



February 20, 2024

ENGROSSED
SENATE BILL No. 150

DIGEST OF SB 150 (Updated February 20, 2024 11:43 am - DI 87)

Citations Affected: IC 2-5; IC 4-13.1.

Synopsis: Artificial intelligence and cybersecurity. Creates the artificial intelligence task force (task force) to study and assess use of artificial intelligence technology by state agencies. Provides that political subdivisions, state agencies, school corporations, and state educational institutions (public entities) may adopt a: (1) technology resources policy; and (2) cybersecurity policy; subject to specified guidelines. Specifies requirements for: (1) public entities; and (2) (Continued next page)

Effective: July 1, 2024; July 1, 2025.

Brown L, Buchanan, Charbonneau,
Goode, Donato, Koch, Doriot,
Baldwin, Randolph Lonnie M, Crane
(HOUSE SPONSORS — LEHMAN, JETER, JUDY, PIERCE M)

January 8, 2024, read first time and referred to Committee on Commerce and Technology.
January 18, 2024, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations. Reassigned to Committee on Rules and Legislative Procedure pursuant to Rule 68(b). Committee Report: Without recommendation, adopted.
January 25, 2024, read second time, amended, ordered engrossed.
January 26, 2024, engrossed.
January 29, 2024, read third time, passed. Yeas 47, nays 2.
HOUSE ACTION
February 6, 2024, read first time and referred to Committee on Government and Regulatory Reform.
February 20, 2024, amended, reported — Do Pass.

ES 150—LS 6598/DI 119



Digest Continued

entities other than public entities; that connect to the state technology infrastructure of Indiana. Provides, with regard to a licensing contract entered into by a state agency for use of a software application designed to run on generally available desktop or server hardware that: (1) the contract may not restrict the hardware on which the state agency installs or runs the software; and (2) information created, received, maintained, stored by, or otherwise in the control of the software or any derivative of the information is considered government information and owned by the state. Provides that an executive or legislative state agency may submit to the office of technology and the task force an inventory of all artificial intelligence technologies in use, or being developed or considered by the state agency for use, by the state agency.

ES 150—LS 6598/DI 119



February 20, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 150

A BILL FOR AN ACT to amend the Indiana Code concerning technology.

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

- 1 SECTION 1. IC 2-5-53.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]:
4 **Chapter 53.7. Artificial Intelligence Task Force**
5 **Sec. 1. As used in this chapter, "artificial intelligence" has the**
6 **meaning set forth in IC 4-13.1-5-1.**
7 **Sec. 2. As used in this chapter, "college or university" has the**
8 **meaning set forth in IC 21-7-13-10.**
9 **Sec. 3. As used in this chapter, "task force" refers to the**
10 **artificial intelligence task force established by section 4 of this**
11 **chapter.**
12 **Sec. 4. The artificial intelligence task force is established as a**
13 **temporary task force serving the general assembly.**
14 **Sec. 5. (a) The task force consists of the following fifteen (15)**
15 **members:**

ES 150—LS 6598/DI 119



- 1 (1) A member of the house of representatives who is
2 appointed to the task force by the speaker of the house of
3 representatives.
- 4 (2) A member of the senate who is appointed to the task force
5 by the president pro tempore of the senate.
- 6 (3) A member of the house of representatives who is
7 appointed to the task force by the minority leader of the house
8 of representatives.
- 9 (4) A member of the senate who is appointed to the task force
10 by the minority leader of the senate.
- 11 (5) The chief information officer appointed under
12 IC 4-13.1-2-3, who serves as an ex officio member of the task
13 force.
- 14 (6) The chief data officer appointed under IC 4-3-26-9 who
15 serves as an ex officio member of the task force, or the chief
16 data officer's designee.
- 17 (7) The following members who are appointed to the task
18 force by the governor:
- 19 (A) An academic professional who:
20 (i) is employed by a public or private college or
21 university located in Indiana; and
22 (ii) specializes in ethics.
- 23 (B) An academic professional who:
24 (i) is employed by a public or private college or
25 university located in Indiana; and
26 (ii) specializes in artificial intelligence technology.
- 27 (C) An individual with expertise in the use of artificial
28 intelligence by law enforcement agencies.
- 29 (D) An individual with expertise in legal and constitutional
30 rights.
- 31 (E) An individual employed in the cloud technology
32 industry.
- 33 (8) A member with expertise in artificial intelligence or
34 cybersecurity who is appointed to the task force as follows:
- 35 (A) The president pro tempore of the senate shall appoint
36 the member in odd-numbered years.
- 37 (B) The speaker of the house of representatives shall
38 appoint the member in even-numbered years.
- 39 (9) The solicitor general who serves as an ex officio member
40 of the task force, or the solicitor general's designee.
- 41 (10) The director of information technology of the senate, who
42 serves as an ex officio member of the task force.



- 1 **(11) The director of the legislative services agency's office of**
 2 **technology services, who serves as an ex officio member of the**
 3 **task force.**
- 4 **(b) The members appointed under subsection (a)(1) and (a)(2)**
 5 **shall serve as co-chairs of the task force.**
- 6 **(c) Members of the task force appointed to the task force under**
 7 **subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), and (a)(8) serve a term**
 8 **that ends June 30 of each odd-numbered year but may be**
 9 **reappointed to subsequent terms.**
- 10 **(d) If a vacancy occurs on the task force, the appointing**
 11 **authority who appointed the member whose position is vacant shall**
 12 **appoint an individual to fill the vacancy.**
- 13 **(e) An individual appointed to fill a vacancy must meet the**
 14 **qualifications of the vacancy.**
- 15 **(f) An individual appointed to fill a vacancy serves for the**
 16 **remainder of the term of the member the individual is appointed**
 17 **to replace.**
- 18 **(g) The following shall serve as nonvoting members of the task**
 19 **force:**
- 20 **(1) The chief information officer.**
- 21 **(2) The chief data officer, or the chief data officer's designee.**
- 22 **(h) Appointing authorities shall appoint the initial members of**
 23 **the task force under subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7),**
 24 **and (a)(8) not later than August 1, 2024, and not later than August**
 25 **1 of each year thereafter.**
- 26 **Sec. 6. (a) The task force shall meet at the call of the co-chairs.**
- 27 **(b) The task force shall meet for the first time not later than**
 28 **September 1, 2024.**
- 29 **(c) A majority of the members of the task force constitutes a**
 30 **quorum.**
- 31 **(d) The affirmative votes of a majority of the voting members**
 32 **of the task force are required for the task force to take action on**
 33 **any measure, including adoption of the report under section 8(3)**
 34 **of this chapter.**
- 35 **(e) All meetings of the task force are open to the public in**
 36 **accordance with and subject to IC 5-14-1.5. All records of the task**
 37 **force are subject to the requirements of IC 5-14-3.**
- 38 **Sec. 7. (a) The legislative services agency shall staff the task**
 39 **force.**
- 40 **(b) Except as otherwise provided in this chapter, the task force**
 41 **is subject to IC 2-5-1.2 and the policies and rules of the legislative**
 42 **council.**



1 **Sec. 8. The task force shall do the following:**

2 **(1) Conduct a study of:**

3 **(A) artificial intelligence technology that has been used,**
 4 **developed, or considered for use by state agencies as**
 5 **reported under IC 4-13.1-5; and**

6 **(B) recommendations issued by other state, institutional, or**
 7 **academic bodies regarding use of artificial intelligence**
 8 **technology in government.**

9 **(2) Assess documented and potential:**

10 **(A) benefits and risks to state agencies of state agency use**
 11 **of artificial intelligence technology; and**

12 **(B) effects of state agency use of artificial intelligence**
 13 **technology on the rights and interests of Indiana residents,**
 14 **including on the:**

15 **(i) constitutional and legal rights;**

16 **(ii) privacy interests;**

17 **(iii) employment; and**

18 **(iv) economic welfare;**

19 **of Indiana residents.**

20 **(3) Not later than October 31, 2024, and not later than**
 21 **October 31 of each year thereafter, adopt and submit to the**
 22 **executive director of the legislative services agency, for**
 23 **distribution to the members of the general assembly, a report**
 24 **that includes the following:**

25 **(A) The results of the task force's study under subdivision**
 26 **(1) and assessment under subdivision (2).**

27 **(B) The task force's recommendations with regard to state**
 28 **policies, including any recommended legislation, governing**
 29 **state agency use of artificial intelligence technology,**
 30 **including any policies or legislation necessary to:**

31 **(i) promote effective, informed, and beneficial use of**
 32 **artificial intelligence technology by state agencies; and**

33 **(ii) protect the rights and interests of state residents,**
 34 **including the rights and interests described in**
 35 **subdivision (2)(B), from infringement or impairment by**
 36 **state agency use of artificial intelligence technology.**

37 **Sec. 9. This chapter expires December 31, 2027.**

38 SECTION 2. IC 4-13.1-4 IS ADDED TO THE INDIANA CODE
 39 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2025]:

41 **Chapter 4. Technology Resources, Cybersecurity, and**
 42 **Infrastructure Standards**



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

3 **Sec. 2.** As used in this chapter, "public entity" means a:

- 4 (1) political subdivision;
5 (2) state agency;
6 (3) school corporation; or
7 (4) state educational institution.

8 **Sec. 3.** As used in this chapter, "school corporation" has the
9 meaning set forth in IC 20-18-2-16(a).

10 **Sec. 4.** As used in this chapter, "state educational institution"
11 has the meaning set forth in IC 21-7-13-32.

12 **Sec. 5.** Each public entity may adopt the following:

13 (1) A policy governing use of technology resources by the
14 public entity's employees. The policy may:

15 (A) prohibit an employee of the public entity from using
16 the public entity's technology resources to:

17 (i) engage in lobbying (as defined in IC 2-7-1-9) that is
18 outside the scope of the employee's duties;

19 (ii) engage in illegal activity; or

20 (iii) violate the public entity's cybersecurity policy; and

21 (B) include disciplinary procedures for violation of the
22 technology resources policy.

23 (2) A cybersecurity policy. If the public entity is:

24 (A) a political subdivision or state educational institution,
25 the policy may be based on standards and guidelines
26 developed by the office;

27 (B) a school corporation, the policy may be based on
28 cybersecurity policy standards and guidelines developed by
29 the office, in collaboration with the department of
30 education; and

31 (C) a state agency, the policy is developed by the office.

32 (3) A training program regarding the public entity's
33 technology resources policy adopted under subdivision (1) and
34 cybersecurity policy adopted under subdivision (2),
35 completion of which is mandatory for the public entity's
36 employees.

37 **Sec. 6. (a)** Not later than December 31 of each odd-numbered
38 year, a public entity may submit to the office the public entity's
39 cybersecurity policy adopted by the public entity under section 5
40 of this chapter.

41 (b) The office may establish a procedure for collecting and
42 maintaining a record of cybersecurity policies submitted to the



1 office under subsection (a).

2 **Sec. 7. (a) The technology resources policy adopted by a public**
 3 **entity under section 5 of this chapter is a public record under**
 4 **IC 5-14-3.**

5 **(b) The cybersecurity policy adopted by a public entity under**
 6 **section 5 of this chapter is confidential and may not be disclosed to**
 7 **the public under IC 5-14-3.**

8 **Sec. 8. (a) A public entity that connects to the technology**
 9 **infrastructure of the state after July 1, 2027, must:**

10 **(1) have completed a cybersecurity assessment within the**
 11 **three (3) year period immediately preceding the first date**
 12 **after July 1, 2027, on which the public entity connects to the**
 13 **technology infrastructure of the state;**

14 **(2) complete a cybersecurity assessment at least once every**
 15 **three (3) years after the first date after July 1, 2027, on which**
 16 **the public entity connects to the technology infrastructure of**
 17 **the state;**

18 **(3) provide proof to the office of the public entity's compliance**
 19 **with subdivisions (1) and (2) upon request by the office;**

20 **(4) if the public entity is a state agency or political subdivision,**
 21 **have an ".in.gov" or ".gov" domain name; and**

22 **(5) have a secondary end user authentication mechanism.**

23 **(b) An entity that is not a public entity and that connects to the**
 24 **technology infrastructure of the state after July 1, 2026, must:**

25 **(1) have completed a cybersecurity assessment within the two**
 26 **(2) year period immediately preceding the first date after July**
 27 **1, 2026, on which the entity connects to the technology**
 28 **infrastructure of the state;**

29 **(2) complete a cybersecurity assessment:**

30 **(A) at least once every two (2) years after the first date**
 31 **after July 1, 2026, on which the entity connects to the**
 32 **technology infrastructure of the state; and**

33 **(B) biennially for as long as the entity connects to the**
 34 **technology infrastructure of the state;**

35 **(3) provide proof to the office of the entity's compliance with**
 36 **subdivisions (1) and (2) upon request by the office; and**

37 **(4) have a secondary end user authentication mechanism.**

38 **(c) At the discretion of the office:**

39 **(1) a public entity that is not in compliance with subsection**
 40 **(a); or**

41 **(2) an entity that is not in compliance with subsection (b);**

42 **may be disconnected from the technology infrastructure of the**



1 state.

2 **Sec. 9. (a) This section applies to a contract entered into between**
 3 **a state agency and a person under which the state agency receives**
 4 **a license to use a software application designed to run on generally**
 5 **available desktop or server hardware.**

6 **(b) A person with which a state agency enters into a contract**
 7 **described in subsection (a) may not, as a provision of the contract**
 8 **or as a condition of the person entering into the contract:**

9 **(1) require that the state agency install or run the software on**
 10 **hardware dedicated solely to the state agency; or**

11 **(2) otherwise restrict the state agency from installing or**
 12 **running the software on hardware of the state agency's**
 13 **choosing.**

14 **Sec. 10. (a) This section applies to a contract entered into**
 15 **between a state agency and a person under which the state agency**
 16 **receives a license to use a software application designed to run on**
 17 **generally available desktop or server hardware.**

18 **(b) A person with which a state agency enters into a contract**
 19 **described in subsection (a) may not, as a provision of the contract**
 20 **or as a condition of the person entering into the contract:**

21 **(1) require that the state agency install or run the software on**
 22 **hardware dedicated solely to the state agency in order to**
 23 **access government information; or**

24 **(2) otherwise restrict the state agency from installing or**
 25 **running the software on hardware of the state agency's**
 26 **choosing or accessing government information from the**
 27 **software.**

28 **(c) Any information created, received, maintained, stored by, or**
 29 **otherwise in the control of software licensed to a state agency or**
 30 **any derivative of the information is considered government**
 31 **information (as defined in IC 4-3-26-7) and owned by the state.**

32 **SECTION 3. IC 4-13.1-5 IS ADDED TO THE INDIANA CODE**
 33 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
 34 **JULY 1, 2025]:**

35 **Chapter 5. Inventory of Artificial Intelligence Systems**

36 **Sec. 1. As used in this chapter, "artificial intelligence" means**
 37 **computing technology that is capable of simulating human**
 38 **learning, reasoning, and deduction through processes such as:**

39 **(1) acquiring and analyzing information for the purpose of**
 40 **improving operational accuracy through improved contextual**
 41 **knowledge;**

42 **(2) identifying patterns in data; and**



1 (3) improving operational outcomes by analyzing the results
 2 of a previous operation and using the analysis to modify the
 3 operation to achieve an improved result.

4 **Sec. 2. Notwithstanding IC 4-13.1-1-4, as used in this chapter,**
 5 **"state agency":**

6 (1) means an authority, a board, a branch, a commission, a
 7 committee, a department, a division, or another
 8 instrumentality of:

9 (A) the executive, including the administrative; or

10 (B) the legislative;

11 department of state government; and

12 (2) does not include the judicial department of state
 13 government.

14 **Sec. 3. (a) Not later than November 1, 2025, each state agency**
 15 **may:**

16 (1) compile, in a form specified by the office, an inventory of
 17 all artificial intelligence technologies that are:

18 (A) in use; or

19 (B) being developed or considered by the state agency for
 20 use;

21 by the state agency; and

22 (2) submit the inventory to:

23 (A) the office; and

24 (B) the executive director of the legislative services agency
 25 for distribution to the members of the artificial intelligence
 26 task force established by IC 2-5-53.7.

27 (b) A state agency's inventory under subsection (a) must include
 28 the following information for each artificial intelligence technology
 29 included in the inventory:

30 (1) The vendor of the artificial intelligence technology.

31 (2) A description of the function and capabilities of the
 32 artificial intelligence technology.

33 (3) A description of:

34 (A) the purpose or purposes for which the state agency
 35 uses the artificial intelligence technology; and

36 (B) any purpose in addition to the purpose or purposes
 37 described in clause (A) for which the state agency
 38 contemplates using the artificial intelligence technology in
 39 the future;

40 and examples of the data or information produced by the
 41 artificial intelligence technology for each purpose described
 42 in clause (A).



- 1 **(4) Whether the artificial intelligence technology provides:**
2 **(A) the state agency with information or data that is used**
3 **by the state agency to inform decisions made by the state**
4 **agency; or**
5 **(B) decisions, without human intervention, that are**
6 **implemented by the state agency.**
- 7 **(5) The:**
8 **(A) types of information or data used by the artificial**
9 **intelligence technology; and**
10 **(B) source of the information or data used by the artificial**
11 **intelligence technology.**
- 12 **(6) The manner in which the state agency secures the:**
13 **(A) artificial intelligence technology;**
14 **(B) information or data used by the artificial intelligence**
15 **technology; and**
16 **(C) information or data produced by the artificial**
17 **intelligence technology;**
18 **from unauthorized access.**
- 19 **(7) Any person with which the state agency shares the**
20 **information or data produced by the artificial intelligence**
21 **technology and the purpose for which the state agency shares**
22 **the information or data with the person.**
- 23 **(8) The documented or anticipated benefits and risks of the**
24 **state agency's use of the artificial intelligence technology for**
25 **both:**
26 **(A) the state agency; and**
27 **(B) Indiana residents served by the state agency;**
28 **and any information or data used by the state agency in the**
29 **state agency's assessment of the benefits and risks of the state**
30 **agency's use of the artificial intelligence technology.**
- 31 **(9) The fiscal effect of the state agency's use of the artificial**
32 **intelligence technology, including the following:**
33 **(A) Costs associated with the artificial intelligence**
34 **technology, including:**
35 **(i) initial acquisition or development costs; and**
36 **(ii) ongoing operating costs, including costs of licensing,**
37 **maintenance, legal compliance, and data storage and**
38 **security.**
39 **(B) Any funding source that is used, or could be used, by**
40 **the state agency to defray the costs described in clause (A).**
41 **(C) An estimate of the degree to which the costs described**
42 **in clause (A) are offset by a reduction in the state agency's**



1 **operating costs attributable to the state agency's use of the**
2 **artificial intelligence technology.**
3 **(10) Whether the artificial intelligence technology has been**
4 **tested or evaluated by an independent third party.**
5 **(11) Whether the data or information produced by the**
6 **artificial intelligence technology has been:**
7 **(A) evaluated for bias; and**
8 **(B) found to exhibit bias.**
9 **Sec. 4. Not later than August 1, 2025, the office may prescribe**
10 **a form for use by state agencies for compilation and submission of**
11 **the inventory under section 3 of this chapter.**
12 **Sec. 5. This chapter expires December 31, 2027.**



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill No. 150, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning technology.

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE JULY 1, 2025]".

Page 1, line 14, delete "seven (7)" and insert "**ten (10)**".

Page 2, between lines 22 and 23, begin a new line block indented and insert:

"(5) A member with expertise in artificial intelligence or cybersecurity who is appointed to the task force as follows:

(A) The president pro tempore of the senate shall appoint the member in odd-numbered years.

(B) The speaker of the house of representatives shall appoint the member in even-numbered years.

(6) The director of information technology of the senate, who serves as an ex officio member of the task force.

(7) The director of the legislative services agency's office of technology services, who serves as an ex officio member of the task force."

Page 2, line 24, delete "for the duration of the task" and insert ".".

Page 2, delete lines 25 through 29, begin a new paragraph and insert:

"(c) Members of the task force appointed to the task force under subsection (a)(1), (a)(2), (a)(4), and (a)(5) serve a term that ends December 31 of the year the member is appointed but may be reappointed to subsequent terms.

(d) If a vacancy occurs on the task force, the appointing authority who appointed the member whose position is vacant shall appoint an individual to fill the vacancy.

(e) An individual appointed to fill a vacancy must meet the qualifications of the vacancy.

(f) An individual appointed to fill a vacancy serves for the remainder of the term of the member the individual is appointed to replace.

(g) The chief information officer serves as a nonvoting member of the task force."

ES 150—LS 6598/DI 119



Page 2, line 30, delete "(d)" and insert "**(h)**".

Page 2, line 30, before "members" insert "**initial**".

Page 2, line 31, after "force" insert "**under subsection (a)(1), (a)(2), (a)(4), and (a)(5)**".

Page 2, line 31, delete "2024." and insert "**2025, and not later than August 1 of each year thereafter.**".

Page 2, line 34, delete "October 1, 2024." and insert "**September 1, 2025.**".

Page 3, delete lines 2 through 4, begin a new paragraph and insert:

"Sec. 7. (a) The legislative services agency shall staff the task force.

(b) Except as otherwise provided in this chapter, the task force is subject to IC 2-5-1.2 and the policies and rules of the legislative council."

Page 3, line 24, delete "November 1, 2025," and insert "**October 31, 2025, and not later than October 31 of each year thereafter,**".

Page 3, line 40, delete "2025." and insert "**2028.**".

Page 4, line 15, delete "shall" and insert "**may**".

Page 4, line 31, delete "department of education," and insert "**office,**".

Page 4, line 32, delete "office," and insert "**department of education,**".

Page 4, line 32, delete "shall develop:" and insert "**may develop cybersecurity policy standards and guidelines for use by a school corporation in adopting the school corporation's own cybersecurity policy.**".

Page 4, delete lines 33 through 36.

Page 5, line 6, delete "even-numbered" and insert "**odd-numbered**".

Page 5, line 7, delete "shall" and insert "**may**".

Page 5, line 10, delete "shall" and insert "**may**".

Page 5, line 20, delete "2026," and insert "**2027,**".

Page 5, line 23, delete "2026," and insert "**2027,**".

Page 5, line 26, after "years after" insert "**the**".

Page 5, line 26, delete "2026," and insert "**2027,**".

Page 5, line 35, delete "2025," and insert "**2026,**".

Page 5, line 38, delete "2025," and insert "**2026,**".

Page 5, line 42, delete "2025," and insert "**2026,**".

Page 7, line 7, delete "September" and insert "**November**".

Page 7, line 7, delete "2024," and insert "**2025,**".

Page 7, line 8, delete "shall:" and insert "**may:**".

Page 9, line 2, delete "July" and insert "**August**".

Page 9, line 2, delete "2024," and insert "**2025,**".



Page 9, line 2, delete "shall" and insert "**may**".
Page 9, line 5, delete "2025." and insert "**2026.**".
Page 9, delete lines 6 through 42.
Delete pages 10 through 18.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 150 as introduced.)

BUCHANAN, Chairperson

Committee Vote: Yeas 9, Nays 1.

REPORT OF THE PRESIDENT
PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 150, currently assigned to the Committee on Appropriations, be reassigned to the Committee on Rules and Legislative Procedure.

BRAY

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 150, has had the same under consideration and begs leave to report back to the Senate without recommendation.

BRAY

SENATE MOTION

Madam President: I move that Senate Bill 150 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JULY 1, 2024]".

Page 1, line 1, delete "IC 2-5-54" and insert "IC 2-5-53.7".

ES 150—LS 6598/DI 119



Page 1, line 4, delete "54." and insert "**53.7**".
Page 2, line 38, delete "December 31 of the year the member is appointed" and insert "**June 30 of each odd-numbered year**".
Page 3, line 10, delete "2025," and insert "**2024**".
Page 3, line 14, delete "2025." and insert "**2024**".
Page 4, line 6, delete "2025," and insert "**2024**".
Page 4, line 23, delete "2028." and insert "**2027**".
Page 7, line 42, delete "IC 2-5-54." and insert "**IC 2-5-53.7**".
(Reference is to SB 150 as printed January 19, 2024.)

BUCHANAN

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 150, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 14 and 15, begin a new paragraph and insert:

"Sec. 5. (a) The task force consists of the following fifteen (15) members:

- (1) A member of the house of representatives who is appointed to the task force by the speaker of the house of representatives.**
- (2) A member of the senate who is appointed to the task force by the president pro tempore of the senate.**
- (3) A member of the house of representatives who is appointed to the task force by the minority leader of the house of representatives.**
- (4) A member of the senate who is appointed to the task force by the minority leader of the senate.**
- (5) The chief information officer appointed under IC 4-13.1-2-3, who serves as an ex officio member of the task force.**
- (6) The chief data officer appointed under IC 4-3-26-9 who serves as an ex officio member of the task force, or the chief data officer's designee.**
- (7) The following members who are appointed to the task force by the governor:**
 - (A) An academic professional who:**

ES 150—LS 6598/DI 119



- (i) is employed by a public or private college or university located in Indiana; and
- (ii) specializes in ethics.
- (B) An academic professional who:**
 - (i) is employed by a public or private college or university located in Indiana; and
 - (ii) specializes in artificial intelligence technology.
- (C) An individual with expertise in the use of artificial intelligence by law enforcement agencies.**
- (D) An individual with expertise in legal and constitutional rights.**
- (E) An individual employed in the cloud technology industry.**
- (8) A member with expertise in artificial intelligence or cybersecurity who is appointed to the task force as follows:**
 - (A) The president pro tempore of the senate shall appoint the member in odd-numbered years.**
 - (B) The speaker of the house of representatives shall appoint the member in even-numbered years.**
- (9) The solicitor general who serves as an ex officio member of the task force, or the solicitor general's designee.**
- (10) The director of information technology of the senate, who serves as an ex officio member of the task force.**
- (11) The director of the legislative services agency's office of technology services, who serves as an ex officio member of the task force.**
- (b) The members appointed under subsection (a)(1) and (a)(2) shall serve as co-chairs of the task force.**
- (c) Members of the task force appointed to the task force under subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), and (a)(8) serve a term that ends June 30 of each odd-numbered year but may be reappointed to subsequent terms.**
- (d) If a vacancy occurs on the task force, the appointing authority who appointed the member whose position is vacant shall appoint an individual to fill the vacancy.**
- (e) An individual appointed to fill a vacancy must meet the qualifications of the vacancy.**
- (f) An individual appointed to fill a vacancy serves for the remainder of the term of the member the individual is appointed to replace.**
- (g) The following shall serve as nonvoting members of the task force:**



(1) The chief information officer.

(2) The chief data officer, or the chief data officer's designee.

(h) Appointing authorities shall appoint the initial members of the task force under subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(7), and (a)(8) not later than August 1, 2024, and not later than August 1 of each year thereafter."

Delete page 2.

Page 3, delete lines 1 through 11.

Page 4, delete lines 40 through 42, begin a new paragraph and insert:

"Sec. 5. Each public entity may adopt the following:

(1) A policy governing use of technology resources by the public entity's employees. The policy may:

(A) prohibit an employee of the public entity from using the public entity's technology resources to:

(i) engage in lobbying (as defined in IC 2-7-1-9) that is outside the scope of the employee's duties;

(ii) engage in illegal activity; or

(iii) violate the public entity's cybersecurity policy; and

(B) include disciplinary procedures for violation of the technology resources policy.

(2) A cybersecurity policy. If the public entity is:

(A) a political subdivision or state educational institution, the policy may be based on standards and guidelines developed by the office;

(B) a school corporation, the policy may be based on cybersecurity policy standards and guidelines developed by the office, in collaboration with the department of education; and

(C) a state agency, the policy is developed by the office.

(3) A training program regarding the public entity's technology resources policy adopted under subdivision (1) and cybersecurity policy adopted under subdivision (2), completion of which is mandatory for the public entity's employees."

Page 5, delete lines 1 through 28.

Page 7, between lines 5 and 6, begin a new paragraph and insert:

"Sec. 10. (a) This section applies to a contract entered into between a state agency and a person under which the state agency receives a license to use a software application designed to run on generally available desktop or server hardware.

(b) A person with which a state agency enters into a contract



described in subsection (a) may not, as a provision of the contract or as a condition of the person entering into the contract:

(1) require that the state agency install or run the software on hardware dedicated solely to the state agency in order to access government information; or

(2) otherwise restrict the state agency from installing or running the software on hardware of the state agency's choosing or accessing government information from the software.

(c) Any information created, received, maintained, stored by, or otherwise in the control of software licensed to a state agency or any derivative of the information is considered government information (as defined in IC 4-3-26-7) and owned by the state."

Page 9, line 28, delete "2026" and insert "2027".

and when so amended that said bill do pass.

(Reference is to SB 150 as reprinted January 26, 2024.)

MILLER D

Committee Vote: yeas 10, nays 0.

