

## Bill Tracking List aligned with IaUW Policy Priorities, last updated March 13, 2012

Note: This is a partial list of the bills at the Indiana General Assembly, and reflects bills that are monitored as a policy priority of Indiana's United Ways. Inclusion on the bill list does not indicate support or opposition on a bill. To learn more, visit <http://www.iauw.org/pubpol/publicpolicy.htm>, [sign up](#) for our *IaUW Public Policy Updates* or view the [archives](#).

### EDUCATION:

*IaUW monitored many of the education bills this session and worked through other coalitions to help ensure education policy had a positive impact for all Hoosier children. Our highest policy priority in 2012 was our work to improve childcare quality and early childhood opportunities. We had success this year with receiving funding for full-day kindergarten.*

**HEA 1134 School transportation. (Speedy)** Provides that no fee may be charged to a parent or student for transportation to and from school if a school corporation provides transportation or contracts with an educational service center to provide transportation. Provides that parent supplemental transportation contracts do not apply to transportation provided by an educational service center. Makes a technical correction concerning school bus replacement plans.

01/30/2012 H: 3rd Reading Pass (92-2) Referred to the Senate

02/29/2012 S: 3rd Reading Pass (48-2)

03/10/2012 S: Signed By the President Pro Tem

**HEA 1169 School discipline. (Koch)** Requests the legislative council to establish a study commission on the topic of school discipline best practices.

01/30/2012 H: 3rd Reading Pass (72-22) Referred to the Senate

02/29/2012 S: 3rd Reading Pass (49-0)

03/10/2012 S: Signed By the President Pro Tem

**HEA 1367 Deaf and hard of hearing education services. (Noe)** Establishes the center for deaf and hard of hearing education (center) to ensure that children who are deaf or hard of hearing acquire optimal communication and academic abilities. Specifies the duties of the center. Provides that before July 1, 2013, the office of management and budget (OMB) shall, in consultation with the Indiana School for the Deaf, the department of education, the state department of health, and the office of the secretary of family and social services, recommend to the general assembly through the budget process an appropriate agency to provide support for the center. Specifies that until the center is established and operating, the Indiana School for the Deaf shall continue to provide those services that will be transferred at the time the center is established and operating. Provides that the state board of finance and the state budget agency may not transfer for use by or for the center any appropriation made to the Indiana School for the Deaf by the 2011 budget act. Transfers the outreach services and consultative services to local education agencies to assist in meeting the needs of locally enrolled students with hearing disabilities of the Indiana School for the Deaf to the center. Provides that, before October 1, 2012, the OMB (in consultation with the Indiana School for the Deaf, the department of education, the state department of health, and the office of the secretary of family and social services) must submit a transition report to the state budget committee. Requires the OMB in developing the transition report to also consult with other specified entities, and to conduct two public meetings prior to submitting its transition report. Requires the OMB to post the final transition report on its Internet web site. Requires the state budget committee to consider the transition report in the state budget report and budget bill. Changes references throughout the Indiana Code from "hearing impaired" to "hard of hearing". Requires the state board of education to make recommendations before October 1, 2012, to the legislative council and to the state budget committee concerning the unique and appropriate methods of evaluation and accountability that should be applied to the Indiana School for the Blind and Visually Impaired and the Indiana School for the Deaf.

01/31/2012 H: 3rd Reading Pass (61-36) Referred to the Senate

02/29/2012 S: 3rd Reading Pass (40-8)

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03/06/2012 H: Ret 1st House Concur(54-36)

03/06/2012 H: Signed By the Speaker

03/07/2012 S: Signed By the President Pro Tem

**HEA 1376 State and local administration. (Espich, Kenley)** Provides that for purposes of the automatic taxpayer refund statutes, the amount of the refund for qualifying taxpayers is determined on a per capita basis by dividing the total amount of excess state reserves available to provide automatic taxpayer refunds by the total number of qualifying taxpayers. Provides that a taxpayer qualifies for the refund if the taxpayer filed a resident tax return in the preceding year. Effective January 1, 2013, makes the threshold for use of excess reserves 12.5% (rather than 10%, under current law) of general revenue appropriations for the state fiscal year. Specifies that: (1) if the amount of the excess reserves, including any carryover amounts, are less than \$50,000,000, the excess reserves shall be carried over to the next year; and (2) if the excess reserves are \$50,000,000 or more, 50% of the excess reserves shall be transferred to certain pension funds and 50% of the excess reserves shall be used for the purposes of providing an automatic taxpayer refund. Provides that beginning in 2013, the office of management and budget shall calculate, after the end of each odd-numbered state fiscal year, the total amount of state reserves. Reestablishes the office of the secretary of family and social services and other divisions and offices within FSSA. Specifies that the authority of the secretary of family and social services or the office of Medicaid policy and planning to adopt an emergency rule concerning federal Medicaid waiver program provisions or federal programs administered by the office of the secretary expires on December 31, 2012. Provides for the expiration of rules adopted before January 1, 2013. Defines "parcel" for purposes of the statute allowing Little Calumet River basin development commission (commission) to levy a special assessment on parcels of land within the Little Calumet River and Burns Waterway watershed in Lake County. Specifies areas in which the commission may operate. Specifies the total amount of the loan repayment by the commission to the Northwest Indiana RDA. Provides that none of the four members from a unit that borders the Little Calumet River may be from the same municipality. Provides that the attorney general shall attempt to resolve before January 1, 2013, all claims and suits brought against the state or its employees for a death or injury occurring as the result of an accident at the 2011 state fair for an amount that, in the aggregate, does not exceed \$11,000,000. Specifies the amount of relief that victims of the accident at the state fair may receive. Authorizes the attorney general to establish a process for determining the amount of compensation for persons who suffered physical injuries involving permanent paralysis or permanent physical trauma or requiring major and ongoing long-term care. Establishes the supplemental state fair relief fund for the purpose of providing additional relief to the victims of the accident. Appropriates \$6,000,000 from the state general fund to the supplemental state fair relief fund. Caps attorney's fees for representation of an eligible person regarding compensation from the supplemental fund at 10% of the total compensation paid to the eligible person from the supplemental fund. Provides that an eligible person may assign to the attorney general the eligible person's right to pursue a cause of action for the tortious breach of an insurer's duty to deal with an insured person in good faith. Provides that if the insurance commissioner determines after a hearing that a person has committed an act that is listed as an unfair claim settlement practice and is related to a death or injury resulting from the accident at the 2011 state fair, the insurance commissioner may order certain remedies. Specifies that the insurance commissioner may take such action without having to demonstrate that the act or practice occurs with such frequency as to indicate a general practice by the person. Provides that neither a hospital nor an ambulance may place a lien on a distribution made from the supplemental state fair relief fund to a victim of the state fair accident. Prohibits an insurer from claiming subrogation or reimbursement rights with respect to a distribution made from the supplemental state fair relief fund. Requires a person who intends to challenge the constitutionality of the prohibition against asserting subrogation or other reimbursement rights to file written notice of the person's intent to challenge this prohibition not later than 40 days after a distribution is made from the supplemental state fair relief fund. Provides that distributions to the estates of persons whose death was caused by the accident at the state fair are exempt from inheritance tax. Permits augmentation of the appropriation for full-day kindergarten. Changes the amount distributed per child. Establishes the select commission on education to study: (1) the process of adoption and content of rules adopted by the Indiana state board of education concerning categories or

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designations of school improvement including the matrices used for the A-F designations; and (2) proposed rules, adopted rules, and policies of the department of education and the Indiana state board of education to implement the provisions of P.L.90-2011, concerning teacher evaluations and licensing. Makes changes to the process in which a school corporation may modify the department's model staff performance evaluation plan. Makes changes to the definition of a turnaround academy. Provides that if the state board assigns a special management team to a school, the state board shall enter into a contract with a special management team that includes: (1) a requirement that the special management team and the governing body conduct a public meeting two times each year to provide a report concerning student achievement of affected students; and the condition of the school property and to address issues related to the school property; and (2) a requirement that the student instruction must be provided by teachers licensed under IC 20-28-5. Provides that individual employed by the special management team are entitled to participate in either PERF or TRF. Provides that a employees are not required to collectively bargain. Returns IC 20-26-11-8, as amended by SEA 283-2012, to law existing before the enactment of SEA 283-2012.

01/31/2012 H: 3rd Reading Pass (96-2)

02/29/2012 S: 3rd Reading Pass (44-6)

03/10/2012 H: Conf Report Adopted(76-17) H

03/10/2012 S: Conf Report Adopted(40-10) S

**SEA 267 Education concerning child abuse. (Rogers)** Requires the department of education, in collaboration with the department of child services and organizations that have expertise in child abuse, including child sexual abuse, to identify or develop model education materials, response policies, and reporting procedures on child abuse, including child sexual abuse, for use by schools for grade 2 through grade 5.

01/31/2012 S: 3rd Reading Pass (50-0) Referred to the House

02/28/2012 H: 3rd Reading Pass (95-0)

03/08/2012H: Signed By the Speaker

03/08/2012 S: Signed By the President Pro Tem

03/09/2012 S: Signed By the President of the Senate

**SEA 268 Advisory committee on early education. (Rogers)** Requires the education roundtable to establish an advisory committee on early education, with members from around the state, to provide professional and technical assistance to the roundtable.

01/31/2012 S: 3rd Reading Pass (42-8) Referred to the House

02/27/2012 H: 3rd Reading Pass (96-0)

03/08/2012 H: Signed By the Speaker

03/08/2012 S: Signed By the President Pro Tem

03/09/2012 S: Signed By the President of the Senate

**SEA 283 Nonpublic alternative high schools; residential facilities. (Kruse, Thompson)** Requires the department of education to waive accreditation standards for an accredited nonpublic alternative high school that contracts with a school corporation to provide alternative education services for students who: (1) have dropped out of high school; (2) have been expelled; or (3) were not successful in the school corporation; to accommodate the nonpublic alternative high school's program and student population. Provides that a school corporation that enrolls a student who has legal settlement in another school corporation for the student to receive services from a nonpublic alternative high school receives state tuition support for the student. Provides that a student who is placed in a residential facility is entitled to receive certain defined educational services from the school corporation in which the facility is located.

02/01/2012 S: 3rd Reading Pass (48-2) Referred to the House

02/21/2012 H: 3rd Reading Pass (66-27)

03/01/2012 S: Ret 1st House Concur(43-4)

03/08/2012 H: Signed By the Speaker

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03/08/2012 S: Signed By the President Pro Tem

03/09/2012 S: Signed By the President of the Senate

**SEA 296 Certified scholarship program eligibility. (Leising)** Provides that an individual is eligible for a scholarship from a scholarship program that is certified by the department of education if the student received a scholarship in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization. Provides that an individual must be a member of a household with an annual income of not more than 200% of the amount required for the individual to qualify for the federal free or reduced price lunch program each year that an individual receives a scholarship from a scholarship granting organization.

01/31/2012 S: 3rd Reading Pass (34-16) Referred to the House

03/01/2012 H: 3rd Reading Pass (61-34)

03/09/2012 S: Ret 1st House Dissent Withdrawn Concur(31-17)

### **INCOME/FINANCIAL STABILITY:**

*IaUW monitored many bills that affect the ability for individuals and families to remain financially stable. IaUW worked through other coalitions on many financial stability bills and is actively opposed Sb344, a bill that would have eliminated the State Earned Income Tax Credit and many other important tax credits for low-income Hoosiers and the organizations that serve them. SB344 did not pass!!*

**HEA 1141 Home energy assistance. (Welch)** Establishes the mortgage foreclosure multistate settlement fund. Provides that the fund consists of: (1) money that is received by the state under a multistate agreement related to litigation concerning mortgage foreclosure activities and that is designated by the attorney general for deposit in the fund; (2) appropriations made to the fund by the general assembly; and (3) grants, gifts, and donations intended for deposit in the fund. Specifies that the fund shall be administered by the budget agency, and that money in the fund does not revert to the state general fund. Specifies that an amount equal to the state sales tax revenue that was collected in the preceding state fiscal year on the assistance provided through the federal low income home energy assistance block grant program (LIHEAP) is appropriated and transferred from the fund each year for a separate state home energy assistance program to provide assistance exclusively for individuals who own a home using the LIHEAP standards. Repeals the expired sales tax exemption for home energy purchased through the state program.

01/30/2012 H: 3rd Reading Pass (94-0) Referred to the Senate

02/21/2012 S: 3rd Reading Pass (50-0)

03/08/2012 S: Conf Report Adopted(49-0) S

03/08/2012 H: Signed By the Speaker

03/10/2012 S: Signed By the President Pro Tem

**SEA 18 Duty to support a child. (Steele)** Provides that the duty to support a child, which does not include support for educational needs, ceases when the child becomes 19 years of age. (Current law provides that the duty to support a child ceases when the child becomes 21 years of age.) Permits a child who is receiving child support under an order issued before July 1, 2012, to file a petition for educational needs until the child becomes 21 years of age, and specifies that a child who is receiving child support after this date may petition until the child becomes 19 years of age. (The introduced version of this bill was prepared by the child custody and support advisory committee.)

01/24/2012 S: 3rd Reading Pass (49-1) Referred to the House

02/28/2012 H: 3rd Reading Pass (67-28)

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### HEALTH:

*IaUW monitored many health proposals and primarily worked through coalitions to advance health priority objectives.*

**HEA 1050 Healthcare sharing ministries. (Koch)** Specifies requirements for a health care sharing ministry. Exempts a health care sharing ministry from requirements of the insurance law.

01/30/2012 H: 3rd Reading Pass (74-20)

02/21/2012 S: 3rd Reading Pass (48-2)

02/23/2012 H: Signed By the Speaker

02/27/2012 S: Signed By the President Pro Tem

02/29/2012 Governor Signed

**HEA 1149 Smoking ban. (Turner, Gard, Simpson, Alting)** Prohibits smoking: (1) in public places; (2) in enclosed areas of a place of employment; (3) in certain state vehicles; and (4) within 8 feet of a public entrance to a public place or an enclosed area of a place of employment. Allows smoking in certain: (1) gaming facilities; (2) cigar and hookah bars; (3) fraternal, social, and veterans clubs; (4) tobacco stores; (5) bars and taverns; (6) cigar manufacturer facilities; and (7) cigar specialty stores; if certain requirements are met. Allows smoking on the premises of a business that is located in the business owner's residence if certain requirements are met. Requires certain signs to be posted. Requires the alcohol and tobacco commission (commission) to enforce this prohibition. Allows certain governmental agencies and law enforcement officers to enforce the prohibition. Makes it a Class B infraction to violate the smoking prohibition and a Class A infraction if the person has been adjudged to have committed three prior unrelated infractions for violations. Prohibits firing, refusing to hire, or retaliating against a person for reporting a violation or exercising any right or performing any obligation under the smoking prohibition. Requires the commission to present an annual report to the health finance commission. Removes the authority of the director of the division of mental health and addiction to regulate smoking within certain state institutions. Provides authority for a physician to prescribe smoking cessation devices to residents of state institutions. (Current law allows prescribing nicotine patches.) Moves the prohibition against smoking on a school bus during the school week to IC 7.1. Repeals the current clean indoor air law. Makes a technical correction.

01/31/2012 H: 3rd Reading Pass (62-35)

02/29/2012 S: 3rd Reading Pass (29-21)

03/09/2012 S: Conf Report Adopted(28-22) S

03/09/2012 H: Motion Joint Rule 20 technical correction adopted by the House

03/09/2012 S: Motion Joint Rule 20 technical correction adopted by the Senate

**SEA 24 Mental health issues.** Renames the "mental health and addiction advisory council" the "mental health and addiction planning and advisory council" and adds members to consolidate the current council with a body required by federal law. Repeals provisions concerning terms of appointed members and repeals a provision that applies general rules for family and social services administration bodies to the planning and advisory council. Removes a provision under which lay members of the commission on mental health and addiction are ineligible for per diem or traveling expenses. Provides that superintendents of state hospitals serve at the will of the director of the division of mental health and addiction and not for a term of four years. Removes provisions requiring bonds for superintendents of state operated facilities. Gives the director of the division of mental health and addiction instead of the superintendent of each hospital the authority to regulate smoking at state hospitals. Requires individuals applying for a social worker, marriage and family therapist, or counselor license to have a criminal history background check. Clarifies a provision that requires an applicant for a license as a marriage and family therapist to have two years of postdegree clinical experience. Reestablishes a provision that expired in 2011 concerning exempting certain individuals from the licensure requirement for addiction counselors. Repeals obsolete provisions concerning: (1) the dawn project; (2) the biennial opioid report; (3)

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the closing of Central State Hospital; (4) mandated bond requirements for superintendents of state hospitals; and (5) the definition of "maintain". Makes conforming changes. Urges the assignment to an interim committee the study of the regulation of pain management facilities and prescribers of controlled substances. (The introduced version of this bill was prepared by the commission on mental health and addiction.)

01/24/2012 S: 3rd Reading Pass (50-0) Referred to the House

02/21/2012 H: 3rd Reading Pass (95-0)

02/28/2012 S: Ret 1st House Concur(50-0)

03/08/2012 S: Signed By the President Pro Tem

03/09/2012 S: Signed By the President of the Senate

**SEA 52 HIV testing. (Becker)** Allows a physician or physician's authorized representative to test an individual for HIV if certain conditions are met unless the individual to be tested refuses to consent to the test. (Current law prohibits a physician from performing the test without the oral or written consent of the individual.) Requires a refusal by an individual to have the test to be documented in the individual's medical record. Requires the physician or authorized representative to: (1) discuss with the patient the availability of counseling concerning the test results; (2) notify the patient of the test results; and (3) inform a patient with a test result indicating that the patient is HIV infected of treatment and referral options available to the patient. Provides that under certain circumstances, a physician may order an HIV test for a patient without informing the patient or despite the individual's refusal of the test. (The introduced version of this bill was prepared by the health finance commission.)

01/19/2012 S: 3rd Reading Pass (48-0) Referred to the House

02/20/2012 H: 3rd Reading Pass (89-6)

03/08/2012 H: Conf Report Adopted(92-1) H

03/08/2012 S: Conf Report Adopted(49-0) S

03/09/2012 S: Signed By the President Pro Tem

**SEA 223 State department of health matters. (Miller)** Requires a local health officer to show identification and receive consent before entering a premises to inspect or perform other tasks to determine compliance with public health laws and rules and to prevent and suppress disease. Sets forth circumstances in which consent is not required. Sets forth multiple actions that a court may take to enforce a local board of health order, citation, or administrative notice. (Current law allows the court to enforce an order by injunction.) Specifies that the entries into the Indiana death registration system are required only for deaths that occurred after December 31, 2010. Allows the state department of health (department) to adopt rules concerning who may input and retrieve data from the immunization data registry (registry). Allows an individual to file a registry exemption with the department. Allows the release of registry information to specified persons without the consent of the person. Removes language that requires the department to convene a panel concerning expanding access to the registry. Removes a requirement that a health care professional work at least one year in a shortage area or at other specified health centers in order to be eligible for the loan repayment program. Requires that the health care professional agree to practice in the shortage area for at least one year. Allows the Indiana health care professional recruitment and retention fund to be used to encourage delivery of health care in shortage areas on a full-time or less than full-time basis.

01/31/2012 S: 3rd Reading Pass (50-0) 1/2012 Referred to the House

02/29/2012 H: 3rd Reading Pass (93-0)

03/09/2012 H: Conf Report Adopted(96-1) H

03/09/2012 S: Conf Report Adopted(44-0) S

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### CHARITABLE SECTOR:

*While IaUW is tracked many bills in this area, the highest priorities were to defeat SB344 (which eliminates many incentives for charitable giving) and to pass an amended HB1193 (that would clarify property tax exemption for charitable organizations). SB344 was defeated!*

**SEA 315 Charity gaming. (Head)** Establishes an annual comprehensive charity gaming license for national organizations and foundations meeting certain eligibility requirements. Permits the Indiana affiliates of a national organization or foundation to conduct raffle events and door prize events under a single annual comprehensive charity gaming license. Prescribes the following: (1) Who may serve as an operator or worker under the license. (2) The procedural requirements for obtaining the license. (3) The requirements for conducting particular events. (4) When a worker may purchase a raffle ticket at a raffle event conducted under the license. (5) Limits on the frequency of events. (6) The method of determining an organization's initial license fee. (7) The method of determining an organization's license renewal fee. Reduces the time an organization must exist in Indiana before becoming eligible to obtain a charity gaming license from five years to three years. Provides that the initial license fee for a charity gaming license is \$50 for licenses other than the annual comprehensive charity gaming license. (Current law grants the IGC discretion to establish the initial license fee at an amount that may not exceed \$50, which is the amount the IGC has selected.) Allows patrons to deal the cards in certain poker games conducted at a charity game night. (Current law allows patrons to deal only in euchre games.) Prohibits a patron from playing at a table for which the patron deals the cards. Specifies rules applicable to games of Texas hold'em or Omaha poker in which a patron deals the cards. Requires the operator or a worker to deal the cards at the final table of a tournament.

01/31/2012 S: 3rd Reading Pass (50-0) Referred to the House

02/21/2012 H: 3rd Reading Pass (76-19)

02/28/2012 S: Ret 1st House Concur(50-0)

03/08/2012 H: Signed By the Speaker

03/08/2012 S: Signed By the President Pro Tem

03/09/2012 S: Signed By the President of the Senate

### 2-1-1:

*The ultimate goal is to make 211 accessible by every type of device for all Hoosiers and routed to the proper center. While many of these bills were only tangentially related, we sought to have the IURC retain jurisdiction over 211 and other public-service N11s (311, 511, 711, 811 and 911). Additionally, we hoped policy makers would find a way to complete the public side of this public-private partnership, including public funding.*

**HEA 1112 Telecommunications providers of last resort. (Lehman)** Amends references to federal telecommunications law made obsolete by amendments to the federal law. Repeals the statute that requires the utility regulatory commission (IURC) to determine, under certain circumstances, a successor local telephone exchange carrier for an area in which an exiting local exchange carrier ceases operations. Makes conforming amendments. For purposes of the statute that allows the IURC to declare an emergency in an area in Indiana in which voice service is not offered by a communications service provider, specifies that if the IURC authorizes a provider to offer voice service in the area, the IURC must permit the provider to offer the service through any available technology or medium determined by the provider. Provides that upon notice to the IURC by an incumbent local exchange carrier that is the provider of last resort in one or more parts of the incumbent local exchange carrier's service area, the incumbent local exchange carrier is relieved of its obligation as the provider of last resort in any part of the incumbent local exchange carrier's service area in which there are at least two communications service providers (one of which may be the incumbent local exchange carrier) offering certain voice telephony services specified in federal regulations. Provides that after June 30, 2014, upon notice to the IURC by an incumbent local exchange carrier that is the provider of last resort in one or more parts of the incumbent local exchange carrier's service area, the incumbent local exchange carrier is relieved of its provider of last

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resort obligation with respect to any part of its service area identified in its notice. Specifies that relief from a provider of last resort obligation does not affect an incumbent local exchange carrier's obligations under federal law.

01/27/2012 H: 3rd Reading Pass (80-12) Referred to the Senate

02/14/2012 S: 3rd Reading Pass (44-6) S: Ret 1st House No Amendments

02/16/2012 S: Signed By the President Pro Tem

02/16/2012 H: Signed By the Speaker

02/22/2012 Governor Signed

**HEA 1201 State provision and use of communications service. (Dermody)** Provides that after March 31, 2012, the I-Light communications network may not be used to offer or provide, directly or indirectly, communications service to the public or to any private or governmental entity. Provides exceptions to this prohibition to allow for the following: (1) The provision of communications service for 911 services or emergency or law enforcement purposes. (2) The provision of communications service to institutions of higher education in furtherance of education or research for the direct benefit of students, faculty, or staff, and, under certain conditions, to other persons with a research and development relationship with the institution. (3) The provision of communications service for the direct benefit of public broadcasting. Provides that after March 31, 2012, a person that is not: (1) a state educational institution; or (2) a private postsecondary educational institution; may not become a member of the I-Light network or otherwise connect to or use the I-Light network or any services made available through I-Light.

01/27/2012 H: 3rd Reading Pass (71-20) Referred to the Senate

02/27/2012 S: 3rd Reading Pass (49-0)

03/05/2012 H: Ret 1st House Concur(71-22)

03/06/2012 H: Signed By the Speaker

03/07/2012 S: Signed By the President Pro Tem

**SEA 345 Statewide 911 system. (Hershman)** Provides for the expiration on January 1, 2017, of provisions that: (1) establish a public safety communications system and computer facilities district in a county having a consolidated city; and (2) allow certain other counties to establish a public safety communications systems district. Provides for transitional provisions to ensure that all obligations incurred by a district before January 1, 2017, are satisfied according to their terms. Repeals the statutes concerning: (1) the emergency telephone system fee (assessed by counties or municipalities for enhanced 911 service for users of wireline telephone service); (2) enhanced wireless emergency telephone service (and the accompanying fee assessed statewide on users of wireless service to provide for enhanced 911 service); and (3) emergency telephone notification systems. Repeals the provision that provides for the expiration and sunset on July 1, 2013 (if certain conditions are met), of the statute establishing the enhanced prepaid wireless charge. Establishes a statewide 911 system. Establishes the 14 member statewide 911 board (board) to administer the new system. Provides that the treasurer of state serves as the chair of the board. Provides that the board may do the following in addition to other enumerated powers: (1) Administer statewide 911 grants in accordance with state and federal guidelines. (2) Obtain from each PSAP operating statistics and other performance measurements. Establishes the statewide 911 fund (fund). Provides that the fund is a dedicated fund and that no transfers may be made from the fund by the board of finance or budget agency. Appropriates money in the fund. Provides that the board shall administer the fund. Provides that the treasurer of state may invest money in the fund. Requires the state board of accounts to audit the fund annually. Requires the board to impose a statewide 911 fee of \$0.75 on each standard user of communications service in Indiana. Requires communications service providers to collect the fee as part of the monthly billing process. Requires the board to deposit the fees collected into the fund. Requires the wireless enhanced 911 advisory board to increase the amount of the prepaid wireless charge so that the amount of the charge imposed after June 30, 2012, equals \$0.75. Prohibits a state agency or a local governmental unit from imposing any additional fee relating to the provision of 911 service. Provides that the board may retain not more than \$5,600,000 for administrative purposes. Requires the board to establish by rule the manner in which the board will distribute money from the fund to counties. Provides that in determining a distribution from the fund for a county for any state fiscal year beginning after June 30,

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2012, the board shall ensure that the distribution is at least equal to the average annual amount distributed to the county in wireless 911 fees and to all PSAPs in the county in wireline 911 fees during the three state fiscal years ending: (1) June 30, 2009; (2) June 30, 2010; and (3) June 30, 2011. Specifies the permissible uses of funds distributed to a PSAP. Requires each PSAP to annually report to the board all call data and statistics specified by the board. Provides that if the board verifies that an expenditure by a PSAP does not comply with requirements of the statute, the board shall ensure that the fund is reimbursed in the dollar amount of the noncomplying expenditure from any source of funding available to the PSAP or to a unit in which the PSAP is located. Requires a communications service provider to provide to a PSAP the necessary user data to enable the PSAP to implement and operate a 911 system. Provides that proprietary information submitted to the board is confidential. Allows a county to establish an emergency notification system with the approval of the board. Retains those provisions from the repealed statute requiring PSAP consolidations. Specifies that funds that remain on June 30, 2012, in the wireless emergency telephone system fund shall be transferred on July 1, 2012, to the statewide 911 fund. Provides that funds that remain on June 30, 2012, in: (1) a county wireless emergency telephone system fund; or (2) a county wireline emergency telephone system fund; shall be transferred on July 1, 2012, by the county treasurer to the new county 911 fund required to be set aside by the county treasurer under the act. Provides that the system expires on January 1, 2017. Makes conforming amendments.

01/31/2012 S: 3rd Reading Pass (46-4) Referred to the House

02/28/2012 H: 3rd Reading Pass (66-29)

03/10/2012 H: Conf Report Adopted(62-32) H

03/10/2012 S: Conf Report Adopted(44-6) S