located in the department facility by use of video conferencing. Provides that if: (1) a person is confined in a county jail; (2) a judge of a court has ordered the person to undergo a mental health evaluation; (3) the county jail and location of the provider of mental health services who will conduct the mental health evaluation have the capability of conducting two-way video conferencing; (4) the mental health evaluation may be conducted by two-way video conferencing; and (5) the judge orders the person to undergo the mental health evaluation by use of video conferencing; the person shall undergo the mental health evaluation while located in the county jail by use of video conferencing.

**Effective:** July 1, 2015.

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## Davisson, Steuerwald

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January 20, 2015, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1531

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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 11-8-10 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]:  
4 **Chapter 10. Video Conferencing by Confined Persons**  
5 **Sec. 1. (a) If:**  
6 **(1) a person is confined in a department facility;**  
7 **(2) the person is required to make an appearance before the**  
8 **judge of a court but the person is not required to be physically**  
9 **present in the judge's court room;**  
10 **(3) the:**  
11 **(A) department facility; and**  
12 **(B) court room;**  
13 **have the capability of conducting two-way video conferencing**  
14 **between the department facility and the court room; and**  
15 **(4) the judge, on the judge's own motion, orders the person to**



1           **make the person's appearance by use of video conferencing;**  
 2 **the person shall appear before the judge while located in the**  
 3 **department facility by use of video conferencing.**

4           **(b) If a person's appearance before a judge under this section is**  
 5 **conducted by video conferencing, the judge shall ensure that the**  
 6 **appearance is recorded if a record of the appearance would have**  
 7 **been kept if the person had appeared in the judge's court room.**

8           **Sec. 2. (a) If:**

9           **(1) a person is confined in a county jail;**

10          **(2) a judge of a court has ordered the person to undergo a**  
 11 **mental health evaluation;**

12          **(3) the:**

13           **(A) county jail; and**

14           **(B) location of the provider of mental health services who**  
 15 **will conduct the mental health evaluation;**

16          **have the capability of conducting two-way video conferencing**  
 17 **between the county jail and the location;**

18          **(4) the mental health evaluation may be conducted by**  
 19 **two-way video conferencing; and**

20          **(5) the judge, on the judge's own motion, orders the person to**  
 21 **undergo the mental health evaluation by use of video**  
 22 **conferencing;**

23 **the person shall undergo the mental health evaluation while located**  
 24 **in the county jail by use of video conferencing.**

25          **(b) If a person's mental health evaluation under this section is**  
 26 **conducted by video conferencing, the judge shall ensure that the**  
 27 **mental health evaluation is recorded if the evaluation would have**  
 28 **been recorded if the person and the provider of mental health**  
 29 **services had both been present in the same room.**

