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| PREVAILED | Roll Call No. _____ |
| FAILED | Ayes _____ |
| WITHDRAWN | Noes _____ |
| RULED OUT OF ORDER | |

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1010 be amended to read as follows:

- 1 Page 2, line 8, delete "After" and insert "**Except as provided in**
- 2 **subsection (g),** after".
- 3 Page 3, between lines 1 and 2, begin a new paragraph and insert:
- 4 "**(g) The department of correction may accept custody of a**
- 5 **person convicted of a Level 6 felony if:**
- 6 **(1) the sheriff responsible for the operation of the county jail**
- 7 **where the person is confined requests the department of**
- 8 **correction to accept custody of the person;**
- 9 **(2) the county jail population is above its rated capacity (as**
- 10 **defined in IC 35-38-3-1) for the person's gender; and**
- 11 **(3) the sheriff verifies that no other county jail within**
- 12 **seventy-five (75) miles of the county jail will accept custody of**
- 13 **the person.**
- 14 **This subsection expires July 1, 2019."**
 (Reference is to HB 1010 as printed February 3, 2017.)

Representative Sullivan