

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
iga.in.gov

**FISCAL IMPACT STATEMENT**

**LS 6339**

**BILL NUMBER: SB 67**

**NOTE PREPARED:** Nov 20, 2020

**BILL AMENDED:**

**SUBJECT:** Call Center Worker and Consumer Protection.

**FIRST AUTHOR:** Sen. Niezgodski

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**  GENERAL  
 DEDICATED  
 FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill requires the Indiana Economic Development Corporation (IEDC) to compile a list of all employers that relocate a call center to a foreign country and to disqualify employers on that list from state grants, loans, and tax credits. It also requires an employer receiving a state grant, loan, or tax credit to notify the IEDC if the employer intends to relocate a call center. It imposes a civil penalty on an employer that does not notify the IEDC.

**Effective Date:** July 1, 2021.

**Explanation of State Expenditures:** *State Contracts:* For contracts entered into on or after July 1, 2021, each state executive agency must ensure that all call center and customer service work is performed entirely within the state. It also places similar requirements on contractors providing customer service functions for the state. This provision has an indeterminable impact on state operational costs.

*Indiana Economic Development Corporation (IEDC):* The IEDC may be able to use existing staff and resources to implement the bill's requirements. If necessary, additional funds and resources could be supplied through existing staff and resources currently being used in another program or with new appropriations. The source of any additional funds and resources would depend on legislative and administrative actions.

*Office of the Attorney General:* The bill requires the Attorney General to commence action against employers who fail to provide the required notice to IEDC. The bill's requirements are within the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

**Explanation of State Revenues:** *Recapture:* If an employer is found in violation of the bill’s provisions, the IEDC is required to recapture any grant, loan, or tax credit the employer received after June 30, 2021. The amount of additional revenue is indeterminable. The revenue would depend on the number of employers who relocate a call center and have received a state incentive. Employers in violation of the bill are also ineligible to receive a state grant, loan, or tax credit for up to 5 years after the date they relocated a call center.

*Civil Penalty:* Employers failing to notify the IEDC may be subject to a civil penalty of up to \$10,000 for each day they failed to provide notice. The amount of revenue from civil penalties will depend on the number of violations or actions commenced by the Attorney General. However, any additional revenue is likely to be small.

*Court Fee Revenue:* If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

In addition, some or all of the judicial salaries fee (\$20), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Revenue from the pro bono services fee (\$1) is transferred by the State Auditor to the Indiana Bar Foundation for use to assist with pro bono legal services programs in Indiana, and proceeds from the automated record keeping fee (\$20) are deposited into the State User Fee Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge, depending upon the particular type of case.

Persons filing a civil case are also required to pay the following fees that are deposited in local funds. The document storage fee (\$5) is deposited into the clerk record perpetuation fund.

The following fees are deposited into the general fund of the county in which the court is located:

- Document fees (\$1 per page) are charged for preparing transcripts or copies of record or certificate under seal.
- A civil garnishee defendant service fee (\$10) is collected from the filing party for each defendant beyond the first three garnishee defendants cited in the lawsuit.

**State Agencies Affected:** All executive branch agencies.

**Local Agencies Affected:** Trial courts, city and town courts.

**Information Sources:**

**Fiscal Analyst:** Seth Payton, 317-233-3546.