

HOUSE BILL No. 1315

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-14-3.5.

Synopsis: Access to financial data for state agencies. Amends the law concerning access to financial data of state agencies to: (1) define "funding entity"; (2) apply the law to a body corporate and politic; (3) include certain state agency and funding entity employee data; and (4) include fund balance, property ownership, and expenditure data for a funding entity. Repeals a provision specifying that a state agency is not required to record information or expend resources for computer programming to make the information reportable under the chapter. Repeals an obsolete reporting requirement. Makes conforming amendments.

Effective: July 1, 2016.

Leonard, Brown T

January 12, 2016, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1315

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

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

- 1 SECTION 1. IC 5-14-3.5-0.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2016]: **Sec. 0.3. As used in this chapter,**
4 **"funding entity" means an entity established to solicit, collect, or**
5 **provide funds in connection with the purposes of a state agency.**
6 SECTION 2. IC 5-14-3.5-1, AS ADDED BY P.L.172-2011,
7 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2016]: Sec. 1. (a) As used in this chapter, "state agency"
9 means **the following:**
10 (1) An authority, a board, a branch, a commission, a committee,
11 a department, a division, or another instrumentality of
12 government, including the administrative branch of state
13 government.
14 (2) The legislative branch of state government. ~~and~~
15 (3) The judicial branch of state government.
16 (4) **A body corporate and politic established as an**
17 **instrumentality of the state.**



(b) The term does not include a state educational institution.

SECTION 3. IC 5-14-3.5-1.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 1.8. A funding entity shall, not later than January 31 of each year, report to the auditor of state:**

- (1) the balance of funds held by the funding entity;**
- (2) a listing of property owned by the funding entity; and**
- (3) a listing of expenditures of the funding entity;**

as of December 31 of the immediately preceding calendar year.

SECTION 4. IC 5-14-3.5-2, AS AMENDED BY P.L.177-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) The auditor of state, working with the office of technology established by IC 4-13.1-2-1, or another organization that is part of a state educational institution, and the office of management and budget established by IC 4-3-22-3, shall post on the Indiana transparency Internet web site the following data:

(1) A listing of state expenditures and fund balances, including **the following:**

(A) Expenditures for contracts, grants, and leases.

(B) The fund balance and expenditures reported under section 1.8 of this chapter.

(2) A listing of state owned **and funding entity owned** real and personal property that has a value of more than twenty thousand dollars (\$20,000).

The web site must be electronically searchable by the public and must be intuitive to users of the web site.

(b) The data base must include for each state agency:

(1) the amount, date, payer, and payee of expenditures;

(2) a listing of state expenditures by:

(A) personal services;

(B) other operating expenses; **or and**

(C) total operating expenses;

to reflect how the funds were appropriated in the state budget act;

(3) a listing of state fund balances;

(4) a listing of the balance of funds held by a funding entity;

(5) a listing of expenditures of a funding entity;

(6) a listing of property owned by a funding entity; and

~~(7)~~ **(7) a listing of property owned by the state.**

(c) The data base must include for each state educational institution, **state agency, and funding entity** a listing of the annual salaries for employees of the state educational institution, **state agency, or funding entity.**



1 SECTION 5. IC 5-14-3.5-5, AS ADDED BY P.L.172-2011,
2 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 5. The state and state officers, officials, and
4 employees are immune from any civil liability for posting confidential
5 information under section 4 of this chapter if the information was
6 posted in reliance on a determination made by a state agency **or a**
7 **funding entity** about the confidentiality of information relating to the
8 **state agency's or funding entity's** expenditures or fund balances.

9 SECTION 6. IC 5-14-3.5-8, AS ADDED BY P.L.172-2011,
10 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2016]: Sec. 8. ~~Except as provided in section 9 of this chapter,~~
12 A state agency **or funding entity** shall cooperate with and provide
13 information to the auditor of state as necessary to implement and
14 administer this chapter.

15 SECTION 7. IC 5-14-3.5-9 IS REPEALED [EFFECTIVE JULY 1,
16 2016]. Sec. 9: ~~This chapter does not require a state agency to record~~
17 ~~information or expend resources for the purpose of computer~~
18 ~~programming to make information reportable under this chapter.~~

19 SECTION 8. IC 5-14-3.5-11, AS ADDED BY P.L.172-2011,
20 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2016]: Sec. 11. Each state agency shall include a link on the
22 **state** agency's Internet web site to the Internet web site established
23 under this chapter.

24 SECTION 9. IC 5-14-3.5-13 IS REPEALED [EFFECTIVE JULY
25 1, 2016]. Sec. 13: ~~Not later than November 15, 2011, the auditor of~~
26 ~~state shall provide a report to the state board of finance and the~~
27 ~~legislative council that details the progress the auditor has made to~~
28 ~~comply with this chapter. The report to the legislative council must be~~
29 ~~in an electronic format under IC 5-14-6.~~

