

HOUSE BILL No. 1128

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-53.

Synopsis: Independent audit of government response to COVID. Establishes the select COVID-19 audit commission to conduct an independent, in depth, and extensive audit of the COVID-19 state disaster emergency and the response of government and society to COVID-19. Makes an appropriation.

Effective: Upon passage.

Jacob, Nisly, Payne, Borders

January 4, 2022, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1128

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-53 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 53. Select COVID-19 Audit Commission**

5 **Sec. 1. The following definitions apply throughout this chapter:**

6 (1) "Commission" refers to the select COVID-19 audit
7 commission established by section 2 of this chapter.

8 (2) "COVID-19" has the meaning set forth in
9 IC 16-28-11-8(a).

10 **Sec. 2. The select COVID-19 audit commission is established.**

11 **Sec. 3. (a) The commission consists of the following three (3)
12 members:**

13 (1) The state representative representing district 93 of the
14 house of representatives or the state representative's designee.

15 (2) The Elkhart County commissioner representing district 2
16 or the commissioner's designee.

17 (3) The Hamilton County sheriff or the sheriff's designee.



1 **(b) The member described in subsection (a)(1) shall serve as the**
2 **chairperson of the commission. If the chairperson of the**
3 **commission is unable to attend a meeting of the commission, the**
4 **chairperson may:**

5 **(1) appoint a member of the commission to chair the meeting;**
6 **and**

7 **(2) designate an individual to attend and participate in the**
8 **meeting as the designee of the chairperson.**

9 **Sec. 4. (a) Two (2) members of the commission constitute a**
10 **quorum.**

11 **(b) The affirmative vote of at least two (2) members is necessary**
12 **for the commission to take official action other than to meet and**
13 **take testimony.**

14 **(c) The commission shall meet at the call of the chairperson.**

15 **Sec. 5. The commission is not subject to IC 2-5-1.2. However,**
16 **each member of the commission is entitled to receive the same per**
17 **diem, mileage, and travel allowances paid to individuals who serve**
18 **as legislative and lay members, respectively, of interim study**
19 **committees established by the legislative council.**

20 **Sec. 6. All meetings of the commission are open to the public in**
21 **accordance with and subject to IC 5-14-1.5. All records of the**
22 **commission are subject to the requirements of IC 5-14-3.**

23 **Sec. 7. (a) The commission shall conduct an independent, in**
24 **depth, and extensive audit of the COVID-19 state disaster**
25 **emergency and the response of government and society to**
26 **COVID-19.**

27 **(b) The commission shall post on an Internet web site the**
28 **following information concerning the audit required by subsection**
29 **(a):**

30 **(1) Before September 1, 2022, the procedures that the**
31 **commission will follow in carrying out the audit.**

32 **(2) The anticipated schedule of the audit.**

33 **(3) Subject to applicable state and federal privacy laws, the**
34 **papers and other records related to the audit.**

35 **Sec. 8. The commission shall:**

36 **(1) develop recommendations for the general assembly and**
37 **the governor concerning the results of the audit conducted**
38 **under section 7 of this chapter;**

39 **(2) issue a report setting forth the recommendations**
40 **developed under subdivision (1); and**

41 **(3) not later than August 31, 2023, submit the report to the**
42 **following:**



- 1 **(A) The executive director of the legislative services agency**
2 **for distribution to the members of the general assembly.**
3 **The report submitted to the executive director of the**
4 **legislative services agency under this clause must be in an**
5 **electronic format under IC 5-14-6.**
6 **(B) The governor.**
7 **Sec. 9. The commission has the following powers:**
8 **(1) To employ an executive director.**
9 **(2) To hold public hearings.**
10 **(3) To enter into contracts, including leases for office space**
11 **and equipment.**
12 **(4) To receive and expend money appropriated by the general**
13 **assembly in the manner required by law.**
14 **Sec. 10. (a) The executive director is the chief administrative**
15 **officer of the commission. The executive director shall supervise**
16 **the employees of the commission and shall assist the commission in**
17 **promoting and carrying on its activities and administrative work.**
18 **The executive director may not be a member of the commission,**
19 **but shall devote the executive director's full time to the**
20 **performance of the executive director's duties under the direction**
21 **and supervision of the commission. The commission shall**
22 **determine the amount of the executive director's compensation.**
23 **(b) The commission shall select the executive director for the**
24 **executive director's knowledge, competence, and experience,**
25 **preferably in conducting government audits.**
26 **Sec. 11. There is appropriated to the commission for the period**
27 **beginning April 1, 2022, and ending June 30, 2024, from the state**
28 **general fund an amount sufficient to pay the expenses incurred by**
29 **the commission in fulfilling its duties under this chapter.**
30 **Sec. 12. The Indiana office of technology shall assist the**
31 **commission in developing the Internet web site described in section**
32 **7 of this chapter.**
33 **Sec. 13. This chapter expires July 1, 2024.**
34 **SECTION 2. An emergency is declared for this act.**

