

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1470

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

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

SECTION 1. IC 2-5-1.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 1.7. Access to Government Information by the General Assembly

Sec. 1. This chapter does not limit other provisions of law directly or indirectly providing for the sharing of government information with the general assembly, the legislative services agency, or another entity within the legislative department of the state.

Sec. 2. As used in this chapter, "governmental entity" means any of the following:

- (1) Any officer or other organizational unit, by whatever name denominated, exercising any of the powers of state government.**
- (2) A state educational institution.**
- (3) A political subdivision (as defined in IC 36-1-2-13).**
- (4) An instrumentality of state government or a political subdivision (as defined in IC 36-1-2-13) or other entity created by law.**

Sec. 3. As used in this chapter, "government information" refers

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to any information created, received, maintained, or stored by or otherwise in the control of a governmental entity, regardless of the form or the media on which the information is recorded.

Sec. 4. A charge permitted under IC 5-14-3-6, IC 5-14-3-8, or another law or rule to supply government information does not apply to supplying government information to the legislative services agency under this chapter.

Sec. 5. A governmental entity shall provide the legislative services agency with information requested by the legislative services agency not later than thirty (30) days after receiving the request. However, immediately before and during a session of the general assembly, a governmental entity shall work with the legislative services agency to provide information as soon as practicable in less than thirty (30) days, as needed, to accommodate the legislative schedule.

Sec. 6. With respect to government information obtained under this chapter, the legislative services agency shall maintain at least the same level of confidentiality as is required by law of the governmental entity from which the government information is obtained. Officers and employees of the legislative services agency are subject to the same statutory penalties for unauthorized disclosure or use as officers or employees of the governmental entity from which the government information is obtained.

Sec. 7. A governmental entity providing government information obtained under this chapter shall assist the legislative services agency in identifying any part of the government information obtained by the legislative services agency that must be maintained by the legislative services agency as confidential government information.

Sec. 8. To the extent permitted under state and federal law, the legislative services agency is considered an agent of the governmental entity sharing government information with the legislative services agency and is an authorized receiver of the government information under the statutory or administrative law that governs the government information. Sharing of government information under this chapter does not constitute a disclosure or release under any statutory or administrative law that governs the government information.

Sec. 9. The legislative services agency may not share confidential information containing individually identifying information with any individual or entity outside the legislative services agency, including a member of the general assembly. If confidential



information is received with unredacted names and identifying numbers, the legislative services agency shall delete, redact, or mask the names and identifying numbers as soon as practicable after receipt.

Sec. 10. If government information to which the legislative services agency has access under this chapter is subject to federal law, federal regulation, or federal executive order, the governmental entity shall do the following:

- (1) Provide to the legislative services agency a description of the nature and scope of the restrictions or other conditions.
- (2) Assist the legislative services agency with obtaining any approvals or waivers and comply with any conditions necessary to exercise free accessibility to the government information.
- (3) Provide access to the government information to the legislative services agency to the fullest extent permitted by the applicable federal law, federal regulation, or federal executive order.

Sec. 11. The legislative council or the personnel subcommittee of the legislative council, or both, may establish additional policies, limits, and procedures governing access to, safekeeping, or use of government information obtained by the legislative services agency under this chapter.

Sec. 12. If the governmental entity stores the data in electronic format, the data shall be provided in the original format in which the data is received or stored by the governmental entity, including data delimiters, tags, metadata, and other characters used to make the data machine readable or otherwise useful for retrieval or processing by the governmental entity, unless the legislative services agency agrees to accept the data in a different format.

Sec. 13. (a) This section applies when a law or the legislative council directs the legislative services agency to:

- (1) conduct an independent, objective, nonpartisan audit or other assessment of the stewardship, performance, or cost of government entity policies, programs, or operations; or
- (2) review an audit or other assessment related to the stewardship, performance, or cost of governmental entity policies, programs, or operations.

(b) As used in this section, "legislative leaders" refers to the speaker of the house of representatives, the president pro tempore of the senate, the minority leader of the senate, and the minority leader of the house of representatives.



(c) Upon request, a governmental entity shall provide the legislative services agency with sufficient, appropriate evidence that provides a reasonable basis for findings and conclusions related to the objective of the assessment.

(d) The legislative services agency shall use generally accepted governmental auditing standards as a guideline for conducting or reviewing an assessment (including the nature, extent, and timing of necessary evidence and assessment activities) and determining the sufficiency and appropriateness of evidence.

(e) A governmental entity may redact material that is confidential under any law only to the extent the legislative services agency determines the legislative services agency has a reasonable basis for findings and conclusions related to the objective of the assessment without the redacted material, as determined under generally accepted governmental auditing standards.

Sec. 14. Upon the request of the legislative services agency for a memorandum of understanding, a governmental entity shall enter into a memorandum of understanding for the sharing of government information with the legislative services agency, which must include the following:

- (1) The names and titles of the employees of:
 - (A) the legislative services agency authorized to request government information; and
 - (B) the employees of the governmental entity responsible for providing government information.
- (2) A detailed description of the type and scope of government information to be shared, which may include confidential government information if reasonable and appropriate protections are established.
- (3) The manner, process, or manner and process in which requests for government information will be made to the governmental entity.
- (4) The specific time in which a governmental entity is obligated to fulfill a request for government information under normal circumstances, as well as an expedited time for requests that are considered to be urgent by the legislative services agency.
- (5) A statement that there will be no charge or cost to the legislative services agency for the sharing of government information.
- (6) A statement that government information will be delivered in the format specified by the legislative services agency



whenever reasonably possible under the circumstances.

(7) A statement that all reasonable and appropriate measures and safeguards will be taken to ensure personal privacy and to protect personal information in a safe and secure manner.

(8) A statement that in connection with any government information involving an analysis, forecast, projection, or other estimate, the governmental entity shall provide sufficient and appropriate government information to the legislative services agency so that the legislative services agency may independently evaluate and verify the accuracy of the analysis, forecast, projection, or other estimate.

(9) A statement that a reasonable and appropriate process is established for the prompt resolution of any disputes that may arise over the sharing of government information.

SECTION 2. IC 2-6-1.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Not more than fourteen (14) days (including Saturdays, Sundays, and legal holidays) after the last day the governor must take action on enrolled acts passed during any session of the general assembly, the legislative services agency shall distribute to the clerk of the circuit court of each county one (1) copy of each enrolled act of that session which became law.

(b) A copy of the enrolled acts distributed under subsection (a) may be in the form of:

- (1) a hard paper copy; or
- (2) an electronic copy:
 - (A) on a computer disk;
 - (B) on a CD-ROM disk; or
 - (C) in another machine readable format **that can be easily processed by a computer without human intervention while ensuring that semantic meaning is not lost.**

(c) The clerk of the circuit court of each county may inform the legislative services agency whether the clerk prefers to receive the enrolled acts in the form of:

- (1) a hard paper copy; or
- (2) an electronic copy described in subsection (b)(2) that is available from the legislative services agency.

(d) If a clerk of circuit court informs the legislative services agency under subsection (c) that the clerk prefers to receive the enrolled acts in the form described in subsection (c)(1) or in a form described in subsection (c)(2), the legislative services agency shall deliver the enrolled acts to the clerk in the form for which the clerk has expressed a preference.



(e) This distribution shall be delivered by certified mail, or by any other means of delivery that includes a return receipt, to each of the clerks of the counties of the state, and shall fulfill the publication and circulation requirements of Art. 4, Sec. 28 of the Constitution of the State of Indiana.

SECTION 3. IC 4-3-22-4, AS AMENDED BY P.L.213-2015, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The director is responsible and accountable for and has authority over the following:

(1) All functions performed by the following:

- (A) The budget agency.
- (B) The department of state revenue.
- (C) The department of local government finance.
- (D) The Indiana finance authority.
- (E) The office of state based initiatives.

(F) The management performance hub.

The directors of these agencies, departments, and offices shall report to the director and administer their offices and agencies in compliance with the policies and procedures related to fiscal management that are established by the OMB and approved by the governor.

(2) All budgeting, accounting, and spending functions within the various agencies, departments, and programs of state government.

SECTION 4. IC 4-3-22-6 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 6: (a) ~~The division of government efficiency and financial planning is established within the OMB. The director shall appoint, subject to the approval of the governor, a director of the division, who serves at the pleasure of the director of OMB.~~

(b) ~~The division shall do the following:~~

- (1) ~~Conduct operational and procedural audits of state government.~~
- (2) ~~Perform financial planning and design and implement efficiency projects.~~
- (3) ~~Advise and assist:~~
 - (A) ~~each instrumentality, agency, authority, board, commission, and officer in the executive department of state government; and~~
 - (B) ~~each body corporate and politic established as an instrumentality of the state;~~

~~to identify and implement continuous process improvement in state government.~~
- (4) ~~Carry out such other responsibilities as may be designated by~~



the director.

SECTION 5. IC 4-3-26 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 26. Indiana Management Performance Hub

Sec. 1. As used in this chapter, "continuous process improvement" means a management methodology that combines tools to improve process speed and reduce waste with data driven project analysis to provide products and services with improved quality at lower cost.

Sec. 2. (a) As used in this chapter, "executive state agency" refers to any agency, authority, board, bureau, commission, department, division, office, or other unit of state government in the executive, including the administrative, department of state government established by any of the following:

- (1) The Constitution of the State of Indiana.
- (2) An Indiana statute.
- (3) An administrative rule.
- (4) An executive order.

(b) The term does not include the following:

- (1) The legislative department of state government.
- (2) The judicial department of state government.
- (3) The Indiana finance authority created by IC 4-4-11-4.
- (4) A political subdivision.
- (5) A state educational institution.

Sec. 3. As used in this chapter, "MPH" refers to the management performance hub established by section 8 of this chapter.

Sec. 4. As used in this chapter, "OMB" refers to the office of management and budget established by IC 4-3-22-3.

Sec. 5. As used in this chapter, "person" has the meaning set forth in IC 5-22-2-20.

Sec. 6. As used in this chapter, "political subdivision" has the meaning set forth in IC 36-1-2-13.

Sec. 7. As used in this chapter, "government information" refers to any information created, received, maintained, or stored by or otherwise in the control of a governmental entity, regardless of the form or the media on which the information is recorded. The term does not include any of the following:

- (1) The investigative records of law enforcement agencies that employ the law enforcement officers listed in IC 35-31.5-2-185.



(2) The confidential advisory opinions requested or given by the office of the inspector general.

(3) Other information made confidential by IC 4-2-6, IC 4-2-7, IC 5-2-4, IC 31-33-18, IC 9-32-16-1, IC 10-13-3, 26 CFR 20, or 28 CFR 23.

(4) Confidential investigative records related to an investigation under IC 4-31, IC 4-33, or IC 4-35 and any other information classified as confidential under IC 4-31, IC 4-33, or IC 4-35.

Sec. 8. The management performance hub is established within the OMB.

Sec. 9. (a) The governor shall appoint a chief data officer, who serves at the pleasure of the governor.

(b) The chief data officer shall do the following:

(1) Serve as the executive head of the MPH.

(2) Advise executive state agencies and political subdivisions regarding state best practices concerning the creation and maintenance of data.

(3) Coordinate data analytics and transparency master planning for the executive state agencies and provide leadership regarding state data analytics and transparency.

Sec. 10. The MPH shall do the following:

(1) Establish and maintain a program to collect, analyze, and exchange government information in carrying out the powers and duties of the OMB and the powers and duties of the executive state agency sharing the data. In carrying out this program, the MPH may, in accordance with IC 4-1-6, obtain government information from each executive state agency.

(2) In accordance with IC 4-1-6 and IC 5-14-3, establish and maintain a program to make government information available to executive state agencies, political subdivisions, educational institutions, researchers, nongovernmental organizations, and the general public, subject to the following:

(A) A request for data subject to IC 4-1-6-8.6 shall be made in conformance with that section.

(B) A program established and maintained under this chapter must include policies governing access to government information held by the MPH under this chapter. Government information may be made available only in accordance with applicable confidentiality and disclosure laws.

(3) Establish privacy and quality policies for government



information that comply with all applicable Indiana and federal laws, rules, and policies.

(4) In accordance with standards developed by the office of technology established by IC 4-13.1-2-1, establish and maintain a program to ensure the security of government information under this chapter.

(5) Conduct operational and procedural audits of executive state agencies.

(6) Perform financial planning and design and implement efficiency projects for executive state agencies.

(7) Advise and assist each executive state agency to identify and implement continuous process improvement in state government.

(8) Carry out such other responsibilities as may be designated by the director of the OMB or the chief data officer to carry out the responsibilities of the OMB or the chief data officer.

Sec. 11. Each executive state agency shall do the following:

(1) In a manner determined by the MPH, make available to the MPH the government information the MPH requires under this chapter in a nonproprietary format.

(2) As requested by the MPH, make available personnel with technical expertise to facilitate sharing of government information.

Sec. 12. (a) Title to any government information that is obtained by the MPH under section 11 of this chapter and that is unchanged by the MPH remains with the executive state agency sharing the government information, including an executive state agency's sole authority to license use of government information.

(b) Title to government information that is obtained by the MPH under section 11 of this chapter and that the MPH has changed in a substantive manner is vested in the MPH.

(c) Requests made in accordance with IC 5-14-3 for government information to which the MPH does not have title must be directed to the executive state agency sharing the government information. The MPH may not fulfill such a request.

Sec. 13. The MPH is considered to be an agent of the executive state agency sharing government information and is an authorized receiver of government information under the statutory or administrative law that governs the government information. Interagency data sharing under this chapter does not constitute a disclosure or release under any statutory or administrative law that governs the government information.



Sec. 14. (a) The MPH shall prescribe a form to be used to memorialize the sharing of data under this chapter.

(b) The form prescribed under subsection (a) must be:

- (1)** completed by the executive state agency or person described in section 15 of this chapter; and
- (2)** signed by the administrative head of the executive state agency or person.

(c) A data sharing form completed and signed under subsection (b) constitutes the agreement required by any statutory or administrative law that governs the data. No additional documentation may be required to share data under this chapter.

Sec. 15. The MPH may accept electronically recorded information from any person. The MPH may analyze and exchange electronically recorded information in carrying out the powers and duties of the OMB and the powers and duties of the entity sharing the electronically recorded information. Title to any electronically recorded information received by the MPH under this section is vested in the MPH.

Sec. 16. (a) The OMB shall submit a report to the legislative council (in an electronic format under IC 5-14-6) that provides recommendations concerning the following:

- (1)** Policies and practices to ensure the privacy, security, quality, and confidentiality of the government information collected, analyzed, and maintained by the MPH in the course of carrying out the duties of the MPH under section 10 of this chapter, including policies and practices to protect personally identifiable information and other sensitive information.
- (2)** Organizational structures, policies, and practices for making government information available for public consumption under section 10(2) of this chapter.
- (3)** Organizational structures, policies, and practices to ensure ongoing and continuous communication and collaboration between the MPH and the educational, nonprofit, and other nongovernmental users of government information collected, analyzed, and maintained by the MPH in the course of carrying out the duties of the MPH under section 10 of this chapter.
- (4)** Organizational structures, policies, and practices to ensure ongoing and continuous communication and collaboration between the MPH and the governmental users of government information collected, analyzed, and maintained by the MPH in the course of carrying out the duties of the MPH under



section 10 of this chapter.

(5) Policies and practices to ensure that the government information collected, analyzed, and maintained by the MPH in the course of carrying out the duties of the MPH under section 10 of this chapter is relevant and readily available to the educational, nonprofit, and other nongovernmental users of the government information.

The report required under this subsection must be submitted before October 1, 2017.

(b) In preparing the report required by subsection (a), the OMB shall assemble an advisory group comprised of the following individuals:

- (1) The OMB director.
- (2) The chief data officer.
- (3) The chief information officer appointed under IC 4-13.1-2-3.
- (4) At least two (2) representatives of nonprofit research entities.
- (5) At least two (2) representatives of entities that, in their regular course of business, use the type of data that will be made available by the MPH for public consumption under section 10 of this chapter.

The OMB director shall serve as the chair of the advisory group. The advisory group shall assist the OMB in preparing the report required under subsection (a).

(c) This section expires January 1, 2018.

SECTION 6. IC 5-14-3.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 3.3. Government Data

Sec. 1. As used in this chapter, "data owner" means a governmental entity that creates or gathers data from other sources and stores that data for its governmental purposes.

Sec. 2. (a) As used in this chapter, "executive state agency" refers to any agency, authority, board, bureau, commission, department, division, office, or other unit of state government in the executive, including the administrative, department of state government established by any of the following:

- (1) The Constitution of the State of Indiana.
- (2) An Indiana statute.
- (3) An administrative rule.
- (4) An executive order.



(b) The term does not include the following:

- (1) The legislative department of state government.**
- (2) The judicial department of state government.**
- (3) The Indiana finance authority created by IC 4-4-11-4.**
- (4) A political subdivision.**
- (5) A state educational institution.**

Sec. 3. As used in this chapter, "governmental entity" refers to any of the following:

- (1) An executive state agency.**
- (2) A political subdivision.**
- (3) An agency of a political subdivision.**
- (4) A state educational institution.**

Sec. 4. As used in this chapter, "government data" refers to any electronically recorded information created, received, maintained, or stored by or otherwise in the control of a governmental entity.

The term does not include any of the following:

- (1) The investigative records of law enforcement agencies that employ the law enforcement officers listed in IC 35-31.5-2-185.**
- (2) The confidential advisory opinions requested or given by the office of the inspector general.**
- (3) Other information deemed confidential by IC 4-2-6, IC 4-2-7, IC 5-2-4, IC 31-33-18, IC 9-32-16-1, IC 10-13-3, 26 CFR 20, or 28 CFR 23.**
- (4) Confidential investigative records related to an investigation under IC 4-31, IC 4-33, or IC 4-35 and any other information classified as confidential under IC 4-31, IC 4-33, or IC 4-35.**

Sec. 5. As used in this chapter, "government web site" refers to an Internet web site that is established for a governmental entity.

Sec. 6. As used in this chapter, "machine readable" refers to a format in which government data can be easily processed by a computer without human intervention while ensuring that semantic meaning is not lost.

Sec. 7. As used in this chapter, "open format" means a technical format based on an underlying open standard that is:

- (1) not encumbered by restrictions that would impede use or reuse; and**
- (2) maintained by a standards organization.**

Sec. 8. As used in this chapter, "political subdivision" has the meaning set forth in IC 36-1-2-13.

Sec. 9. As used in this chapter, "web site owner" refers to the



governmental entity that:

- (1) establishes and maintains a government web site; and**
- (2) is responsible for the content of that site.**

Sec. 10. Except as provided in this chapter or in another statute, the standards stated in this chapter apply to government data.

Sec. 11. A governmental entity should strive to store data in a machine readable and open format.

Sec. 12. Except as otherwise specifically provided in this chapter or another statute, this chapter does not require a governmental entity to record information or expend resources for the purpose of computer programming to make or convert data to a format required under this chapter.

Sec. 13. A government web site may disclose government data only in accordance with IC 4-1-6 and IC 5-14-3.

Sec. 14. A web site owner and its officers, officials, and employees are immune from any civil liability for posting confidential information if the information was posted in reliance on a determination made by a data owner about the confidentiality of information on the government web site.

Sec. 15. Except as specifically provided in IC 4-5-10-2, IC 4-13.1-2-4, IC 5-14-3-3.5, IC 5-14-3-3.6, or another statute, a web site owner may not charge a fee for access to the data on the web site.

Sec. 16. (a) This section applies to a data owner only if an Indiana statute requires the data owner to submit government data to a web site owner.

(b) A web site owner may require the data owner to submit the government data in an electronic format on a prescribed form.

(c) A data owner shall include a link on the data owner's Internet web site to the Internet web site of the web site owner to which the data owner is required to submit government data.

SECTION 7. IC 6-8.1-7-1, AS AMENDED BY P.L.242-2015, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) This subsection does not apply to the disclosure of information concerning a conviction on a tax evasion charge. Unless in accordance with a judicial order or as otherwise provided in this chapter, the department, its employees, former employees, counsel, agents, or any other person may not divulge the amount of tax paid by any taxpayer, terms of a settlement agreement executed between a taxpayer and the department, investigation records, investigation reports, or any other information disclosed by the reports filed under the provisions of the law relating to any of the listed taxes,



including required information derived from a federal return, except to **any of the following when it is agreed that the information is to be confidential and to be used solely for official purposes:**

- (1) Members and employees of the department.
- (2) The governor.
- (3) A member of the general assembly or an employee of the house of representatives or the senate when acting on behalf of a taxpayer located in the member's legislative district who has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer.
- (4) An employee of the legislative services agency to carry out the responsibilities of the legislative services agency under IC 2-5-1.1-7 or another law.**
- ~~(4)~~ **(5)** The attorney general or any other legal representative of the state in any action in respect to the amount of tax due under the provisions of the law relating to any of the listed taxes. ~~or~~
- ~~(5)~~ **(6)** Any authorized officers of the United States.

~~when it is agreed that the information is to be confidential and to be used solely for official purposes:~~

(b) The information described in subsection (a) may be revealed upon the receipt of a certified request of any designated officer of the state tax department of any other state, district, territory, or possession of the United States when:

- (1) the state, district, territory, or possession permits the exchange of like information with the taxing officials of the state; and
- (2) it is agreed that the information is to be confidential and to be used solely for tax collection purposes.

(c) The information described in subsection (a) relating to a person on public welfare or a person who has made application for public welfare may be revealed to the director of the division of family resources, and to any director of a county office of the division of family resources located in Indiana, upon receipt of a written request from either director for the information. The information shall be treated as confidential by the directors. In addition, the information described in subsection (a) relating to a person who has been designated as an absent parent by the state Title IV-D agency shall be made available to the state Title IV-D agency upon request. The information shall be subject to the information safeguarding provisions of the state and federal Title IV-D programs.

(d) The name, address, Social Security number, and place of employment relating to any individual who is delinquent in paying



educational loans owed to a postsecondary educational institution may be revealed to that institution if it provides proof to the department that the individual is delinquent in paying for educational loans. This information shall be provided free of charge to approved postsecondary educational institutions (as defined by IC 21-7-13-6(a)). The department shall establish fees that all other institutions must pay to the department to obtain information under this subsection. However, these fees may not exceed the department's administrative costs in providing the information to the institution.

(e) The information described in subsection (a) relating to reports submitted under IC 6-6-1.1-502 concerning the number of gallons of gasoline sold by a distributor and IC 6-6-2.5 concerning the number of gallons of special fuel sold by a supplier and the number of gallons of special fuel exported by a licensed exporter or imported by a licensed transporter may be released by the commissioner upon receipt of a written request for the information.

(f) The information described in subsection (a) may be revealed upon the receipt of a written request from the administrative head of a state agency of Indiana when:

- (1) the state agency shows an official need for the information; and
- (2) the administrative head of the state agency agrees that any information released will be kept confidential and will be used solely for official purposes.

(g) The information described in subsection (a) may be revealed upon the receipt of a written request from the chief law enforcement officer of a state or local law enforcement agency in Indiana when it is agreed that the information is to be confidential and to be used solely for official purposes.

(h) The name and address of retail merchants, including township, as specified in IC 6-2.5-8-1(k) may be released solely for tax collection purposes to township assessors and county assessors.

(i) The department shall notify the appropriate innkeeper's tax board, bureau, or commission that a taxpayer is delinquent in remitting innkeepers' taxes under IC 6-9.

(j) All information relating to the delinquency or evasion of the motor vehicle excise tax may be disclosed to the bureau of motor vehicles in Indiana and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.

(k) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable to the bureau of motor



vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(l) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable under the International Registration Plan may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(m) All information relating to the delinquency or evasion of the excise taxes imposed on recreational vehicles and truck campers that are payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.1.

(n) This section does not apply to:

- (1) the beer excise tax, including brand and packaged type (IC 7.1-4-2);
- (2) the liquor excise tax (IC 7.1-4-3);
- (3) the wine excise tax (IC 7.1-4-4);
- (4) the hard cider excise tax (IC 7.1-4-4.5);
- (5) the malt excise tax (IC 7.1-4-5);
- (6) the motor vehicle excise tax (IC 6-6-5);
- (7) the commercial vehicle excise tax (IC 6-6-5.5); and
- (8) the fees under IC 13-23.

(o) The name and business address of retail merchants within each county that sell tobacco products may be released to the division of mental health and addiction and the alcohol and tobacco commission solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

(p) The name and business address of a person licensed by the department under IC 6-6 or IC 6-7 may be released for the purpose of reporting the status of the person's license.

(q) The department may release information concerning total incremental tax amounts under:

- (1) IC 5-28-26;
- (2) IC 36-7-13;
- (3) IC 36-7-26;
- (4) IC 36-7-27;
- (5) IC 36-7-31;
- (6) IC 36-7-31.3; or
- (7) any other statute providing for the calculation of incremental state taxes that will be distributed to or retained by a political



subdivision or other entity;
to the fiscal officer of the political subdivision or other entity that established the district or area from which the incremental taxes were received if that fiscal officer enters into an agreement with the department specifying that the political subdivision or other entity will use the information solely for official purposes.

(r) The department may release the information as required in IC 6-8.1-3-7.1 concerning:

- (1) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;
- (2) the supplemental auto rental excise tax under IC 6-6-9.7; and
- (3) the covered taxes allocated to a professional sports development area fund, sports and convention facilities operating fund, or other fund under IC 36-7-31 and IC 36-7-31.3.

(s) Information concerning state gross retail tax exemption certificates that relate to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 may be disclosed to a power subsidiary (as defined in IC 6-2.5-4-5) or a person selling the services or commodities listed in IC 6-2.5-4-5(b) for the purpose of enforcing and collecting the state gross retail and use taxes under IC 6-2.5.

SECTION 8. IC 22-4.5-10 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Indiana Workforce Intelligence System).

SECTION 9. IC 34-30-2-14.7, AS ADDED BY P.L.172-2011, SECTION 136, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14.7. IC 5-14-3.5-5 and **IC 5-14-3.3-14** (Concerning state and state officers, officials, and employees for posting certain confidential information).

SECTION 10. [EFFECTIVE JULY 1, 2017] **(a) The general assembly urges the legislative council to assign to an appropriate study committee for study during the 2017 legislative interim topics concerning the following:**

- (1) Establishing in the department of state revenue an enterprise fraud program office to implement a fraud, waste, abuse, and improper payments detection and prevention capability across state agencies and programs.**
- (2) Requiring state agencies to provide access to state data bases as directed by the enterprise fraud program office to allow the data to be integrated with various state data and to permit fraud detection analytics software to analyze the data.**
- (3) Establishing a pilot program, as soon as practicable, to implement state-of-the-art enterprise fraud detection technology that can support fraud, waste, abuse, and**



improper payment detection and prevention across state agencies, programs, and functions.

(4) Providing regular reporting to the general assembly by the enterprise fraud program office concerning matters such as the following:

(A) Incidents, types, and amounts of fraud identified, by agency.

(B) The amount actually recovered as a result of fraud identification, by agency.

(C) Agency procedural changes resulting from fraud identification and the timeline for implementing each.

(D) Recommendations for changes in state statute, agency regulations, and agency operating procedures that would improve the state's ability to identify and prevent fraud and increase the probability that funds lost to fraudulent activity are recovered by the state.

(E) Recommendations for changes in the United States Code, Code of Federal Regulations, and operating procedures by United States departments and agencies that would improve the state's ability to identify and prevent fraud or increase the probability that funds lost to fraudulent activity are recovered by the state.

(F) State costs for fraud detection for the previous quarter.

(G) Payments to the vendor for the previous quarter.

(H) Anticipated costs and vendor payments for each of the next two (2) years from the date of the report.

(b) This SECTION expires November 1, 2017.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

