

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 2018 Regular and Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1001

AN ACT concerning state and local administration and to make an appropriation.

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

SECTION 1. [EFFECTIVE JULY 1, 2019]

(a) The following definitions apply throughout this act:

- (1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.
- (2) "Biennium" means the period beginning July 1, 2019, and ending June 30, 2021. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.
- (3) "Deficiency appropriation" or "special claim" means an appropriation available during the 2018-2019 fiscal year.
- (4) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.
- (5) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.
- (6) "Federally qualified health center" means a community health center that is designated by the Health Resources Services Administration, Bureau of Primary Health Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated Health Center Program authorization, including Community Health Center (330e), Migrant



Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary Care (330i), and School Based Health Centers (330).

(7) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".

(8) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.

(9) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave conversion, disability, and retirement fund contributions.

(10) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(12) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(13) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.



(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or combination of sources. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation to the fund, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part of the fund shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount may be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

SECTION 2. [EFFECTIVE JULY 1, 2019]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

SECTION 3. [EFFECTIVE JULY 1, 2019]

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE		
Total Operating Expense	7,433,880	8,533,999
HOUSE EXPENSES		
Total Operating Expense	12,158,288	12,158,288
LEGISLATORS' SALARIES - SENATE		
Total Operating Expense	2,449,000	2,545,000
SENATE EXPENSES		
Total Operating Expense	10,259,000	11,463,000

Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays,



during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Each member of the general assembly is entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for every day the member is engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.

Any member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day the member is in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and



(2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	3,256,892	2,852,709
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LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,482,000	1,470,000
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area for:

(1) each day that the general assembly is not convened in regular or special session;



and

(2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader(s), \$3,500; majority floor leader emeritus, \$2,500; majority caucus chair, \$5,500; assistant majority caucus chair(s), \$1,500; appropriations committee chair, \$5,500; tax and fiscal policy committee chair, \$5,500; appropriations committee ranking majority member, \$2,000; tax and fiscal policy committee ranking majority member, \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader, \$6,000; minority leader emeritus, \$1,500; minority caucus chair, \$5,000; assistant minority floor leader, \$5,000; appropriations committee ranking minority member, \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority whip(s), \$2,000; assistant minority whip, \$1,000; assistant minority caucus chair(s), \$1,000; agriculture committee chair, \$1,000; natural resources committee chair, \$1,000; public policy committee chair, \$1,000; corrections and criminal law committee chair, \$1,000; civil law committee chair, \$1,000; education and career development chair, \$1,000; elections committee chair, \$1,000; environmental affairs committee chair, \$1,000; family and children services committee chair, \$1,000; pensions and labor committee chair, \$1,000; health and provider services committee chair, \$1,000; homeland security and transportation committee chair, \$1,000; veterans affairs and the military committee chair, \$1,000; insurance and financial institutions committee chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair, \$1,000; utilities committee chair, \$1,000; commerce and technology committee chair, \$1,000; appointments and claims committee chair, \$1,000; rules and legislative procedure committee chair, \$1,000; and ethics committee chair, \$1,000. If an officer fills more than one (1) leadership position, the officer shall be paid for the higher paid position.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$7,000; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$2,000; majority floor leader, \$5,500; majority caucus chair, \$5,500; majority whip, \$4,000; assistant majority floor leader(s), \$3,500; assistant majority caucus chair(s), \$2,000; assistant majority whip(s), \$2,000; ways and means committee chair, \$5,500; ways and means committee vice chair, \$4,000; ways and means k-12 subcommittee chair, \$1,500; ways and means



higher education subcommittee chair, \$1,500; ways and means budget subcommittee chair, \$3,000; ways and means health and human services subcommittee chair, \$1,500; ways and means local government subcommittee chair, \$1,500; minority leader, \$5,500; minority floor leader, \$4,500; minority caucus chair, \$4,500; minority whip, \$3,000; assistant minority leader, \$1,500; assistant minority floor leader, \$1,500; assistant minority caucus chair, \$1,500; assistant minority whip, \$1,500; ways and means committee ranking minority member, \$3,500; agriculture and rural development committee chair, \$1,000; commerce, small business, and economic development committee chair, \$1,000; courts and criminal code committee chair, \$1,000; education committee chair, \$1,000; elections and apportionment committee chair, \$1,000; employment, labor, and pensions committee chair, \$1,000; environmental affairs committee chair, \$1,000; statutory committee on legislative ethics committee chair, \$1,000; family, children, and human affairs committee chair, \$1,000; financial institutions committee chair, \$1,000; government and regulatory reform committee chair, \$1,000; insurance committee chair, \$1,000; statutory committee on interstate and international cooperation committee chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair, \$1,000; natural resources committee chair, \$1,000; public health committee chair, \$1,000; public policy committee chair, \$1,000; roads and transportation committee chair, \$1,000; rules and legislative procedures committee chair, \$1,000; select committee on government reduction committee chair, \$1,000; utilities, energy and telecommunications committee chair, \$1,000; and veterans affairs and public safety committee chair, \$1,000. If an officer fills more than one (1) leadership position, the officer may be paid for each of the paid positions.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the above appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new, additional committee or officer, or assigns additional duties to an existing officer, the above appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

Total Operating Expense	20,450,065	19,959,695
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	847,500	847,500

Included in the above appropriations for the legislative council and legislative services



agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and for legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the 2019-2021 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

Included in the above appropriations for the legislative council and legislative services agency are funds for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 121st general assembly, the supplements to the Indiana Code for fiscal years 2019-2020 and 2020-2021, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

STATE VIDEO STREAMING SERVICES		
Other Operating Expense	375,950	387,229
LEGISLATIVE CLOSED CAPTIONING SERVICES		
Total Operating Expense	193,500	229,500

HEA 1001 — CC 1



If the above appropriations for legislative closed captioning services are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

LEGISLATIVE COUNCIL CONTINGENCY FUND

Total Operating Expense	113,062	113,062
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Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

Annual charge for interim calendar: \$10

Daily charge for the journal of either house: \$2

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES

Other Operating Expense	198,213	206,163
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NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES

Other Operating Expense	231,878	238,835
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NATIONAL CONFERENCE OF INSURANCE LEGISLATORS ANNUAL DUES

Other Operating Expense	20,000	20,000
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EDUCATION COMMISSION OF THE STATES ANNUAL DUES

Other Operating Expense	91,800	91,800
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NATIONAL COUNCIL OF LEGISLATORS FROM GAMING STATES DUES

Other Operating Expense	5,000	5,000
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FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	338,244	373,016
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FOR THE INDIANA PUBLIC RETIREMENT SYSTEM

LEGISLATORS' RETIREMENT FUND

Other Operating Expense	207,615	207,615
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B. JUDICIAL



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
FOR THE SUPREME COURT			
Personal Services	14,420,506	14,420,506	
Other Operating Expense	4,956,660	4,956,660	

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES		
Personal Services	69,686,577	69,870,210
COUNTY PROSECUTORS' SALARIES		
Personal Services	28,665,913	28,819,840

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5.

SUPREME COURT TITLE IV-D		
Total Operating Expense	1,950,000	1,950,000

TRIAL COURT OPERATIONS		
Total Operating Expense	1,246,075	1,246,075

Of the above appropriations, \$500,000 each fiscal year is for court interpreters.

INDIANA COURT TECHNOLOGY		
Total Operating Expense	3,000,000	3,000,000
Court Technology Fund (IC 33-24-6-12)		
Total Operating Expense	14,588,380	14,588,380
Augmentation allowed.		

INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY		
Total Operating Expense	778,750	778,750

The above funds are appropriated to the division of state court administration in lieu of the appropriation made by IC 33-24-13-7.

GUARDIAN AD LITEM		
Total Operating Expense	6,337,810	6,337,810

The division of state court administration shall use the above appropriations to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation



of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds. In each fiscal year, the office of guardian ad litem shall set aside at least thirty thousand dollars (\$30,000) from the above appropriations to provide older youth foster care.

ADULT GUARDIANSHIP

Total Operating Expense	1,500,000	1,500,000
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The above appropriations are for the administration of the office of adult guardianship and to provide matching funds to county courts with probate jurisdiction that implement and administer programs for volunteer advocates for seniors and incapacitated adults who are appointed a guardian under IC 29. Volunteer advocates for seniors and incapacitated adults programs shall provide a match of 50% of the funds appropriated by the division of state court administration of which up to half may be an in-kind match and the remainder must be county funds or other local county resources. Only programs certified by the supreme court are eligible for matching funds. The above appropriations include funds to maintain an adult guardianship registry to serve as a data repository for adult guardianship cases and guardians appointed by the courts.

CIVIL LEGAL AID

Total Operating Expense	1,500,000	1,500,000
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The above appropriations include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS

Total Operating Expense	149,000	149,000
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If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

Total Operating Expense	380,996	380,996
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INTERSTATE COMPACT FOR ADULT OFFENDERS

Total Operating Expense	236,180	236,180
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PROBATION OFFICERS TRAINING

Total Operating Expense	750,000	750,000
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VETERANS PROBLEM-SOLVING COURT

Total Operating Expense	1,000,000	1,000,000
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DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	100,000	100,000
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FOR THE PUBLIC DEFENDER COMMISSION

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	22,820,000	22,820,000	

The above appropriation is made in addition to the distribution authorized by IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. Administrative costs may be paid from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission. Of the above appropriations, \$1,000,000 each year is for the public defense of the parents of children in need of services.

FOR THE COURT OF APPEALS

Personal Services	11,061,324	11,061,324
Other Operating Expense	1,593,452	1,593,452

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

FOR THE TAX COURT

Personal Services	756,203	756,203
Other Operating Expense	154,250	154,250

FOR THE PUBLIC DEFENDER

Personal Services	6,596,128	6,596,128
Other Operating Expense	902,815	902,815

FOR THE PUBLIC DEFENDER COUNCIL

Personal Services	1,214,900	1,214,900
Other Operating Expense	336,793	336,793

FOR THE PROSECUTING ATTORNEYS COUNCIL

Personal Services	921,976	921,976
Other Operating Expense	331,854	331,854

DRUG PROSECUTION

Drug Prosecution Fund (IC 33-39-8-6)

Total Operating Expense	234,662	234,662
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Augmentation allowed.

PROSECUTING ATTORNEYS TITLE IV-D

Total Operating Expense	1,950,000	1,950,000
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FOR THE INDIANA PUBLIC RETIREMENT SYSTEM

JUDGES' RETIREMENT FUND

Other Operating Expense	11,013,290	11,467,437
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PROSECUTORS' RETIREMENT FUND

Other Operating Expense	4,232,219	4,401,508
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C. EXECUTIVE

HEA 1001 — CC 1



FOR THE GOVERNOR'S OFFICE

Personal Services	1,911,123	1,911,123
Other Operating Expense	18,729	18,729

GOVERNOR'S RESIDENCE

Total Operating Expense	107,804	107,804
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SUBSTANCE ABUSE PREVENTION, TREATMENT, AND ENFORCEMENT

Addiction Services Fund (IC 12-23-2)

Total Operating Expense	5,000,000	5,000,000
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WASHINGTON LIAISON OFFICE

Other Operating Expense	51,936	51,936
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FOR THE LIEUTENANT GOVERNOR

Personal Services	2,426,455	2,426,455
Other Operating Expense	1,836,502	1,836,502

LIEUTENANT GOVERNOR'S CONTINGENCY FUND

Total Operating Expense	5,107	5,107
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Direct disbursements from the lieutenant governor's contingency fund are not subject to the provisions of IC 5-22.

FOR THE SECRETARY OF STATE

ADMINISTRATION

Personal Services	4,481,744	4,486,932
Other Operating Expense	995,612	995,612

VOTER EDUCATION OUTREACH

Total Operating Expense	749,972	749,972
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The above appropriations shall be deposited in the voter education outreach fund established by IC 3-6-3.7-4.

FOR THE ATTORNEY GENERAL

ATTORNEY GENERAL

From the General Fund

20,132,051	20,132,051
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From the Homeowner Protection Unit Account (IC 4-6-12-9)

473,186	473,186
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Augmentation allowed.

From the Agency Settlement Fund (IC 4-12-16-2)

3,554,032	3,554,032
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Augmentation allowed.

From the Real Estate Appraiser Investigative Fund (IC 25-34.1-8-7.5)

50,000	50,000
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Augmentation allowed.



From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

818,916	818,916
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Augmentation allowed.

From the Abandoned Property Fund (IC 32-34-1-33)

2,054,730	2,054,730
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Augmentation allowed.

The amounts specified from the general fund, homeowner protection unit account, agency settlements fund, real estate appraiser investigative fund, non-consumer settlements fund, tobacco master settlement agreement fund, and abandoned property fund are for the following purposes:

Personal Services	22,401,450	22,401,450
Other Operating Expense	4,681,465	4,681,465

HOMEOWNER PROTECTION UNIT

Homeowner Protection Unit Account (IC 4-6-12-9)

Total Operating Expense	774,265	774,265
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MEDICAID FRAUD UNIT

Total Operating Expense	1,400,000	1,400,000
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The above appropriations to the Medicaid fraud unit are the state's matching share of funding for the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

UNCLAIMED PROPERTY

Abandoned Property Fund (IC 32-34-1-33)

Personal Services	1,488,029	1,488,029
Other Operating Expense	4,341,149	4,341,149

Augmentation allowed.

D. FINANCIAL MANAGEMENT

FOR THE AUDITOR OF STATE

Personal Services	4,707,622	4,707,622
Other Operating Expense	2,225,713	2,225,713

GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS

Total Operating Expense	188,064	188,064
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Augmentation allowed.

The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Personal Services	13,720,717	13,720,717	
EXAMINATIONS			
Examinations Fund (IC 5-11-4-3)			
Total Operating Expense	15,292,124	15,292,124	
Augmentation allowed.			
GOVERNOR ELECT			
Total Operating Expense	0	40,000	
FOR THE STATE BUDGET COMMITTEE			
Total Operating Expense	86,312	86,312	
Augmentation allowed.			
Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is equal to one hundred fifty percent (150%) of the legislative business per diem allowance.			
FOR THE OFFICE OF MANAGEMENT AND BUDGET			
Personal Services	472,690	472,690	
Other Operating Expense	24,825	24,825	
FOR THE DISTRESSED UNIT APPEAL BOARD			
Total Operating Expense	5,000,000	5,000,000	
FOR THE MANAGEMENT AND PERFORMANCE HUB			
Total Operating Expense	8,252,558	8,252,558	
FOR THE STATE BUDGET AGENCY			
Personal Services	3,079,662	3,079,662	
Other Operating Expense	322,630	323,030	
DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND			
Total Operating Expense			5,000,000

The above departmental and institutional emergency contingency fund appropriation may be allotted to departments, institutions, and all state agencies by the budget agency upon written request and with the approval of the governor. Within thirty days of the conclusion of each state fiscal year, the budget agency shall provide a report to the budget committee describing all allotments made from the departmental and institutional emergency contingency fund in the prior fiscal year.

PERSONAL SERVICESFRINGE BENEFITS CONTINGENCY FUND

Total Operating Expense	4,000,000	4,000,000
Personal Services/Fringe Benefits Contingency Fund (IC 4-12-17-1)		
Total Operating Expense	20,000,000	40,000,000
Augmentation allowed.		

The above personal services/fringe benefits contingency fund appropriations shall be allotted in the amount requested by the judicial branch, the legislative branch,



and statewide elected officials by the budget agency. The above personal services/fringe benefits contingency fund appropriation may be allotted to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

The above personal services/fringe benefits contingency fund appropriations may be used only for salary increases, fringe benefit increases, an employee leave conversion program, state retiree health programs, or related expenses.

Of the above appropriations, \$30,000 annually shall be paid to the Indiana public retirement system in each fiscal year to pay for the local pension report.

RETIREE HEALTH BENEFIT TRUST FUND

Retiree Health Benefit Trust Fund (IC 5-10-8-8.5)

Total Operating Expense	17,551,576	17,551,576
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Augmentation allowed.

The above appropriation for the retiree health plan:

- (1) is to fund employer contributions and benefits provided under IC 5-10-8.5;
- (2) does not revert at the end of any state fiscal year but remains available for the purposes of the appropriation in subsequent state fiscal years; and
- (3) is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

The budget agency may transfer appropriations from federal or dedicated funds to the trust fund to accrue funds to pay benefits to employees that are not paid from the general fund.

THIRTEENTH CHECKS

Total Operating Expense	27,500,000	0
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Notwithstanding IC 5-10.2-12-2 for the funds that have established supplemental allowance reserve accounts, the above appropriation shall be used to fund thirteenth checks for retired members of the public employees' retirement fund, the teachers' retirement fund, the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan, the state police pre-1987 benefit system, and the state police 1987 benefit system. In FY 2020, the budget agency shall transfer to the Indiana public retirement system and the Treasurer of State the amounts determined necessary to fund thirteenth checks as required by a statute or statutes enacted for this purpose by the 121st General Assembly.

OUTSIDE ACTS

Total Operating Expense	1	1
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Augmentation allowed.

HEA 1001 — CC 1



**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
PUBLIC SAFETY PENSION**

Total Operating Expense	145,000,000	145,000,000	
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Augmentation allowed.

FOR THE TREASURER OF STATE

Personal Services	1,286,204	1,286,204	
Other Operating Expense	54,477	54,477	

ABLE AUTHORITY (IC 12-11-14)

Total Operating Expense	255,466	255,466	
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E. TAX ADMINISTRATION

**FOR THE DEPARTMENT OF REVENUE
COLLECTION AND ADMINISTRATION**

Personal Services	46,497,746	46,497,746	
Other Operating Expense	22,448,350	22,448,350	

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS

Total Operating Expense	5,395,161	5,395,161	
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With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

Personal Services	3,482,742	3,482,742	
Other Operating Expense	6,063,822	6,063,822	

Augmentation allowed from the Motor Carrier Regulation Fund.

DEPARTMENT OF STATE REVENUE PILOT PROGRAM

Department of State Revenue Pilot Program Fund (IC 6-8.1-16.3-5)

HEA 1001 — CC 1



Total Operating Expense	438,000	182,500	
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Augmentation allowed from the Department of State Revenue Pilot Program Fund.

FOR THE INDIANA GAMING COMMISSION

From the State Gaming Fund (IC 4-33-13-2)

2,400,000	2,400,000	
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From the Gaming Investigations Fund (IC 4-33-4-18(b))

1,074,000	1,074,000	
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The amounts specified from the state gaming fund and gaming investigations fund are for the following purposes:

Personal Services	3,187,550	3,187,550
Other Operating Expense	286,450	286,450

The above appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

The above appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.

ATHLETIC COMMISSION

State Gaming Fund (IC 4-33-13-2)

Total Operating Expense	99,397	99,397
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Augmentation allowed

Athletic Fund (IC 4-33-22-9)

Total Operating Expense	64,407	64,407
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Augmentation allowed

FANTASY SPORTS REGULATION AND ADMINISTRATION

Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)

Total Operating Expense	30,000	30,000
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Augmentation allowed

FOR THE INDIANA HORSE RACING COMMISSION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

Personal Services	2,216,696	2,216,696
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Other Operating Expense	481,085	469,870
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The above appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Personal Services	6,500	6,500	
Other Operating Expense	318,500	318,500	

FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

General Fund

Personal Services	3,206,454	3,206,454
Other Operating Expense	600,543	600,543
Assessment Training and Administration Fund (IC 6-1.1-5.5-4.7)		
Total Operating Expense	422,250	422,250

Augmentation allowed

FOR THE INDIANA BOARD OF TAX REVIEW

General Fund

Personal Services	1,360,134	1,360,134
Other Operating Expense	160,897	160,897
Assessment Training and Administration Fund (IC 6-1.1-5.5-4.7)		
Total Operating Expense	464,376	464,376

Augmentation allowed

F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

Personal Services	9,782,954	9,782,954
Other Operating Expense	13,614,401	13,614,401

MOTOR POOL ROTARY FUND

General Fund

Total Operating Expense	13,724,197	13,710,522
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)		
Total Operating Expense	0	52,546
Indiana Office of Technology Rotary Fund (IC 4-13.1-2-7)		
Total Operating Expense	60,700	0
Financial Institutions Fund (IC 28-11-2-9)		
Total Operating Expense	18,800	0
Oil and Gas Fund (IC 6-8-1-27)		
Total Operating Expense	27,729	0
Indiana Natural Heritage Protection Fund (IC 14-31-2-9)		
Total Operating Expense	61,593	0
State Solid Waste Management Fund (IC 13-20-22-2)		
Total Operating Expense	22,370	23,773
Solid Waste Management Permitting (IC 13-15-11-1)		
Total Operating Expense	36,948	19,632
Hazardous Waste Management (IC 13-15-11-1)		
Total Operating Expense	30,381	32,286
Environmental Management Special Fund (IC 13-14-12-1)		
Total Operating Expense	28,574	0
Weights and Measures Fund (IC 16-19-5-4)		

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	57,300	27,000	
Employment of Youth Fund (IC 20-33-3-42)			
Total Operating Expense	28,800	29,200	
Gaming Enforcement Agents (IC 4-35-4-5)			
Total Operating Expense	37,600	38,000	
Breath Test Training and Certification Fund (IC 10-20-2-9)			
Total Operating Expense	28,800	0	
Securities Division Enforcement Fund (IC 23-19-6-1)			
Total Operating Expense	45,000	0	
Entomology and Plant Pathology Fund (IC 14-24-10-3)			
Total Operating Expense	54,801	38,000	
Charity Gaming Enforcement Fund (IC 4-32.2-7-3)			
Total Operating Expense	37,600	63,000	
Title V Operating Permit Program Trust Fund (IC 13-17-8-1)			
Total Operating Expense	41,889	22,258	
Integrated Public Safety Communications Fund (IC 5-26-4-1)			
Total Operating Expense	1,569,250	1,583,150	
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Total Operating Expense	393,000	404,000	
Fire and Building Services Fund (IC 22-12-6-1)			
Total Operating Expense	302,200	306,000	
Law Enforcement Academy Fund (IC 5-2-1-13)			
Total Operating Expense	48,565	0	
State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)			
Total Operating Expense	478,567	484,865	
Fish and Wildlife Fund (IC 14-22-3-2)			
Total Operating Expense	499,704	586,000	
State Highway Fund (IC 8-23-9-54)			
Total Operating Expense	3,125,000	3,062,500	

The budget agency may transfer portions of the above dedicated fund appropriations from the department of administration back to the agency that provided the appropriation if necessary.

In addition to the appropriations above, the budget agency with the approval of the governor may transfer appropriations to the motor pool rotary fund for the purchase of vehicles and related equipment.

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	2,836,187	2,836,187
Other Operating Expense	179,800	179,800

CAREER CONNECTIONS AND TALENT

Personal Services	628,150	628,150
Other Operating Expense	165,300	165,300

GOVERNOR'S FELLOWSHIP PROGRAM

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Personal Services	261,358	261,358	
Other Operating Expense	19,421	19,421	
FOR THE STATE EMPLOYEES' APPEALS COMMISSION			
Personal Services	126,997	127,131	
Other Operating Expense	9,206	9,206	
FOR THE OFFICE OF TECHNOLOGY			
PAY PHONE FUND			
Correctional Facilities Calling System Fund (IC 5-22-23-7)			
Total Operating Expense	1,175,918	1,175,918	
Augmentation allowed.			
<p>The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. Notwithstanding IC 5-22-23-5, the fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the office of technology. Money in the fund may be spent by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.</p>			
FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION			
Personal Services	1,705,892	1,705,892	
Other Operating Expense	327,588	327,588	
FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR			
Personal Services	275,406	275,406	
Other Operating Expense	43,770	24,770	
G. OTHER			
FOR THE COMMISSION ON UNIFORM STATE LAWS			
Total Operating Expense	97,811	87,498	
FOR THE OFFICE OF INSPECTOR GENERAL			
Personal Services	1,102,428	1,102,428	
Other Operating Expense	82,729	82,729	
STATE ETHICS COMMISSION			
Personal Services	1,507	1,507	
Other Operating Expense	4,224	4,224	

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
INSPECTOR GENERAL - 2010 AIG CONFERENCE			
Total Operating Expense	5,176	5,176	

FOR THE SECRETARY OF STATE

ELECTION DIVISION

Personal Services	984,770	985,808	
Other Operating Expense	258,793	258,793	

VOTER LIST MAINTENANCE

Total Operating Expense	1,250,000	1,250,000	
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VOTER REGISTRATION SYSTEM

Total Operating Expense	3,211,759	3,211,759	
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VOTING SYSTEM TECHNICAL OVERSIGHT PROGRAM

Total Operating Expense	595,000	595,000	
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SECTION 4. [EFFECTIVE JULY 1, 2019]

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION

CENTRAL OFFICE

Personal Services	15,785,775	15,785,775	
Other Operating Expense	7,095,686	10,040,848	

ESCAPEE COUNSEL AND TRIAL EXPENSE

Other Operating Expense	199,736	199,736	
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COUNTY JAIL MISDEMEANANT HOUSING

Total Operating Expense	4,152,639	4,152,639	
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ADULT CONTRACT BEDS

Total Operating Expense	1,048,200	1,048,200	
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STAFF DEVELOPMENT AND TRAINING

Personal Services	2,395,274	2,395,274	
Other Operating Expense	205,438	205,438	

PAROLE BOARD

Personal Services	869,462	869,462	
Other Operating Expense	18,528	18,528	

INFORMATION MANAGEMENT SERVICES

Personal Services	1,128,157	1,128,157	
Other Operating Expense	246,052	246,052	

JUVENILE TRANSITION

Personal Services	604,564	604,564	
Other Operating Expense	832,320	832,320	

COMMUNITY CORRECTIONS PROGRAMS

Total Operating Expense	72,449,242	72,449,242	
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HEA 1001 — CC 1



The above appropriations for community corrections programs are not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for community corrections programs do not revert to the general fund or another fund at the close of a state fiscal year but remain available in subsequent state fiscal years for the purposes of the program.

The appropriations are not subject to having allotment withheld by the state budget agency.

HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)		
Personal Services	648,742	648,742
CENTRAL EMERGENCY RESPONSE		
Personal Services	1,226,045	1,226,045
Other Operating Expense	142,812	142,812
MEDICAL SERVICES		
Other Operating Expense	97,359,571	97,359,571

The above appropriations for medical services shall be used only for services that are determined to be medically necessary. If a person provides medical services to committed individuals as provided in this paragraph and receives medical services payments in a state fiscal year from the above appropriations for providing those medical services, the person shall report the following to the budget committee not more than one (1) month after the end of that state fiscal year:

- (1) The number of individuals to whom the person provided medical services as provided in this paragraph in the state fiscal year.
- (2) The amount of medical service payments received from the above appropriations in the state fiscal year for providing such medical services.

DRUG ABUSE PREVENTION		
Corrections Drug Abuse Fund (IC 11-8-2-11)		
Total Operating Expense	150,000	150,000
Augmentation allowed.		
EXONERATION FUND		
Exoneration Fund (IC 5-2-23-6)		
Total Operating Expense	1	1
Augmentation allowed.		

The department shall collaborate with the Criminal Justice Institute to administer the Exoneration Fund established under IC 5-2-23-6.

COUNTY JAIL MAINTENANCE CONTINGENCY FUND

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Other Operating Expense	30,000,000	30,000,000	

Disbursements from the fund shall be made to sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing or the date upon which the department of correction receives the abstract of judgment and sentencing order, whichever occurs later, at a rate to be determined by the department of correction and approved by the state budget agency. The rate shall be based upon programming provided, and for the state fiscal year beginning July 1, 2019, and ending June 30, 2020, shall be up to \$37.50 per day. For the state fiscal year beginning July 1, 2020, and ending June 30, 2021, the rate shall be up to \$40 per day. All requests for reimbursement shall be in conformity with department of correction policy. In addition to the per diem, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

The above appropriation for county jail maintenance contingency is the maximum amount the department may spend on this program.

FOOD SERVICES			
Total Operating Expense	36,394,677	36,394,677	
EDUCATIONAL SERVICES			
Other Operating Expense	11,404,900	11,404,900	
JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)			
Total Operating Expense	3,017,447	3,017,447	
FOR THE PAROLE DIVISION			
Total Operating Expense	12,902,409	12,902,409	

The above appropriations include funding for the division to utilize no less than 380 GPS ankle bracelets for monitoring.

FOR THE HERITAGE TRAILS CORRECTIONAL FACILITY			
Total Operating Expense	8,738,507	8,738,507	

FOR THE SOUTH BEND WORK RELEASE CENTER			
SOUTH BEND WORK RELEASE CENTER			
General Fund			
Total Operating Expense	2,338,666	2,338,666	

HEA 1001 — CC 1



Work Release Fund (IC 11-10-8-6.5)

Total Operating Expense	359,788	359,788
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Augmentation allowed from Work Release - Study Release Subsistence Special Revenue Fund.

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

Personal Services	34,006,402	34,006,402
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Other Operating Expense	5,528,973	5,528,973
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PENDLETON CORRECTIONAL FACILITY

Personal Services	31,434,296	31,434,296
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Other Operating Expense	4,394,466	4,394,466
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CORRECTIONAL INDUSTRIAL FACILITY

Personal Services	20,816,004	20,816,004
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Other Operating Expense	1,364,124	1,364,124
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INDIANA WOMEN'S PRISON

Personal Services	12,049,579	12,049,579
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Other Operating Expense	1,304,985	1,304,985
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PUTNAMVILLE CORRECTIONAL FACILITY

Personal Services	30,952,665	30,952,665
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Other Operating Expense	2,814,807	2,814,807
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WABASH VALLEY CORRECTIONAL FACILITY

Personal Services	39,917,760	39,917,760
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Other Operating Expense	3,953,977	3,953,977
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BRANCHVILLE CORRECTIONAL FACILITY

Personal Services	16,396,643	16,396,643
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Other Operating Expense	2,023,166	2,023,166
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WESTVILLE CORRECTIONAL FACILITY

Personal Services	43,670,693	43,670,693
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Other Operating Expense	4,183,941	4,183,941
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ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN

Personal Services	15,601,536	15,601,536
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Other Operating Expense	1,773,034	1,773,034
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PLAINFIELD CORRECTIONAL FACILITY

Personal Services	23,041,751	23,041,751
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Other Operating Expense	3,063,226	3,063,226
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RECEPTION AND DIAGNOSTIC CENTER

Personal Services	15,020,558	15,020,558
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Other Operating Expense	1,272,105	1,272,105
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MIAMI CORRECTIONAL FACILITY

Personal Services	31,243,293	31,243,293
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Other Operating Expense	4,485,552	4,485,552
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NEW CASTLE CORRECTIONAL FACILITY

Other Operating Expense	42,034,650	42,034,650
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CHAIN O' LAKES CORRECTIONAL FACILITY



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Personal Services	1,659,389	1,659,389	
Other Operating Expense	205,475	205,475	
MADISON CORRECTIONAL FACILITY			
Personal Services	11,211,644	11,211,644	
Other Operating Expense	1,280,043	1,280,043	
EDINBURGH CORRECTIONAL FACILITY			
Personal Services	4,357,056	4,357,056	
Other Operating Expense	365,579	365,579	
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
Personal Services	12,867,579	12,867,579	
Other Operating Expense	752,485	752,485	
LAPORTE JUVENILE CORRECTIONAL FACILITY			
Personal Services	4,221,165	4,221,165	
Other Operating Expense	284,745	284,745	
PENDLETON JUVENILE CORRECTIONAL FACILITY			
Personal Services	16,953,949	16,953,949	
Other Operating Expense	939,152	939,152	
FOR THE DEPARTMENT OF ADMINISTRATION			
DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU			
Personal Services	185,009	185,009	
Other Operating Expense	4,991	4,991	

B. LAW ENFORCEMENT

FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION

From the General Fund

156,097,666 156,473,866

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

5,046,782 5,070,582

Augmentation allowed from the motor carrier regulation fund.

The amounts specified from the General Fund and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	139,745,286	140,445,286
Other Operating Expense	21,399,162	21,099,162

The above appropriations include funds for the state police minority recruiting program and \$300,000 in FY 2020 for THC testing equipment.

The above appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.



ISP OPEB CONTRIBUTION		
Total Operating Expense	13,029,575	12,611,339
INDIANA INTELLIGENCE FUSION CENTER		
Total Operating Expense	1,254,309	1,254,309
STATE POLICE TRAINING		
State Police Training Fund (IC 5-2-8-5)		
Total Operating Expense	339,857	339,857
Augmentation allowed.		
FORENSIC AND HEALTH SCIENCES LABORATORIES		
From the General Fund		
	12,989,211	12,989,211
From the Motor Carrier Regulation Fund (IC 8-2.1-23)		
	457,157	471,856
Augmentation allowed from the motor carrier regulation fund.		

The amounts specified from the Motor Carrier Regulation Fund and the General Fund are for the following purposes:

Personal Services	13,166,368	13,181,067
Other Operating Expense	280,000	280,000

ENFORCEMENT AID		
Total Operating Expense	70,342	70,342

The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

PENSION FUND		
Total Operating Expense	28,644,487	28,850,287

The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

If the amount actually required under IC 10-12-2 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund.

BENEFIT FUND		
Total Operating Expense	5,400,000	5,400,000

All benefits to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees



of the state police pension and benefit funds created by IC 10-12-2.

If the amount actually required under IC 10-12-2 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund.

SUPPLEMENTAL PENSION

Total Operating Expense	5,450,000	5,450,000
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If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund.

ACCIDENT REPORTING

Accident Report Account (IC 9-26-9-3)

Total Operating Expense	4,850	4,850
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Augmentation allowed.

DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)

Total Operating Expense	202,249	202,249
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Augmentation allowed.

DNA SAMPLE PROCESSING FUND

DNA Sample Processing Fund (IC 10-13-6-9.5)

Total Operating Expense	1,776,907	1,776,907
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Augmentation allowed.

FOR THE INTEGRATED PUBLIC SAFETY COMMISSION

PROJECT SAFE-T

Integrated Public Safety Communications Fund (IC 5-26-4-1)

Total Operating Expense	13,699,449	13,699,449
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Augmentation allowed.

FOR THE ADJUTANT GENERAL

Personal Services	4,106,614	4,110,943
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Other Operating Expense	5,723,349	5,723,834
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CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS

Personal Services	568,613	569,321
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Other Operating Expense	23,473	23,473
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MUTC - MUSCATATUCK URBAN TRAINING CENTER

Total Operating Expense	1,000,612	1,002,873
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HOOSIER YOUTH CHALLENGE ACADEMY

Total Operating Expense	2,383,885	2,385,031
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GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND

Total Operating Expense	76,511	76,511
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The above appropriations for the governor's civil and military contingency fund are made under IC 10-16-11-1.

**FOR THE CRIMINAL JUSTICE INSTITUTE
CRIMINAL JUSTICE INSTITUTE - ADMIN. MATCH**

General Fund		
Total Operating Expense	1,098,333	1,098,333
Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
Total Operating Expense	50,000	50,000
Augmentation Allowed		
Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)		
Total Operating Expense	500,000	500,000
Augmentation Allowed		
Victim and Witness Assistance Fund (IC 5-2-6-14)		
Total Operating Expense	300,000	300,000
Augmentation Allowed		
State Drug Free Communities Fund (IC 5-2-10-2)		
Total Operating Expense	50,000	50,000
Augmentation Allowed		

The above appropriation for the Criminal Justice Institute is to be used to pay for the costs of administering programs such as Alcohol and Drug Countermeasures, Violent Crime Administration, Victim and Witness Assistance, and Drug Free Communities.

DRUG ENFORCEMENT MATCH

Total Operating Expense	869,346	869,346
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To facilitate the duties of the Indiana criminal justice institute as outlined in IC 5-2-6-3, the above appropriation is not subject to the provisions of IC 4-9.1-1-7 when used to support other state agencies through the awarding of state match dollars.

VICTIM AND WITNESS ASSISTANCE FUND

Victim and Witness Assistance Fund (IC 5-2-6-14)		
Total Operating Expense	661,833	661,833
Augmentation allowed.		

ALCOHOL AND DRUG COUNTERMEASURES

Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
Total Operating Expense	337,765	337,765
Augmentation allowed.		

STATE DRUG FREE COMMUNITIES FUND

State Drug Free Communities Fund (IC 5-2-10-2)		
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	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	381,446	381,446	
Augmentation allowed.			
INDIANA SAFE SCHOOLS			
General Fund			
Total Operating Expense	1,095,340	1,095,340	
Indiana Safe Schools Fund (IC 5-2-10.1-2)			
Total Operating Expense	399,720	399,720	
Augmentation allowed from Indiana Safe Schools Fund.			

The above appropriations for the Indiana safe schools program are for the purpose of providing grants to school corporations and charter schools for school safe haven programs, emergency preparedness programs, and school safety programs. The criminal justice institute shall transfer \$750,000 each fiscal year to the department of education to provide training to school safety specialists.

OFFICE OF TRAFFIC SAFETY

Total Operating Expense	507,633	507,633
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The above appropriation for the office of traffic safety may be used to cover the state match requirement for this program according to the current highway safety plan approved by the governor and the budget agency.

SEXUAL ASSAULT VICTIMS' ASSISTANCE

Total Operating Expense	1,501,708	1,501,708
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Sexual Assault Victims Assistance Fund (IC 5-2-6-23(j))

Total Operating Expense	25,000	25,000
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Augmentation allowed.

VICTIMS OF VIOLENT CRIME ADMINISTRATION

General Fund

Total Operating Expense	636,763	636,763
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Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

Personal Services	300,417	300,417
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Other Operating Expense	2,723,737	2,723,737
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Augmentation allowed.

DOMESTIC VIOLENCE PREVENTION AND TREATMENT

General Fund

Total Operating Expense	5,000,000	5,000,000
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Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)

Total Operating Expense	1,135,636	1,135,636
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Augmentation allowed.

The above appropriations are for programs for the prevention of domestic violence. The appropriations may not be used to construct a shelter.

FOR THE DEPARTMENT OF TOXICOLOGY

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
General Fund			
Total Operating Expense	2,446,920	2,446,920	
Breath Test Training and Certification Fund (IC 10-20-2-9)			
Total Operating Expense	355,000	355,000	
Augmentation allowed from the Breath Test Training and Certification Fund.			

FOR THE CORONERS TRAINING BOARD

Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)			
Total Operating Expense	371,538	371,538	
Augmentation allowed.			

FOR THE LAW ENFORCEMENT TRAINING ACADEMY

From the General Fund			
	2,045,272	2,287,272	
From the Law Enforcement Academy Fund (IC 5-2-1-13)			
	2,462,806	2,462,806	
Augmentation allowed from the Law Enforcement Academy Fund.			

The amounts specified from the General Fund and the Law Enforcement Academy Fund are for the following purposes:

Personal Services	3,413,998	3,413,998
Other Operating Expense	1,094,080	1,336,080

Of the above appropriation for the Law Enforcement Training Academy, \$8,000 in FY 2020 is for crisis intervention equipment and supplies

C. REGULATORY AND LICENSING

FOR THE BUREAU OF MOTOR VEHICLES

General Fund			
Personal Services	16,127,425	16,127,425	
Other Operating Expense	10,813,322	10,813,322	
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)			
Other Operating Expense	1,046,915	1,046,915	
Augmentation allowed.			

LICENSE PLATES

Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)			
Total Operating Expense	16,020,000	10,350,000	
Augmentation allowed.			

FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION

Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)			
Total Operating Expense	6,129,478	6,129,478	
Augmentation allowed.			

STATE MOTOR VEHICLE TECHNOLOGY

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Department of Insurance Fund (IC 27-1-3-28)			
Personal Services	6,406,505	6,406,505	
Other Operating Expense	1,113,064	1,113,064	
Augmentation allowed.			
BAIL BOND DIVISION			
Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)			
Personal Services	75,766	75,766	
Other Operating Expense	2,428	2,428	
Augmentation allowed.			
PATIENT'S COMPENSATION AUTHORITY			
Patient's Compensation Fund (IC 34-18-6-1)			
Personal Services	682,556	682,556	
Other Operating Expense	1,846,020	1,846,020	
Augmentation allowed.			
POLITICAL SUBDIVISION RISK MANAGEMENT			
Political Subdivision Risk Management Fund (IC 27-1-29-10)			
Other Operating Expense	156,599	156,599	
Augmentation allowed.			
MINE SUBSIDENCE INSURANCE			
Mine Subsidence Insurance Fund (IC 27-7-9-7)			
Total Operating Expense	1,101,142	1,101,142	
Augmentation allowed.			
TITLE INSURANCE ENFORCEMENT OPERATING			
Title Insurance Enforcement Fund (IC 27-7-3.6-1)			
Personal Services	278,673	278,673	
Other Operating Expense	783,609	783,609	
Augmentation allowed.			
FOR THE ALCOHOL AND TOBACCO COMMISSION			
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Personal Services	10,283,193	10,283,193	
Other Operating Expense	1,501,502	1,501,502	
Augmentation allowed.			
YOUTH TOBACCO EDUCATION AND ENFORCEMENT			
Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)			
Total Operating Expense	85,704	85,704	
Augmentation allowed.			
ATC OPEB CONTRIBUTION			
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Total Operating Expense	613,486	589,837	
Augmentation allowed.			
FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS			
Financial Institutions Fund (IC 28-11-2-9)			
Personal Services	7,700,555	7,708,631	

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Other Operating Expense	1,904,306	1,840,306	
Augmentation allowed.			
FOR THE PROFESSIONAL LICENSING AGENCY			
Personal Services	4,211,028	4,215,467	
Other Operating Expense	460,945	460,945	
CONTROLLED SUBSTANCES DATA FUND (INSPECT)			
Controlled Substances Data Fund (IC 35-48-7-13.1)			
Total Operating Expense	1,717,144	1,717,144	
Augmentation allowed.			
PRENEED CONSUMER PROTECTION			
Preneed Consumer Protection Fund (IC 30-2-13-28)			
Total Operating Expense	67,000	67,000	
Augmentation allowed.			
BOARD OF FUNERAL AND CEMETERY SERVICE			
Funeral Service Education Fund (IC 25-15-9-13)			
Total Operating Expense	250	250	
Augmentation allowed.			
DENTAL PROFESSION INVESTIGATION			
Dental Compliance Fund (IC 25-14-1-3.7)			
Total Operating Expense	68,355	68,355	
Augmentation allowed.			
PHYSICIAN INVESTIGATION			
Physician Compliance Fund (IC 25-22.5-2-8)			
Total Operating Expense	7,586	7,586	
Augmentation allowed.			
FOR THE CIVIL RIGHTS COMMISSION			
Personal Services	1,808,348	1,811,295	
Other Operating Expense	3,782	3,782	
The above appropriation for the Indiana civil rights commission reflects only the general fund portion of the total program costs for the processing of employment and housing discrimination complaints. It is the intent of the general assembly that the commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints.			
WOMEN'S COMMISSION			
Total Operating Expense	98,115	98,115	
COMMISSION ON THE SOCIAL STATUS OF BLACK MALES			
Total Operating Expense	135,431	135,431	
NATIVE AMERICAN INDIAN AFFAIRS COMMISSION			
Total Operating Expense	74,379	74,379	
COMMISSION ON HISPANIC/LATINO AFFAIRS			
Total Operating Expense	102,432	102,432	

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
MARTIN LUTHER KING JR. HOLIDAY COMMISSION			
Total Operating Expense	19,400	19,400	
FOR THE UTILITY CONSUMER COUNSELOR			
Public Utility Fund (IC 8-1-6-1)			
Personal Services	6,163,965	6,163,965	
Other Operating Expense	771,825	771,825	
Augmentation allowed.			
EXPERT WITNESS FEES AND AUDIT			
Public Utility Fund (IC 8-1-6-1)			
Total Operating Expense	809,410	809,410	
Augmentation allowed.			
FOR THE UTILITY REGULATORY COMMISSION			
Public Utility Fund (IC 8-1-6-1)			
Personal Services	7,066,963	7,066,963	
Other Operating Expense	2,829,491	2,829,491	
Augmentation allowed.			
FOR THE WORKER'S COMPENSATION BOARD			
General Fund			
Total Operating Expense	1,924,663	1,924,663	
Worker's Compensation Supplemental Administrative Fund (IC 22-3-5-6)			
Total Operating Expense	189,733	189,733	
Augmentation allowed from the worker's compensation supplemental administrative fund.			
FOR THE STATE BOARD OF ANIMAL HEALTH			
Personal Services	4,709,795	4,714,995	
Other Operating Expense	617,551	537,551	
INDEMNITY FUND			
Total Operating Expense	50,000	50,000	
Augmentation allowed.			
MEAT & POULTRY			
Total Operating Expense	1,602,306	1,602,306	
CAPTIVE CERVIDAE PROGRAMS			
Captive Cervidae Programs Fund (IC 15-17-14.7-16)			
Total Operating Expense	30,000	30,000	
FOR THE DEPARTMENT OF HOMELAND SECURITY			
Fire and Building Services Fund (IC 22-12-6-1)			
Personal Services	13,037,249	13,037,249	
Other Operating Expense	2,361,331	2,361,331	
Augmentation allowed.			

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
REGIONAL PUBLIC SAFETY TRAINING			
Regional Public Safety Training Fund (IC 10-15-3-12)			
Total Operating Expense	1,936,185	1,936,185	
Augmentation allowed.			
RADIOLOGICAL HEALTH			
Total Operating Expense	74,145	74,145	
SECURED SCHOOL SAFETY GRANTS			
Total Operating Expense	19,010,000	19,010,000	

The above appropriations include funds to provide grants for the provision of school based mental health services and social emotional wellness services to students in K-12 schools. From the above appropriations, the department shall make \$500,000 available each fiscal year to accredited nonpublic schools that apply for grants for the purchase of security equipment or other security upgrades. The department shall prioritize grants to nonpublic schools that demonstrate a heightened risk of security threats.

EMERGENCY MANAGEMENT CONTINGENCY FUND			
Total Operating Expense	114,456	114,456	

The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

PUBLIC ASSISTANCE			
Total Operating Expense	1	1	
Augmentation allowed.			
INDIANA EMERGENCY RESPONSE COMMISSION			
Total Operating Expense	57,152	57,152	
Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)			
Total Operating Expense	74,413	74,413	
Augmentation allowed.			
STATE DISASTER RELIEF			
State Disaster Relief Fund (IC 10-14-4-5)			
Total Operating Expense	442,312	442,312	
Augmentation allowed, not to exceed revenues collected from the public safety fee imposed by IC 22-11-14-12.			
REDUCED IGNITION PROPENSITY STANDARDS FOR CIGARETTES			
Reduced Ignition Propensity Standards for Cigarettes Fund (IC 22-14-7-22(a))			
Total Operating Expense	11,435	11,435	
Augmentation allowed.			
STATEWIDE FIRE AND BUILDING SAFETY EDUCATION			
Statewide Fire and Building Safety Fund (IC 22-12-6-3)			
Total Operating Expense	120,959	120,959	
Augmentation allowed.			

HEA 1001 — CC 1



SECTION 5. [EFFECTIVE JULY 1, 2019]

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION

Personal Services	8,081,083	8,090,851
Other Operating Expense	1,926,025	1,926,025

DNR OPEB CONTRIBUTION

Total Operating Expense	2,260,336	2,241,614
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ENTOMOLOGY AND PLANT PATHOLOGY DIVISION

Personal Services	474,882	475,377
Other Operating Expense	68,645	68,645

ENTOMOLOGY AND PLANT PATHOLOGY FUND

Entomology and Plant Pathology Fund (IC 14-24-10-3)

Total Operating Expense	374,734	374,734
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Augmentation allowed.

DNR ENGINEERING DIVISION

Personal Services	1,747,222	1,749,862
Other Operating Expense	98,641	98,641

HISTORIC PRESERVATION DIVISION

Personal Services	834,492	840,762
Other Operating Expense	50,170	50,170

DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY

Personal Services	25,259	25,259
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WABASH RIVER HERITAGE CORRIDOR

Wabash River Heritage Corridor Fund (IC 14-13-6-23)

Total Operating Expense	187,210	187,210
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OUTDOOR RECREATION DIVISION

Personal Services	534,201	535,191
Other Operating Expense	30,000	30,000

NATURE PRESERVES DIVISION

Personal Services	1,301,375	1,307,645
Other Operating Expense	98,305	98,305

WATER DIVISION

Personal Services	4,567,380	4,572,660
Other Operating Expense	400,000	400,000

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the above appropriations, for water resources studies. The above appropriations include \$200,000 each fiscal year for the monitoring of water resources.



DEER RESEARCH AND MANAGEMENT

Deer Research and Management Fund (IC 14-22-5-2)

Total Operating Expense	90,180	90,180	
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Augmentation allowed.

OIL AND GAS DIVISION

Oil and Gas Fund (IC 6-8-1-27)

Personal Services	1,293,884	1,293,884	
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Other Operating Expense	302,192	302,192	
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Augmentation allowed.

STATE PARKS AND RESERVOIRS

From the General Fund

7,890,713	7,890,713		
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From the State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)

34,288,466	34,288,466		
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Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

The amounts specified from the General Fund and the State Parks and Reservoirs Special Revenue Fund are for the following purposes:

STATE PARKS AND RESERVOIRS

Personal Services	28,769,729	28,769,729	
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Other Operating Expense	13,409,450	13,409,450	
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SNOWMOBILE FUND

Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)

Total Operating Expense	154,928	154,928	
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Augmentation allowed.

DNR LAW ENFORCEMENT DIVISION

From the General Fund

13,801,625	14,068,613		
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From the Fish and Wildlife Fund (IC 14-22-3-2)

10,831,730	10,831,730		
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Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:

DNR LAW ENFORCEMENT DIVISION

Personal Services	21,864,855	22,131,843	
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Other Operating Expense	2,768,500	2,768,500	
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SPORTSMEN'S BENEVOLENCE

Other Operating Expense	145,500	145,500	
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FISH AND WILDLIFE DIVISION

Fish and Wildlife Fund (IC 14-22-3-2)



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Personal Services	6,670,523	6,670,523	
Other Operating Expense	2,870,811	2,870,811	
Augmentation allowed.			
FORESTRY DIVISION			
From the General Fund			
	4,526,370	4,531,218	
From the State Forestry Fund (IC 14-23-3-2)			
	4,219,718	4,219,718	
Augmentation allowed from the State Forestry Fund.			

The amounts specified from the General Fund and the State Forestry Fund are for the following purposes:

Personal Services	6,363,363	6,368,211
Other Operating Expense	2,382,725	2,382,725

In addition to any of the above appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

DEPT. OF NATURAL RESOURCES - US DEPT. OF COMMERCE

Cigarette Tax Fund (IC 6-7-1-28.1)

Total Operating Expense	117,313	117,313
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Augmentation allowed.

LAKE AND RIVER ENHANCEMENT

Lake and River Enhancement Fund (IC 6-6-11-12.5)

Total Operating Expense	2,407,422	2,407,422
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Augmentation allowed.

HERITAGE TRUST

General Fund

Total Operating Expense	94,090	94,090
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Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)

Total Operating Expense	955,000	955,000
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Augmentation allowed.

DEPT. OF NATURAL RESOURCES - USDOT

Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)

Total Operating Expense	451,898	451,898
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Augmentation allowed.

INSTITUTIONAL ROAD CONSTRUCTION

State Highway Fund (IC 8-23-9-54)

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	2,425,000	2,425,000	

The above appropriations for institutional road construction may be used for road and bridge construction, relocation, and other related improvement projects at state owned properties managed by the department of natural resources.

B. OTHER NATURAL RESOURCES

FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION

General Fund

Total Operating Expense	8,665,833	8,665,833
Indiana State Museum and Historic Sites Corporation		
Total Operating Expense	499,455	499,455

In lieu of billing the University of Southern Indiana, the above appropriations include \$25,000 each fiscal year for the purpose of maintaining historic properties in New Harmony.

FOR THE WORLD WAR MEMORIAL COMMISSION

Personal Services	980,577	980,577
Other Operating Expense	372,241	372,241

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be deposited into the general fund.

FOR THE WHITE RIVER STATE PARK DEVELOPMENT COMMISSION

Total Operating Expense	878,242	878,242
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FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	101,850	101,850
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FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	104,974	104,974
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FOR THE KANKAKEE RIVER BASIN COMMISSION

Total Operating Expense	52,487	52,487
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FOR THE INDIANA MICHIGAN BOUNDARY LINE COMMISSION

Total Operating Expense	0	250,000
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C. ENVIRONMENTAL MANAGEMENT

FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
OPERATING			
Personal Services	10,527,054	10,527,054	
Other Operating Expense	2,977,500	2,977,500	
OFFICE OF ENVIRONMENTAL RESPONSE			
Personal Services	2,441,390	2,441,390	
Other Operating Expense	232,243	232,243	
POLLUTION PREVENTION AND TECHNICAL ASSISTANCE			
Personal Services	666,414	666,414	
Other Operating Expense	30,176	30,176	
STATE SOLID WASTE GRANTS MANAGEMENT			
State Solid Waste Management Fund (IC 13-20-22-2)			
Personal Services	72,131	72,131	
Other Operating Expense	3,729,472	3,729,472	
Augmentation allowed.			
RECYCLING OPERATING			
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)			
Personal Services	486,572	486,572	
Other Operating Expense	313,428	313,428	
Augmentation allowed.			
RECYCLING PROMOTION AND ASSISTANCE PROGRAM			
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)			
Total Operating Expense	2,000,000	2,000,000	
Augmentation allowed.			
VOLUNTARY CLEAN-UP PROGRAM			
Voluntary Remediation Fund (IC 13-25-5-21)			
Personal Services	1,109,192	1,109,192	
Other Operating Expense	90,808	90,808	
Augmentation allowed.			
TITLE V AIR PERMIT PROGRAM			
Title V Operating Permit Program Trust Fund (IC 13-17-8-1)			
Personal Services	9,162,074	9,162,074	
Other Operating Expense	1,322,531	1,322,531	
Augmentation allowed.			
WATER MANAGEMENT PERMITTING			
From the Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Personal Services	4,670,049	8,344,558	
Other Operating Expense	2,472,530	2,192,579	
Augmentation allowed.			
SOLID WASTE MANAGEMENT PERMITTING			
Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Personal Services	4,654,575	4,654,575	
Other Operating Expense	345,425	345,425	
Augmentation allowed.			
CFO/CAFO INSPECTIONS			
Total Operating Expense	3,186,800	3,186,800	

HEA 1001 — CC 1



HAZARDOUS WASTE MANAGEMENT PERMITTING

Environmental Management Permit Operation Fund (IC 13-15-11-1)

Personal Services	2,267,641	2,267,641
Other Operating Expense	232,359	232,359

Augmentation allowed.

ELECTRONIC WASTE

Electronic Waste Fund (IC 13-20.5-2-3)

Total Operating Expense	300,000	300,000
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Augmentation allowed.

AUTO EMISSIONS TESTING PROGRAM

Personal Services	88,022	88,022
Other Operating Expense	3,013,849	3,013,849

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations, the above appropriations shall be prorated among all locations.

HAZARDOUS WASTE SITES - STATE CLEAN-UP

Hazardous Substances Response Trust Fund (IC 13-25-4-1)

Personal Services	2,339,914	2,339,914
Other Operating Expense	1,207,894	1,207,894

Augmentation allowed.

HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES

Hazardous Substances Response Trust Fund (IC 13-25-4-1)

Personal Services	165,567	165,567
Other Operating Expense	84,433	84,433

Augmentation allowed.

SUPERFUND MATCH

Hazardous Substances Response Trust Fund (IC 13-25-4-1)

Total Operating Expense	1,500,000	1,500,000
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Augmentation allowed.

ASBESTOS TRUST - OPERATING

Asbestos Trust Fund (IC 13-17-6-3)

Personal Services	296,922	296,922
Other Operating Expense	153,078	153,078

Augmentation allowed.

UNDERGROUND PETROLEUM STORAGE TANK - OPERATING

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Personal Services	3,994,883	3,994,883
Other Operating Expense	40,062,934	40,062,934

Augmentation allowed.

EXCESS LIABILITY TRUST FUND – TRANSFER

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Total Operating Expense	1,500,000	1,500,000
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Augmentation allowed.

HEA 1001 — CC 1



WASTE TIRE MANAGEMENT

Waste Tire Management Fund (IC 13-20-13-8)

Total Operating Expense	1,134,172	1,134,172
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Augmentation allowed.

VOLUNTARY COMPLIANCE

Environmental Management Special Fund (IC 13-14-12-1)

Personal Services	547,472	547,472
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Other Operating Expense	12,528	12,528
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Augmentation allowed.

ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING

Environmental Management Special Fund (IC 13-14-12-1)

Total Operating Expense	3,588,992	3,588,992
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Augmentation allowed.

PETROLEUM TRUST - OPERATING

Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

Other Operating Expense	1,000,000	1,000,000
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Augmentation allowed.

Notwithstanding any other law, with the approval of the governor and the budget agency, the above appropriations for hazardous waste management permitting, wetlands protection, groundwater program, underground storage tank program, air management operating, asbestos trust operating, water management nonpermitting, safe drinking water program, and any other appropriation eligible to be included in a performance partnership grant may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION

Personal Services	309,920	312,439
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Other Operating Expense	23,030	23,030
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SECTION 6. [EFFECTIVE JULY 1, 2019]

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE DEPARTMENT OF AGRICULTURE

Personal Services	1,404,171	1,404,171
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Other Operating Expense	805,854	805,854
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The above appropriations include \$5,000 each fiscal year to purchase plaques for the recipients of the Hoosier Homestead award.

DISTRIBUTIONS TO FOOD BANKS



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	300,000	300,000	
CLEAN WATER INDIANA			
Other Operating Expense	970,000	970,000	
Cigarette Tax Fund (IC 6-7-1-28.1)			
Total Operating Expense	2,963,546	2,963,546	
SOIL CONSERVATION DIVISION			
Cigarette Tax Fund (IC 6-7-1-28.1)			
Total Operating Expense	1,418,471	1,418,471	
Augmentation allowed.			
GRAIN BUYERS AND WAREHOUSE LICENSING			
Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)			
Total Operating Expense	726,178	726,178	
Augmentation allowed.			

B. COMMERCE

**FOR THE LIEUTENANT GOVERNOR
OFFICE OF TOURISM DEVELOPMENT**

Total Operating Expense	4,078,329	4,078,329
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The above appropriation includes \$500,000 annually to assist the department of natural resources with marketing efforts.

Of the above appropriations, the office of tourism development shall distribute \$550,000 each year to the Indiana sports corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee.

The office may retain any advertising revenue generated by the office. Any revenue received is in addition to the above appropriations and is appropriated for the purposes of the office.

The above appropriations include \$75,000 each state fiscal year for the Grissom Air Museum and \$50,000 for the Studebaker Museum. The Studebaker Museum distribution requires a \$50,000 match.

LOCAL MARKETING TOURISM PROGRAM

Total Operating Expense	969,818	969,818
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The above appropriations shall be used for local marketing tourism efforts in conjunction with the office of tourism development.

MARKETING DEVELOPMENT GRANTS

Total Operating Expense	970,000	970,000
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HEA 1001 — CC 1



Of the above appropriations, up to \$500,000 each year shall be used to match funds from the Association of Indiana Convention and Visitors Bureaus or any other organizations for purposes of statewide tourism marketing, and up to \$500,000 each year may be used to pay costs associated with hosting the national convention for FFA.

OFFICE OF DEFENSE DEVELOPMENT		
Total Operating Expense	616,032	616,032
OFFICE OF COMMUNITY AND RURAL AFFAIRS		
Total Operating Expense	1,465,671	1,465,671
HISTORIC PRESERVATION GRANTS		
Total Operating Expense	778,561	778,561
LINCOLN PRODUCTION		
Total Operating Expense	193,521	193,521
INDIANA GROWN		
Total Operating Expense	242,623	242,623
RURAL ECONOMIC DEVELOPMENT FUND		
Total Operating Expense	584,367	584,367
 FOR THE OFFICE OF ENERGY DEVELOPMENT		
Total Operating Expense	235,109	235,109
 FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION		
ADMINISTRATIVE AND FINANCIAL SERVICES		
General Fund		
Total Operating Expense	7,694,904	7,694,904
Skills Enhancement Fund (IC 5-28-7-5)		
Total Operating Expense	180,061	180,061
Industrial Development Grant Fund (IC 5-28-25-4)		
Total Operating Expense	50,570	50,570
 INDIANA 21ST CENTURY RESEARCH AND TECHNOLOGY FUND		
Total Operating Expense	13,500,000	11,000,000
Department of Insurance Fund (IC 27-1-3-28)		
Total Operating Expense	10,000,000	10,000,000
Indiana Twenty-First Century Research and Technology Fund (IC 5-28-16-2)		
Total Operating Expense	6,250,000	8,750,000
Augmentation allowed from the Indiana Twenty-First Century Research and Technology Fund.		
 SKILLS ENHANCEMENT FUND		
Total Operating Expense	12,500,000	12,500,000
OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP		
Total Operating Expense	1,183,000	1,183,000



BUSINESS PROMOTION AND INNOVATION

Total Operating Expense	15,500,000	17,000,000
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The above appropriations may be used by the Indiana Economic Development Corporation to promote business investment and encourage entrepreneurship and innovation. The corporation may use the above appropriations to encourage regional development initiatives, including a project to establish a new port, complete a project that was part of a regional cities development plan, or incentivize direct flights from international and regional airports in Indiana, advance innovation and entrepreneurship education through strategic partnerships with higher education institutions and communities, provide innovation vouchers to small Hoosier businesses, establish a pilot project for income sharing agreements, promote and enhance the motor sports industry in Indiana, and support activities that promote international trade.

INDUSTRIAL DEVELOPMENT GRANT PROGRAM

Total Operating Expense	4,850,000	4,850,000
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ECONOMIC DEVELOPMENT FUND

Total Operating Expense	1,114,522	1,114,522
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FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

211 SERVICES

Total Operating Expense	1,000,319	1,000,319
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HOUSING FIRST PROGRAM

Total Operating Expense	890,027	890,027
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INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS

Total Operating Expense	874,645	874,645
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The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The division of family resources shall apply all qualifying expenditures for individual development account deposits toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

FOR THE INDIANA FINANCE AUTHORITY

ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Total Operating Expense	2,500,000	2,500,000
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C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT

ADMINISTRATION

Total Operating Expense	1,339,665	1,339,665
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	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
WORK INDIANA PROGRAM			
Total Operating Expense	1,000,000	1,000,000	
PROPRIETARY EDUCATIONAL INSTITUTIONS			
Total Operating Expense	62,639	62,639	
NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM			
Total Operating Expense	20,000,000	20,000,000	
INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION			
Total Operating Expense	1,000,000	1,000,000	
DROPOUT PREVENTION			
Total Operating Expense	8,000,000	8,000,000	
ADULT EDUCATION DISTRIBUTION			
Total Operating Expense	14,452,990	14,452,990	

It is the intent of the 2019 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. If disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of workforce development shall reduce the distributions proportionately.

OFFICE OF WORK-BASED LEARNING AND APPRENTICESHIP			
Total Operating Expense	600,000	600,000	
SERVE INDIANA ADMINISTRATION			
Total Operating Expense	239,560	239,560	
FOR THE WORKFORCE CABINET			
Total Operating Expense	385,000	385,000	
CAREER NAVIGATION AND COACHING SYSTEM			
Total Operating Expense	1,000,000	1,000,000	
WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM			
Total Operating Expense	1,000,000	1,000,000	
PERKINS STATE MATCH			
Total Operating Expense	494,000	494,000	

D. OTHER ECONOMIC DEVELOPMENT

FOR THE INDIANA STATE FAIR BOARD			
STATE FAIR			
Total Operating Expense	2,504,540	2,504,540	

SECTION 7. [EFFECTIVE JULY 1, 2019]

TRANSPORTATION

**FOR THE DEPARTMENT OF TRANSPORTATION
RAILROAD GRADE CROSSING IMPROVEMENT**

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Motor Vehicle Highway Account (IC 8-14-1)			
Total Operating Expense	750,000	750,000	
HIGH SPEED RAIL			
Industrial Rail Service Fund (IC 8-3-1.7-2)			
Matching Funds	20,000	20,000	
Augmentation allowed.			
PUBLIC MASS TRANSPORTATION			
Other Operating Expense	45,000,000	45,000,000	

The above appropriations for public mass transportation are to be used solely for the promotion and development of public transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

AIRPORT DEVELOPMENT

From the General Fund

Other Operating Expense	2,000,000	2,000,000
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From the Airport Development Grant Fund (IC 8-21-11)

Other Operating Expense	1,800,000	1,800,000
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Augmentation allowed from the Airport Development Grant Fund.

HIGHWAY OPERATING

State Highway Fund (IC 8-23-9-54)

Personal Services	262,561,657	262,561,657
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Other Operating Expense	71,360,455	72,825,179
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Augmentation allowed.

HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	29,964,836	29,964,836
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Augmentation allowed.

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other



operating expense, including the cost of providing transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	119,011,303	119,011,303
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Augmentation allowed.

The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS

State Highway Fund (IC 8-23-9-54)

Right-of-Way Expense	29,736,000	33,600,000
Formal Contracts Expense	559,368,940	665,554,763
Consulting Services Expense	80,850,000	83,202,000
Institutional Road Construction	5,000,000	5,000,000

Augmentation allowed for the highway capital improvements program.

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

Subject to approval by the Budget Director, the above appropriation for institutional road construction may be used for road, bridge, and parking lot construction,



maintenance, and improvement projects at any state-owned property.

No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

NEXT LEVEL CONNECTIONS

Next Level Connections Fund (IC 8-14-14.3)

Total Operating Expense	435,000,000	220,000,000
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Augmentation allowed.

TOLL ROAD COUNTIES' STATE HIGHWAY PROGRAM

Toll Road Lease Amendment Proceeds Fund (IC 8-14-14.2)

Total Operating Expense	218,100,000	220,800,000
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Augmentation allowed.

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	4,600,000	4,600,000
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Augmentation Allowed

STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction and Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	70,000,000	70,000,000
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Augmentation allowed.

The above appropriations for the state highway road construction and improvement program shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;**
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;**
- (3) relocation and modernization of existing roads; and**
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.**

CROSSROADS 2000 PROGRAM

State Highway Fund (IC 8-23-9-54)

Lease Rental Payment Expense	7,450,104	5,207,468
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Augmentation allowed.

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	37,400,000	38,400,000
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Augmentation allowed.

The above appropriations for the crossroads 2000 program shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds



remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

JOINT MAJOR MOVES CONSTRUCTION

Major Moves Construction Fund (IC 8-14-14-5)

Formal Contracts Expense	5,000,000	5,000,000
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Augmentation allowed.

FEDERAL APPORTIONMENT

Formal Contracts Expense	1,048,419,847	1,069,102,471
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The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2019-2021 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

LOCAL TECHNICAL ASSISTANCE AND RESEARCH



Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(a)(6); and**
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.**

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and**
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.**

OHIO RIVER BRIDGE

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	1,000,000	1,000,000
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SECTION 8. [EFFECTIVE JULY 1, 2019]

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

INDIANA PRESCRIPTION DRUG PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	617,830	617,830
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CHILDREN'S HEALTH INSURANCE PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	19,560,000	44,370,000
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Augmentation allowed.

CHILDREN'S HEALTH INSURANCE PROGRAM - ADMINISTRATION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,557,784	1,557,784
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	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
FAMILY AND SOCIAL SERVICES ADMINISTRATION - CENTRAL OFFICE			
Total Operating Expense	16,082,531	16,082,531	
SOCIAL SERVICES DATA WAREHOUSE			
Total Operating Expense	38,273	38,273	
OMPP STATE PROGRAMS			
Total Operating Expense	713,924	713,924	
MEDICAID ADMINISTRATION			
Total Operating Expense	44,921,634	44,921,634	
MEDICAID ASSISTANCE			
General Fund			
Total Operating Expense	2,485,100,000	2,618,600,000	

In addition to the above appropriations for state fiscal year 2020 and state fiscal year 2021, the office of Medicaid policy and planning shall carry forward twenty-five million dollars (\$25,000,000) in state fiscal year 2020 and fifteen million dollars (\$15,000,000) in state fiscal year 2021 of unexpended Medicaid appropriations remaining in the Medicaid account from prior state fiscal years. Such amounts are hereby appropriated for expenditure in state fiscal year 2020 and state fiscal year 2021 for the purposes of the Medicaid program and are in addition to the amounts appropriated above.

The above appropriations include funding for the following programs and funds that were appropriated as separate line items in HEA 1001-2017: residential services, hospital care for the indigent, and medical assistance to wards.

The above appropriations for Medicaid assistance and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6.5. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein appropriated for Medicaid assistance and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

HEALTHY INDIANA PLAN

Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)

Total Operating Expense	104,199,221	104,199,221
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 Augmentation allowed.

MARION COUNTY HEALTH AND HOSPITAL CORPORATION

Total Operating Expense	38,000,000	38,000,000
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MENTAL HEALTH ADMINISTRATION

Total Operating Expense	2,852,359	2,852,359
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HEA 1001 — CC 1



Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation shall be distributed annually to neighborhood based community service programs.

MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT

Total Operating Expense	25,000,000	25,000,000
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The Family and Social Services Administration shall report to the State Budget Committee prior to November 1, 2020, on the mental health and addiction forensic treatment services grant program including the amounts of the awards and grants, the number of recipients receiving services, and the impacts of the program in reducing incarceration and recidivism.

CHILD PSYCHIATRIC SERVICES FUND

Total Operating Expense	13,458,508	13,458,508
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The above appropriation includes \$3,500,000 in both FY 2020 and FY 2021 for the Family and Social Services Administration to contract with no more than three regionally diverse social services providers to implement an evidence-based program that partners with school corporations, charter schools, and accredited nonpublic schools to provide social work services and evidence-based prevention programs to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy behaviors, and maximize student success. In making contracts for FY 2020 and FY 2021, the Family and Social Services Administration shall require the contracted social services providers to secure matching funds that obligates the state to no more than sixty-five percent (65%) of the total program cost and require the contracted social services providers to have experience in providing similar services including independent evaluation of those services.

CHILD ASSESSMENT NEEDS SURVEY

Total Operating Expense	218,525	218,525
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SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	14,571,352	14,571,352
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SERIOUSLY MENTALLY ILL

General Fund

Total Operating Expense	88,279,650	88,279,650
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Mental Health Centers Fund (IC 6-7-1-32.1)

Total Operating Expense	2,454,890	2,454,890
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Augmentation allowed.

COMMUNITY MENTAL HEALTH CENTERS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	7,200,000	7,200,000
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The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community



mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be used to augment the above appropriations rather than supplant any portion of the appropriation. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	3,047,034	3,047,034
Augmentation allowed.		
SUBSTANCE ABUSE TREATMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	5,355,820	5,355,820
QUALITY ASSURANCE/RESEARCH		
Total Operating Expense	304,711	304,711
PREVENTION		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	2,572,675	2,572,675
Augmentation allowed.		
METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM		
Opioid Treatment Program Fund (IC 12-23-18-4)		
Total Operating Expense	363,995	363,995
Augmentation allowed.		
DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	250,000	250,000
Augmentation allowed.		
EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER		
From the General Fund		
244,922	244,922	
From the Mental Health Fund (IC 12-24-14-4)		
3,541,107	3,541,107	
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	3,312,763	3,312,763
Other Operating Expense	473,266	473,266

EVANSVILLE STATE HOSPITAL

HEA 1001 — CC 1



From the General Fund
 23,855,714 23,855,714
From the Mental Health Fund (IC 12-24-14-4)
 3,802,558 3,802,558
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	19,275,587	19,275,587
Other Operating Expense	8,382,685	8,382,685

LARUE CARTER MEMORIAL HOSPITAL
 Total Operating Expense **1,273,749** **414,749**

LOGANSPORT STATE HOSPITAL
From the General Fund
 31,153,827 31,153,827
From the Mental Health Fund (IC 12-24-14-4)
 1,733,556 1,733,556
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	26,636,383	26,636,383
Other Operating Expense	6,251,000	6,251,000

MADISON STATE HOSPITAL
From the General Fund
 24,276,673 24,276,673
From the Mental Health Fund (IC 12-24-14-4)
 3,911,219 3,911,219
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	21,716,006	21,716,006
Other Operating Expense	6,471,886	6,471,886

RICHMOND STATE HOSPITAL
From the General Fund
 32,559,363 32,559,363
From the Mental Health Fund (IC 12-24-14-4)



2,683,320 2,683,320
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	26,725,901	26,725,901
Other Operating Expense	8,516,782	8,516,782

NEURO DIAGNOSTIC INSTITUTE

From the General Fund
20,343,059 20,343,059
From the Mental Health Fund (IC 12-24-14-4)
12,497,244 15,758,200
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	26,924,160	28,293,645
Other Operating Expense	5,916,143	7,807,614

PATIENT PAYROLL

Total Operating Expense	148,533	148,533
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The federal share of revenue accruing to the state mental health institutions under IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP), shall be deposited in the mental health fund established by IC 12-24-14, and the remainder shall be deposited in the general fund.

DIVISION OF FAMILY RESOURCES ADMINISTRATION

Total Operating Expense	1,994,565	1,994,565
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EBT ADMINISTRATION

Total Operating Expense	114,079	114,079
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DFR - COUNTY ADMINISTRATION

Total Operating Expense	90,705,387	90,705,387
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INDIANA ELIGIBILITY SYSTEM

Total Operating Expense	8,377,529	8,377,529
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SNAP/IMPACT ADMINISTRATION

Total Operating Expense	7,355,726	7,355,726
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TEMPORARY ASSISTANCE TO NEEDY FAMILIES STATE APPROPRIATION

Total Operating Expense	20,086,301	20,086,301
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BURIAL EXPENSES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)
Total Operating Expense 5,816,761 5,816,761



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
DIVISION OF AGING ADMINISTRATION			
Total Operating Expense	751,057	751,057	
DIVISION OF AGING SERVICES			
Total Operating Expense	563,561	563,561	
ROOM AND BOARD ASSISTANCE (R-CAP)			
Total Operating Expense	6,733,801	6,733,801	
C.H.O.I.C.E. IN-HOME SERVICES			
Total Operating Expense	48,765,643	48,765,643	

The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.

The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed \$18,000,000 annually.

The division of aging shall conduct an annual evaluation of the cost effectiveness of providing home and community-based services. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council (in an electronic format under IC 5-14-6) that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home and community-based services during the preceding fiscal year, including a separate count of individuals who received no services other than case management services (as defined in 455 IAC 2-4-10) during the preceding fiscal year;
- (2) the total cost and per recipient cost of providing home and community-based services during the preceding fiscal year.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

STATE SUPPLEMENT TO SSBG - AGING			
Total Operating Expense	687,396	687,396	
OLDER HOOSIERS ACT			
Total Operating Expense	1,573,446	1,573,446	
ADULT PROTECTIVE SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	5,451,948	5,451,948	
Augmentation allowed.			

The above appropriations may be used for emergency adult protective services placement. Funds shall be used to the extent that such services are not available



to an individual through a policy of accident and sickness insurance, a health maintenance organization contract, the Medicaid program, the federal Medicare program, or any other federal program.

ADULT GUARDIANSHIP SERVICES

Total Operating Expense	405,565	405,565
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DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION

Total Operating Expense	76,948	76,948
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BUREAU OF REHABILITATIVE SERVICES

-VOCATIONAL REHABILITATION

Total Operating Expense	16,093,405	16,093,405
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INDEPENDENT LIVING

Total Operating Expense	871,926	871,926
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The above appropriations include funding to be distributed to the centers for independent living for independent living services.

REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES

Total Operating Expense	236,402	236,402
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BLIND VENDING - STATE APPROPRIATION

Total Operating Expense	128,590	128,590
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QUALITY IMPROVEMENT SERVICES

Total Operating Expense	1,073,574	1,073,574
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BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Other Operating Expense	3,418,884	3,418,884
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FIRST STEPS

Total Operating Expense	18,000,000	18,000,000
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BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DIAGNOSIS AND EVALUATION

Total Operating Expense	400,034	400,034
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BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - CAREGIVER SUPPORT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Other Operating Expense	250,000	250,000
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BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING

Total Operating Expense	5,899,193	5,899,193
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In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

PRE-K EDUCATION PILOT

Total Operating Expense	22,005,069	22,005,069
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Of the above appropriations, \$1,000,000 shall be used each fiscal year for reimbursement of technology based in-home early education services under IC 12-17.2-7.5.

SCHOOL AGE CHILD CARE PROJECT

Total Operating Expense	812,413	812,413
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The above appropriations are made under IC 6-7-1-30.2(c) and not in addition to the transfer required by IC 6-7-1-30.2 (c).

EARLY CHILDHOOD LEARNING

Total Operating Expense	34,360,246	34,360,246
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FOR THE DEPARTMENT OF CHILD SERVICES

CHILD SERVICES ADMINISTRATION

Total Operating Expense	261,665,508	261,665,508
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Personal Services/Fringe Benefits Contingency Fund (IC 4-12-17-1)

Personal Services	25,000,000	25,000,000
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DHHS CHILD WELFARE PROGRAM

Total Operating Expense	46,554,199	46,554,199
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CHILD WELFARE SERVICES STATE GRANTS

Total Operating Expense	11,416,415	11,416,415
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TITLE IV-D CHILD SUPPORT

Total Operating Expense	13,379,008	13,379,008
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The above appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

FAMILY AND CHILDREN FUND

Total Operating Expense	515,145,362	505,145,362
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Augmentation allowed.

With the above appropriations, the department of child services may:

- (1) Operate an early intervention, home-based program pursuant to IC 31-33-8-16 (as added by this act).
- (2) Enter into a memorandum of understanding with the Public Defender Council and Commission to recruit, train, and reimburse public defenders for the support of at risk youth and families.

YOUTH SERVICE BUREAU

Total Operating Expense	1,008,947	1,008,947
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PROJECT SAFEPLACE

Total Operating Expense	112,000	112,000
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HEALTHY FAMILIES INDIANA

Total Operating Expense	3,093,145	3,093,145
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ADOPTION SERVICES



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	26,362,735	26,362,735	
TITLE IV-E ADOPTION SERVICES			
Total Operating Expense	31,489,886	31,489,886	

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU

Total Operating Expense	356,191	356,191	
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B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH

General Fund

20,942,934 20,942,934

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

2,169,261 2,169,261

Augmentation Allowed from the Tobacco Master Settlement fund.

The amounts specified from the General Fund and the tobacco master settlement agreement fund are for the following purposes:

Personal Services	20,550,510	20,550,510
Other Operating Expense	2,561,685	2,561,685

All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund.

AREA HEALTH EDUCATION CENTERS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 2,630,676 2,630,676

CANCER REGISTRY

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 488,375 488,375

MINORITY HEALTH INITIATIVE

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 2,473,500 2,473,500

The above appropriations shall be allocated to the Indiana Minority Health Coalition to work with the state department on the implementation of IC 16-46-11.

SICKLE CELL

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 750,000 750,000

MEDICARE-MEDICAID CERTIFICATION

Total Operating Expense 5,079,399 5,079,399

HEA 1001 — CC 1



Augmentation allowed in amounts not to exceed revenue from health facilities license fees or from health care providers (as defined in IC 16-18-2-163) fee increases or those adopted by the Executive Board of the Indiana State Department of Health under IC 16-19-3.

AIDS EDUCATION		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	401,128	401,128
Other Operating Expense	252,475	252,475
HIV/AIDS SERVICES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,992,517	1,992,517
AIDS CARE COORDINATION		
Total Operating Expense	278,981	278,981
INFECTIOUS DISEASE		
Total Operating Expense	1,390,325	1,390,325
TUBERCULOSIS TREATMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	100,000	100,000
STATE CHRONIC DISEASES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Personal Services	128,437	128,437
Other Operating Expense	734,051	734,051

At least \$82,560 of the above appropriations shall be distributed as grants to community groups and organizations as provided in IC 16-46-7-8. The state department of health may consider grants to the Kidney Foundation up to \$50,000.

STATEWIDE CHILD FATALITY COORDINATOR		
Total Operating Expense	55,339	55,339
FOOD ASSISTANCE		
Total Operating Expense	96,506	96,506
OB NAVIGATOR PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	3,300,000	3,300,000
WOMEN, INFANTS, AND CHILDREN SUPPLEMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	184,300	184,300
MATERNAL AND CHILD HEALTH SUPPLEMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	184,300	184,300
CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	69,172	69,172
BREAST AND CERVICAL CANCER PROGRAM		



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	106,575	106,575	
ADOPTION HISTORY			
Adoption History Fund (IC 31-19-18-6)			
Total Operating Expense	195,163	195,163	
Augmentation allowed.			
CHILDREN WITH SPECIAL HEALTH CARE NEEDS			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	10,597,101	10,597,101	
Augmentation allowed.			
NEWBORN SCREENING PROGRAM			
Newborn Screening Fund (IC 16-41-17-11)			
Personal Services	717,999	717,999	
Other Operating Expense	1,959,763	1,959,763	
Augmentation allowed.			

The above appropriations include funding for pulse oximetry screening of infants.

CENTER FOR DEAF AND HARD OF HEARING EDUCATION			
Total Operating Expense	1,712,930	1,712,930	
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	739,747	739,747	
RADON GAS TRUST FUND			
Radon Gas Trust Fund (IC 16-41-38-8)			
Total Operating Expense	10,670	10,670	
Augmentation allowed.			
SAFETY PIN PROGRAM			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	5,500,000	5,500,000	
BIRTH PROBLEMS REGISTRY			
Birth Problems Registry Fund (IC 16-38-4-17)			
Total Operating Expense	73,517	73,517	
Augmentation allowed.			
MOTOR FUEL INSPECTION PROGRAM			
Motor Fuel Inspection Fund (IC 16-44-3-10)			
Total Operating Expense	239,125	239,125	
Augmentation allowed.			
DONATED DENTAL SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	34,335	34,335	

The above appropriations shall be used by the Indiana foundation for dentistry to provide dental services to individuals who are handicapped.

OFFICE OF WOMEN'S HEALTH

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	96,970	96,970	
SPINAL CORD AND BRAIN INJURY			
Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)			
Total Operating Expense	2,551,946	2,551,946	
Augmentation allowed.			
HEALTHY INDIANA PLAN - IMMUNIZATIONS			
Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)			
Total Operating Expense	10,665,435	10,665,435	
WEIGHTS AND MEASURES FUND			
Weights and Measures Fund (IC 16-19-5-4)			
Total Operating Expense	7,106	7,106	
Augmentation allowed.			
MINORITY EPIDEMIOLOGY			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	618,375	618,375	
COMMUNITY HEALTH CENTERS			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	14,453,000	14,453,000	
PRENATAL SUBSTANCE USE & PREVENTION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	119,965	119,965	
OPIOID OVERDOSE INTERVENTION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	250,000	250,000	
NURSE FAMILY PARTNERSHIP			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	5,000,000	5,000,000	
HEARING AND BLIND SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	500,000	500,000	

Of the above appropriations for hearing and blind services, \$375,000 shall be annually deposited in the Hearing Aid Fund established under IC 16-35-8-3.

LOCAL HEALTH MAINTENANCE FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	3,915,209	3,915,209	
Augmentation allowed.			

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated



to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

LOCAL HEALTH DEPARTMENT ACCOUNT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,000,000	3,000,000
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The above appropriations for the local health department account are statutory distributions under IC 4-12-7.

TOBACCO USE PREVENTION AND CESSATION PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	7,500,000	7,500,000
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A minimum of 90% of the above appropriations shall be distributed as grants to local agencies and other entities with programs designed to reduce smoking.

FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Personal Services	9,834,739	9,834,739
Other Operating Expense	1,562,587	1,562,587

FOR THE INDIANA SCHOOL FOR THE DEAF

Personal Services	14,394,996	14,394,996
Other Operating Expense	2,238,712	2,238,712

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	1,431,469	1,431,469
Other Operating Expense	1,425,004	1,175,004

The above appropriations for personal services include funding for a women's veteran services officer and \$300,000 each year for six state veterans services officers.

The above appropriation for other operating expense includes \$250,000 in FY 2020 for the USS Indianapolis Commissioning Committee. The funding is only available if the commissioning ceremony occurs in Indiana.



VETERAN SERVICE ORGANIZATIONS

Total Operating Expense	910,000	910,000
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The above appropriations shall be used to assist veterans in securing available benefits. Of the above appropriations, the following amounts shall be allocated each fiscal year to the following organizations:

- American Legion: \$200,000**
- Disabled Veterans: \$200,000**
- Veterans of Foreign Wars: \$200,000**
- AMVETS: \$100,000**
- Vietnam Veterans: \$100,000**

The allocations shall be administered by the Indiana Department of Veterans' Affairs.

OPERATION OF VETERANS' CEMETERY

Total Operating Expense	287,748	287,748
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INDIANA VETERANS' HOME

From the Veterans' Home Comfort - Welfare Fund (IC 10-17-9-7(d))

11,029,468	11,029,468
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From the IVH Medicaid Reimbursement Fund

14,185,853	14,185,853
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Augmentation allowed from the Comfort and Welfare Fund and the IVH Medicaid Reimbursement Fund.

Personal Services	12,429,291	12,429,291
Other Operating Expense	12,786,030	12,786,030

SECTION 9. [EFFECTIVE JULY 1, 2019]

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY

BLOOMINGTON CAMPUS

Total Operating Expense	199,005,419	201,961,310
Fee Replacement	21,249,074	26,218,289

FOR INDIANA UNIVERSITY REGIONAL CAMPUSES

EAST

Total Operating Expense	13,841,702	14,047,315
Fee Replacement	407,783	404,454

KOKOMO



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	15,824,440	16,059,485	
Fee Replacement	1,474,005	1,470,030	
NORTHWEST			
Total Operating Expense	18,594,348	18,870,523	
Fee Replacement	4,889,573	4,888,275	
SOUTH BEND			
Total Operating Expense	24,509,706	24,873,721	
Fee Replacement	3,725,070	3,720,546	
SOUTHEAST			
Total Operating Expense	20,584,996	20,890,749	
Fee Replacement	2,378,534	2,377,458	
FORT WAYNE HEALTH SCIENCES PROGRAM			
Total Operating Expense	4,898,500	4,971,250	
TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES	111,128,657	112,573,806	

**FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY
AT INDIANAPOLIS (IUPUI)**

I.U. SCHOOLS OF MEDICINE AND DENTISTRY

Total Operating Expense	104,165,782	105,712,799
Fee Replacement	9,575,738	9,582,614

FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE

INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE

Total Operating Expense	2,180,253	2,212,633
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE

Total Operating Expense	2,037,864	2,068,129
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY

Total Operating Expense	2,726,051	2,766,537
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE

Total Operating Expense	2,476,522	2,513,302
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE

Total Operating Expense	2,267,315	2,300,988
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND

Total Operating Expense	2,131,841	2,163,502
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INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE

Total Operating Expense	2,464,383	2,500,983
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The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
GENERAL ACADEMIC DIVISIONS			
Total Operating Expense	109,477,462	111,103,662	
Fee Replacement	4,481,222	4,473,244	
TOTAL APPROPRIATIONS - IUPUI			
	243,984,433	247,398,393	

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

DUAL CREDIT			
Total Operating Expense	2,698,429	2,698,429	
CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE			
Total Operating Expense	2,500,000	2,500,000	
GLOBAL NETWORK OPERATIONS CENTER			
Total Operating Expense	721,861	721,861	
SPINAL CORD AND HEAD INJURY RESEARCH CENTER			
Total Operating Expense	553,429	553,429	
INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES			
Total Operating Expense	2,491,824	2,491,824	

Of the above appropriations, \$386,000 per year shall be used to provide technology support to students with autism.

GEOLOGICAL SURVEY			
Total Operating Expense	2,783,782	2,783,782	
I-LIGHT NETWORK OPERATIONS			
Total Operating Expense	1,508,628	1,508,628	
GIGAPOP PROJECT			
Total Operating Expense	672,562	672,562	
FOR PURDUE UNIVERSITY			
WEST LAFAYETTE			
Total Operating Expense	219,495,611	222,755,871	
Fee Replacement	22,627,907	32,202,386	
NORTHWEST			
Total Operating Expense	46,046,256	46,730,203	
Fee Replacement	3,893,663	3,893,513	
FORT WAYNE			
Total Operating Expense	42,824,864	43,460,880	
Fee Replacement	3,077,265	3,038,000	
COLLEGE OF VETERINARY MEDICINE			
Total Operating Expense	17,792,281	18,056,523	

HEA 1001 — CC 1



Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

DUAL CREDIT

Total Operating Expense	2,130,063	2,130,063
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FOR PURDUE UNIVERSITY

ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM

Total Operating Expense	3,711,561	3,711,561
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The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

STATEWIDE TECHNOLOGY

Total Operating Expense	6,695,258	6,695,258
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COUNTY AGRICULTURAL EXTENSION EDUCATORS

Total Operating Expense	7,487,816	7,487,816
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AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS

Total Operating Expense	8,492,325	8,492,325
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CENTER FOR PARALYSIS RESEARCH

Total Operating Expense	522,558	522,558
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IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM

Total Operating Expense	4,430,212	4,430,212
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FOR INDIANA STATE UNIVERSITY

Total Operating Expense	71,009,278	72,063,968
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Fee Replacement	11,574,683	15,288,291
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DUAL CREDIT

Total Operating Expense	176,257	176,257
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NURSING PROGRAM

Total Operating Expense	204,000	204,000
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PRINCIPAL LEADERSHIP ACADEMY

Total Operating Expense	600,000	600,000
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DEGREE LINK

Total Operating Expense	446,438	446,438
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FOR UNIVERSITY OF SOUTHERN INDIANA

Total Operating Expense	47,504,564	48,210,149
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	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Fee Replacement	11,022,633	15,057,528	
DUAL CREDIT			
Total Operating Expense	236,153	236,153	
HISTORIC NEW HARMONY			
Total Operating Expense	486,878	486,878	
FOR BALL STATE UNIVERSITY			
Total Operating Expense	132,441,661	134,408,873	
Fee Replacement	22,959,363	27,379,972	
DUAL CREDIT			
Total Operating Expense	209,636	209,636	
ENTREPRENEURIAL COLLEGE			
Total Operating Expense	2,500,000	2,500,000	
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES			
Total Operating Expense	4,384,956	4,384,956	
FOR VINCENNES UNIVERSITY			
Total Operating Expense	42,924,432	43,561,521	
Fee Replacement	6,215,488	6,210,108	
DUAL CREDIT			
Total Operating Expense	3,714,562	3,714,562	
CAREER AND TECHNICAL EARLY COLLEGE PROGRAM			
Total Operating Expense	3,000,000	3,000,000	

Additional Early College sites may be established upon approval by the Commission for Higher Education and review by the budget committee.

FOR IVY TECH COMMUNITY COLLEGE			
Total Operating Expense	226,529,384	229,890,923	
Fee Replacement	32,923,190	33,678,382	
DUAL CREDIT			
Total Operating Expense	13,521,607	13,521,607	
STATEWIDE NURSING			
Total Operating Expense	85,411	85,411	
WORKFORCE CENTERS			
Total Operating Expense	710,810	710,810	
SOUTHERN INDIANA EDUCATIONAL ALLIANCE			
Total Operating Expense	1,057,738	1,057,738	
FT. WAYNE PUBLIC SAFETY TRAINING CENTER			
Total Operating Expense	1,000,000	1,000,000	

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College are in addition to all income of said institutions, respectively, from all permanent fees and endowments and from all land grants, fees,



earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2019, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and may be expended for any necessary expenses of the respective institutions, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The above appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College include the employers' share of Social Security payments for university employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution's employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.



For universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech Community College are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

**FOR THE MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,852,698	1,852,698
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Of the above appropriations, \$1,000,000 each year shall be distributed as grants for the purpose of improving family practice residency programs serving medically underserved areas.

**FOR THE GRADUATE MEDICAL EDUCATION BOARD
MEDICAL RESIDENCY EDUCATION GRANTS**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	4,000,000	4,000,000
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The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	3,071,177	3,071,177
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FREEDOM OF CHOICE GRANTS

Total Operating Expense	57,527,595	66,225,902
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HIGHER EDUCATION AWARD PROGRAM

Total Operating Expense	89,979,060	101,425,081
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HEA 1001 — CC 1



For the higher education awards and freedom of choice grants made for the 2019-2021 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) The commission shall maintain the proportionality of award maximums for public, private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
- (2) Minimum Award: No award shall be less than \$600.
- (3) The commission shall reduce award amounts as necessary to stay within the appropriation.

TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND PUBLIC SAFETY OFFICERS

Total Operating Expense	30,848,248	31,773,696
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MIDWEST HIGHER EDUCATION COMPACT

Total Operating Expense	115,000	115,000
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ADULT STUDENT GRANT APPROPRIATION

Total Operating Expense	7,579,858	7,579,858
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Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the adult grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

STEM TEACHER RECRUITMENT FUND

Total Operating Expense	5,000,000	5,000,000
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The above appropriations may be used to provide grants to nonprofit organizations that place new science, technology, engineering, and math teachers in elementary and high schools located in underserved areas.

TEACHER RESIDENCY GRANT PILOT PROGRAM (IC 21-18-15.1)

Total Operating Expense	1,000,000	0
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MINORITY TEACHER SCHOLARSHIP FUND

Total Operating Expense	400,000	400,000
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	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
HIGH NEED STUDENT TEACHING STIPEND FUND			
Total Operating Expense	450,000	450,000	
MINORITY STUDENT TEACHING STIPEND FUND			
Total Operating Expense	50,000	50,000	
EARN INDIANA WORK STUDY PROGRAM			
Total Operating Expense	606,099	606,099	
21ST CENTURY - ADMINISTRATIVE			
Total Operating Expense	1,828,638	1,828,638	
21ST CENTURY SCHOLAR AWARDS			
Total Operating Expense	173,685,938	166,270,623	

The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

The division of family resources shall apply all qualifying expenditures for the 21st century scholar program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

INDIANA INTERNet			
Total Operating Expense	250,000	250,000	
NEXT GENERATION HOOSIER EDUCATORS			
Total Operating Expense	2,000,000	3,081,010	
Next Generation Hoosier Educators Scholarship Fund (IC 21-12-16-3)			
Total Operating Expense	2,582,400	3,001,390	
Augmentation allowed from the next generation hoosier educators scholarship fund.			
NATIONAL GUARD TUITION SCHOLARSHIP			
Total Operating Expense	3,676,240	3,676,240	

The above appropriations for national guard scholarships plus reserve balances in the fund shall be the total allowable state expenditure for the program in the 2019-2021 biennium.

PRIMARY CARE SCHOLARSHIP			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	2,000,000	2,000,000	

The above appropriations for primary care scholarships shall be distributed in accordance with IC 21-13-9.

LEARN MORE INDIANA			
Total Operating Expense	646,994	646,994	
STATEWIDE TRANSFER AND TECHNOLOGY			
Total Operating Expense	1,014,737	1,014,737	

HEA 1001 — CC 1



HIGH VALUE WORKFORCE READY GRANT

Total Operating Expense	4,000,000	4,000,000	
Agency Settlement Fund (IC 4-12-16)			
Total Operating Expense	750,000	0	

The above appropriations may be used to provide grants to adults who pursue high value certificates. The commission may allocate up to \$750,000 of the above appropriation for FY 2020 to develop and implement an advertising and outreach campaign targeted at adults who may be eligible to receive High Value Workforce Ready Grants or to participate in other similar workforce development programs.

**FOR THE DEPARTMENT OF ADMINISTRATION
COLUMBUS LEARNING CENTER LEASE PAYMENT**

Total Operating Expense	5,312,000	5,312,000	
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B. ELEMENTARY AND SECONDARY EDUCATION

FOR THE STATE BOARD OF EDUCATION

Total Operating Expense	2,154,705	2,154,705	
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The above appropriations for the Indiana state board of education are for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects, including national and international assessments; and for state board administrative expenses. The above appropriations for the state board of education include funds to reimburse volunteer participants in the school intergenerational safety pilot project established by IC 20-20-46. The maximum reimbursement that may be paid to each volunteer participant may not exceed \$35 in a calendar year.

CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM (IC 20-24-13)

Total Operating Expense	22,500,000	22,500,000	
SYSTEM FOR TEACHER AND STUDENT ADVANCEMENT			
Total Operating Expense	3,500,000	0	

FOR THE INDIANA CHARTER SCHOOL BOARD

Total Operating Expense	522,423	522,423	
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FOR THE DEPARTMENT OF EDUCATION

SUPERINTENDENT'S OFFICE

From the General Fund

13,654,093 13,654,093

From the Professional Standards Fund (IC 20-28-2-10)

395,000 395,000

Augmentation allowed from the Professional Standards Fund.



The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

SUPERINTENDENT'S OFFICE

Personal Services	10,731,503	10,731,503
Other Operating Expense	3,317,590	3,317,590

The above appropriations include funds to provide state support to educational service centers.

PUBLIC BROADCASTING DISTRIBUTION

Total Operating Expense	3,675,000	3,675,000
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The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public television stations for approval by the budget agency after review by the budget committee. Of the above appropriations, at least one seventh of the funds each year shall be set aside and distributed equally among all of the public radio stations.

STEM PROGRAM ALIGNMENT

Total Operating Expense	3,000,000	3,000,000
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The above appropriations for STEM program alignment shall be used to provide grants to high-need schools (as determined by a needs assessment conducted in partnership with a state research institution) for the purpose of implementing qualified STEM curricula and professional development plans, to develop methods of evaluating STEM curricula and professional development plans for the purpose of awarding STEM grants, to develop a system for measuring student growth in critical thinking, problem-solving, and other STEM-based skills in schools that receive STEM grants. The department shall provide an annual report to the general assembly, the office of the governor, and the state board of education describing the department's progress toward implementing the state's STEM plan. All data collected by the department shall be tracked electronically and shared with the management and performance hub for the purpose of collecting longitudinal data.

Of the above appropriations, \$300,000 each fiscal year shall be used to partner with the commission for higher education to provide professional development and technical assistance to schools that pilot the transitions math course for students transitioning from secondary to post-secondary education.

INDIANA BAR FOUNDATION - WE THE PEOPLE

Total Operating Expense	300,000	300,000
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RILEY HOSPITAL

Total Operating Expense	250,000	250,000
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BEST BUDDIES



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	206,125	206,125	
SCHOOL TRAFFIC SAFETY			
Total Operating Expense	227,143	227,143	
ACCREDITATION SYSTEM			
Personal Services	513,708	513,708	
Other Operating Expense	199,550	199,550	
SPECIAL EDUCATION (S-5)			
Total Operating Expense	24,070,000	24,070,000	

The above appropriations for special education are made under IC 20-35-6-2.

NEXT LEVEL COMPUTER SCIENCE PROGRAM			
Total Operating Expense	3,000,000	3,000,000	
SPECIAL EDUCATION EXCISE			
Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)			
Personal Services	199,904	199,904	
Other Operating Expense	3,456	3,456	
Augmentation allowed.			
CAREER AND TECHNICAL EDUCATION			
Personal Services	942,909	942,909	
Other Operating Expense	299,839	299,839	
TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION			
Total Operating Expense	2,157,521	2,157,521	

The above appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teachers' retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT			
Total Operating Expense	7,331,500,000	7,514,400,000	

The above appropriations for tuition support are to be distributed in accordance with a statute enacted for this purpose during the 2019 session of the general assembly.

If the above appropriations for distribution for tuition support are more than the amount required by statute, the excess shall revert to the general fund.

The above appropriations for tuition support shall be made each fiscal year under

HEA 1001 — CC 1



a schedule set by the budget agency and approved by the governor. The schedule shall provide for at least twelve (12) payments made at least once every forty (40) days, and the aggregate of the payments in each fiscal year shall equal the amount required by statute.

TEACHER APPRECIATION GRANTS

Total Operating Expense	37,500,000	37,500,000
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It is the intent of the 2019 general assembly that the above appropriations for teacher appreciation grants shall be the total allowable state expenditure for the program. If disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

DISTRIBUTION FOR SUMMER SCHOOL

Other Operating Expense	18,360,000	18,360,000
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It is the intent of the 2019 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

ADULT LEARNERS

Total Operating Expense	40,331,250	40,331,250
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EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	3,255,130	3,255,130
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The above appropriations for the early intervention program may be used for grants to local school corporations for grant proposals for early intervention programs.

The above appropriations may be used by the department of education for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and accredited nonpublic school first and second grade students upon the approval of the governing body of the school corporations or the accredited nonpublic school. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	4,874,503	4,874,503
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CURRICULAR MATERIAL REIMBURSEMENT



Total Operating Expense	39,000,000	39,000,000
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Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. The family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

TESTING

Total Operating Expense	26,300,000	26,300,000
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The above appropriations are for assessments, including special education alternate assessments, as determined by the state board of education and the department of education.

REMEDIATION TESTING

Total Operating Expense	11,711,344	11,711,344
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The above appropriations for remediation testing are for grants to public and accredited nonpublic schools through the department of education. Public and accredited nonpublic schools shall use the grants to fund formative tests to identify students who require remediation. Prior to distribution to public and accredited nonpublic schools, the grant amounts and formula shall be submitted to the state board of education and the budget agency for review and approval, and the department of education shall provide a report to the budget committee.

The above appropriations for remediation testing includes \$310,000 each fiscal year for the department of education to pay for college and career readiness examinations.

ADVANCED PLACEMENT PROGRAM

Other Operating Expense	5,200,000	5,200,000
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The above appropriations for the Advanced Placement Program are to provide funding for students of accredited public and nonpublic schools to take the College Board Advanced Placement math, English, and science exams. Any remaining funds available after exam fees have been paid shall be prioritized for use by teachers of math and science Advanced Placement courses to attend professional development training for those courses.

PSAT PROGRAM

Other Operating Expense	1,900,000	1,900,000
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HEA 1001 — CC 1



The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.

NON-ENGLISH SPEAKING PROGRAM

Total Operating Expense	22,500,000	22,500,000
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The above appropriations for the Non-English Speaking Program are for students who have a primary language other than English and limited English proficiency, as determined by using the WIDA Consortium ACCESS assessment.

The grant amount is determined as follows:

(1) Determine the number of students who score at level one (1) or level two (2) on the WIDA Consortium ACCESS assessment or who are English language learners who have severe special needs that require a different test to assess English proficiency multiplied by:

(A) four hundred eighty-seven dollars (\$487) for the state fiscal year beginning July 1, 2019; and

(B) four hundred thirty dollars (\$430) for the state fiscal year beginning July 1, 2020.

(2) Determine the number of students who score at level three (3) or level four (4) on the WIDA Consortium ACCESS assessment or who score at level five (5) or higher on the Tier A form of the on the WIDA Consortium ACCESS assessment multiplied by three hundred dollars (\$300) for the state fiscal year beginning July 1, 2019 and for the state fiscal year beginning July 1, 2020.

(3) Determine the sum of the subdivision (1) amount plus the subdivision (2) amount.

It is the intent of the 2019 general assembly that the above appropriations for the Non-English Speaking Program shall be the total allowable state expenditure for the program. If distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's and charter school's distribution proportionately.

GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	86,723	86,723
Other Operating Expense	12,966,676	12,966,676

In each fiscal year, \$500,000 shall be made available to school corporations and charter schools to purchase verbal and quantitative reasoning tests to be administered to all students within the corporation or charter school that are enrolled in kindergarten, second grade, and fifth grade.

PRIMETIME

Personal Services	122,111	122,111
Other Operating Expense	26,174	26,174

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
DRUG FREE SCHOOLS			
Total Operating Expense	30,556	30,556	
ALTERNATIVE EDUCATION			
Total Operating Expense	6,242,816	6,242,816	

The above appropriations include funding to provide \$10,000 for each child in recovery from alcohol or drug abuse who attends a charter school accredited by the National Association of Recovery Schools. This funding is in addition to tuition support for the charter school.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM			
Total Operating Expense	3,086,071	3,086,071	

The department shall use the funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants. Up to \$250,000 may be used each year to support the operation of the office of the special assistant to the superintendent of public instruction for technology.

SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY			
Total Operating Expense	150,000	150,000	

The department shall make available the above appropriations to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

SCHOOL INTERNET CONNECTION			
Total Operating Expense	3,415,000	3,415,000	
DUAL IMMERSION PILOT PROGRAM			
Total Operating Expense	500,000	500,000	
PROFESSIONAL STANDARDS DIVISION			
From the General Fund			
1,919,321	1,919,321		
From the Professional Standards Fund (IC 20-28-2-10)			
842,940	842,940		

Augmentation allowed from the professional standards fund.

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	891,882	891,882
Other Operating Expense	1,870,379	1,870,379

HEA 1001 — CC 1



The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
TEACHERS' RETIREMENT FUND DISTRIBUTION**

Other Operating Expense	919,000,000	946,600,000
Augmentation allowed.		

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the teachers' retirement fund is:

- (1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for the year shall be augmented from the state general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or
- (2) less than the above appropriations for a year, the excess shall be retained in the state general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

Personal Services	808,158	808,158
Other Operating Expense	224,560	224,560

FOR THE STATE LIBRARY

Personal Services	2,742,905	2,742,905
Other Operating Expense	282,354	282,354

The above appropriations for the state library include \$100,000 each fiscal year for the Indiana legislative oral history initiative established by HEA 1100-2017.

STATEWIDE LIBRARY SERVICES

Total Operating Expense	1,263,070	1,263,070
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LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES

Other Operating Expense	180,000	180,000
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ACADEMY OF SCIENCE

Total Operating Expense	5,126	5,126
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HISTORICAL MARKER PROGRAM

Total Operating Expense	10,175	10,175
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INSPIRE

Total Operating Expense	1,382,250	1,382,250
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LOCAL LIBRARY CONNECTIVITY GRANT



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Total Operating Expense	1,585,000	1,585,000	
FOR THE ARTS COMMISSION			
Personal Services	552,416	552,416	
Other Operating Expense	3,368,075	3,368,075	

The above appropriations to the arts commission includes \$650,000 each year to provide grants to:

- (1) the arts organizations that have most recently qualified for general operating support as major arts organizations as determined by the arts commission; and
- (2) the significant regional organizations that have most recently qualified for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.

SECTION 10. [EFFECTIVE JULY 1, 2019]

DISTRIBUTIONS

FOR THE AUDITOR OF STATE

GAMING TAX

Total Operating Expense	50,500,000	50,500,000
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Augmentation allowed.

ALCOHOLIC BEVERAGE COMMISSION GALLONAGE TAX

Total Operating Expense	9,657,037	9,744,916
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Augmentation allowed.

SECTION 11. [EFFECTIVE JULY 1, 2019]

The following allocations of federal funds are available for career and technical education under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq. for Career and Technical Education). These funds shall be received by the workforce cabinet and may be allocated by the budget agency after consultation with the workforce cabinet and any other state agencies, commissions, or organizations required by state law. Funds shall be allocated to these agencies in accordance with the allocations specified below:

STATE PROGRAMS AND LEADERSHIP

1,614,568	1,614,568
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SECONDARY VOCATIONAL PROGRAMS

16,416,383	16,416,383
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POSTSECONDARY VOCATIONAL PROGRAMS

8,878,505	8,878,505
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SECTION 12. [EFFECTIVE JULY 1, 2019]



In accordance with IC 20-20-38, the budget agency, upon the request of the workforce cabinet, may proportionately augment or reduce an allocation of federal funds made under SECTION 11 of this act.

SECTION 13. [EFFECTIVE JULY 1, 2019]

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

SECTION 14. [EFFECTIVE JULY 1, 2019]

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.



In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

SECTION 15. [EFFECTIVE JULY 1, 2019]

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is equal to \$100 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

SECTION 16. [EFFECTIVE JULY 1, 2019]

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

SECTION 17. [EFFECTIVE JULY 1, 2019]

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

SECTION 18. [EFFECTIVE JULY 1, 2019]

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.



SECTION 19. [EFFECTIVE JULY 1, 2019]

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

SECTION 20. [EFFECTIVE JULY 1, 2019]

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.

SECTION 21. [EFFECTIVE JULY 1, 2019]

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

SECTION 22. [EFFECTIVE JULY 1, 2019]

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

SECTION 23. [EFFECTIVE JULY 1, 2019]

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:

- (1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.**
- (2) In the case of department or commission heads, it shall be shown that the statutory**



duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.

(3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment.

In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

SECTION 24. [EFFECTIVE JULY 1, 2019]

When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

SECTION 25. [EFFECTIVE JULY 1, 2019]

The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

SECTION 26. [EFFECTIVE JULY 1, 2019]

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).



SECTION 27. [EFFECTIVE JULY 1, 2019]

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director.

SECTION 28. [EFFECTIVE JULY 1, 2019]

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

SECTION 29. [EFFECTIVE JULY 1, 2019]

Subject to SECTION 24 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2019-2021 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 30. [EFFECTIVE JULY 1, 2019]

CONSTRUCTION

For the 2019-2021 biennium, the following amounts, from the funds listed as follows, are appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for these properties and other projects as specified.

State General Fund - Lease Rentals	312,237,612
State General Fund - Construction	410,516,587
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)	24,428,765
Veterans' Home Building Fund (IC 10-17-9-7)	2,400,000
State Construction Fund (IC 7.1-4-8-1)	57,912,017
State Highway Fund (IC 8-23-9-54)	32,229,500

HEA 1001 — CC 1



Personal Services/Fringe Benefits Contingency Fund (IC 4-12-17-1)	
20,000,000	
Agency Settlement Fund (IC 4-12-16)	
10,000,000	
TOTAL	869,724,481

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT

FOR THE STATE BUDGET AGENCY

Stadium Lease Rental	66,397,560	68,540,540
Convention Center Lease Rental	21,962,110	22,510,343
State Fair Coliseum Lease Rental	4,049,338	4,047,738
Indiana Motorsports Commission	7,000,000	7,000,000
Northwest Indiana Reg. Dev. Authority	12,000,000	12,000,000
Water Infrastructure Assistance	0	20,000,000
First Responder Regional Training Pilot	0	250,000

The above appropriation for water infrastructure assistance is for the creation of a leveraged loan program to provide grants, loans, and other financial assistance from the water infrastructure assistance fund in accordance with a statute enacted for this purpose by the 2019 General Assembly.

Deferred Maintenance	75,000,000	75,000,000
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The above appropriation for deferred maintenance is to be used to address deferred maintenance needs at state agency owned facilities. The state budget agency may revert this appropriation in any fiscal year ending after July 1, 2019.

DEPARTMENT OF REVENUE		
Integrated Tax System	20,300,000	21,400,000
DEPARTMENT OF LOCAL GOVERNMENT FINANCE		
Technology Modernization	1,625,000	1,625,000
DEPARTMENT OF ADMINISTRATION		
Preventive Maintenance	4,892,167	4,892,167
Repair and Rehabilitation	10,560,888	10,810,888
State Construction Fund (IC 7.1-4-8-1)		
Repair and Rehabilitation	5,000,000	0
AUDITOR OF STATE		



Personal Services/Fringe Benefits Contingency Fund (IC 4-12-17-1)		
Payroll/Human Res. Modernization	20,000,000	0
DEPARTMENT OF ADMINISTRATION - LEASES		
New Castle Correctional Facility Lease	12,475,224	12,481,936
Wabash Valley Corr. Facility Lease	12,539,435	1,503,972
Neuro Diagnostic Institute Lease	12,114,974	12,114,442
Swine Barn/Fall Creek Pavilion Lease	0	3,500,000
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Evansville State Hospital Capital Lease	3,858,302	3,520,652
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Logansport State Hospital Capital Lease	3,088,963	3,093,464
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
SE Reg. Treatment Ctr. Cap. Lease	5,433,317	5,434,067
 SECRETARY OF STATE		
Agency Settlement Fund (IC 4-12-16)		
Election Security Equipment	10,000,000	0
STATE LIBRARY		
Repair and Rehabilitation	0	1,000,000
INDIANA STATE FAIR		
Preventive Maintenance	1,045,000	1,045,000
Repair and Rehabilitation	0	3,605,000
A&E Fee for Swine Barn/Fall Creek Pavilion	2,500,000	0

B. PUBLIC SAFETY

(1) LAW ENFORCEMENT

INDIANA STATE POLICE		
Preventive Maintenance	633,000	633,000
State Police Lab	0	12,000,000
LAW ENFORCEMENT TRAINING BOARD		
Preventive Maintenance	200,000	200,000
State Construction Fund (IC 7.1-4-8-1)		
Repair and Rehabilitation	500,000	750,000
ADJUTANT GENERAL		
Preventive Maintenance	830,250	830,250
State Construction Fund (IC 7.1-4-8-1)		
Repair and Rehabilitation	105,755	1,381,592

(2) CORRECTIONS

STATE PRISON		
Preventive Maintenance	550,000	550,000

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	4,900,000	750,000	
PENDLETON CORRECTIONAL FACILITY			
Preventive Maintenance	650,000	650,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	890,000	400,000	
WOMEN'S PRISON			
Preventive Maintenance	180,000	180,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	400,000	0	
NEW CASTLE CORRECTIONAL FACILITY			
Preventive Maintenance	75,000	75,000	
PUTNAMVILLE CORRECTIONAL FACILITY			
Preventive Maintenance	400,000	400,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	856,000	1,020,145	
INDIANAPOLIS RE-ENTRY EDUCATION FACILITY			
Preventive Maintenance	180,000	180,000	
BRANCHVILLE CORRECTIONAL FACILITY			
Preventive Maintenance	180,000	180,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	342,400	
WESTVILLE CORRECTIONAL FACILITY			
Preventive Maintenance	520,000	520,000	
ROCKVILLE CORRECTIONAL FACILITY			
Preventive Maintenance	250,000	250,000	
PLAINFIELD CORRECTIONAL FACILITY			
Preventive Maintenance	250,000	250,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	979,000	2,203,000	
RECEPTION AND DIAGNOSTIC CENTER			
Preventive Maintenance	105,000	105,000	
CORRECTIONAL INDUSTRIAL FACILITY			
Preventive Maintenance	300,000	300,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	1,650,000	
WABASH VALLEY CORRECTIONAL FACILITY			
Preventive Maintenance	263,677	263,677	
CHAIN O' LAKES CORRECTIONAL FACILITY			
Preventive Maintenance	45,000	45,000	
MADISON CORRECTIONAL FACILITY			
Preventive Maintenance	157,500	157,500	
MIAMI CORRECTIONAL FACILITY			
Preventive Maintenance	450,000	450,000	
LAPORTE JUVENILE CORRECTIONAL FACILITY			

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Preventive Maintenance	40,000	40,000	
EDINBURGH CORRECTIONAL FACILITY			
Preventive Maintenance	40,000	40,000	
PENDLETON JUVENILE CORRECTIONAL FACILITY			
Preventive Maintenance	150,000	150,000	
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
Preventive Maintenance	60,000	60,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	170,000	
SOUTH BEND WORK RELEASE CENTER			
Preventive Maintenance	50,000	50,000	
HERITAGE TRAILS CORRECTIONAL FACILITY			
Preventive Maintenance	225,000	225,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	200,000	

C. CONSERVATION AND ENVIRONMENT

DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION

Preventive Maintenance	50,000	50,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	2,173,882	

FISH AND WILDLIFE

Preventive Maintenance	1,550,000	1,550,000	
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FORESTRY

Preventive Maintenance	1,525,000	1,525,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	2,000,000	2,911,791	

NATURE PRESERVES

Preventive Maintenance	586,614	586,614	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	248,000	0	

OUTDOOR RECREATION

Preventive Maintenance	35,000	35,000	
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STATE PARKS AND RESERVOIR MANAGEMENT

Preventive Maintenance	4,050,000	4,050,000	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	12,448,101	3,325,000	

DIVISION OF WATER

Preventive Maintenance	83,500	83,500	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	0	798,000	

ENFORCEMENT

Preventive Maintenance	270,000	270,000	
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ENTOMOLOGY

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Preventive Maintenance	137,500	137,500	
INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
Preventive Maintenance	1,136,884	1,136,883	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	139,000	0	
State Construction Fund (IC 7.1-4-8-1)			
Capital Fundraising	1,000,000	1,000,000	
WAR MEMORIALS COMMISSION			
Preventive Maintenance	617,000	617,000	
Repair and Rehabilitation	300,000	7,150,000	

The above appropriations for the War Memorials Commission include \$200,000 each fiscal year for the restoration of battle flags.

KANKAKEE RIVER BASIN COMMISSION

Repair and Rehabilitation	2,300,000	0	
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The budget agency may require the Kankakee River Basin Commission to demonstrate a 25% local match before the above appropriations are eligible for disbursement.

D. TRANSPORTATION

DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS

State Highway Fund (IC 8-23-9-54)			
Preventive Maintenance	2,413,150	2,413,150	
State Highway Fund (IC 8-23-9-54)			
Repair and Rehabilitation	2,192,100	1,692,100	
State Highway Fund (IC 8-23-9-54)			
Construction of the Brookville Unit Bldg.	2,950,000	0	
State Highway Fund (IC 8-23-9-54)			
Const. of the Brookville Unit Salt Bldg.	1,550,000	0	
State Highway Fund (IC 8-23-9-54)			
Materials & Testing Lab Phase 2	3,765,000	0	
State Highway Fund (IC 8-23-9-54)			
Const. of the Crawfordsville Salt Bldg.	1,550,000	0	
State Highway Fund (IC 8-23-9-54)			
A&E Fee Bloomingdale Unit/Salt Bldg.	252,000	0	
State Highway Fund (IC 8-23-9-54)			
Evansville Sub district Renovation	4,000,000	0	
State Highway Fund (IC 8-23-9-54)			
Const. of the Bloomingdale Unit Bldg.	0	3,125,000	
State Highway Fund (IC 8-23-9-54)			
Const. of the Bloomingdale Unit Salt Bldg.	0	1,600,000	
State Highway Fund (IC 8-23-9-54)			
Materials and Testing Lab Phase 3	0	3,765,000	

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
State Highway Fund (IC 8-23-9-54)			
A&E Fee for Waterloo Unit/Salt Bldg.	0	252,000	
State Highway Fund (IC 8-23-9-54)			
A&E Fee for Frankfort			
Sub district Renovation	0	210,000	
State Highway Fund (IC 8-23-9-54)			
Cap. Land Purchase-Shipshewana Unit	250,000	0	
State Highway Fund (IC 8-23-9-54)			
Cap. Land Purchase-Mishawaka Unit	0	250,000	

E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION

FSSA - DIVISION OF MENTAL HEALTH

State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	1,000,000	0	
EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
Preventive Maintenance	36,500	36,500	
EVANSVILLE STATE HOSPITAL			
Preventive Maintenance	391,162	391,162	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	626,417	0	
MADISON STATE HOSPITAL			
Preventive Maintenance	464,104	464,104	
LOGANSPOUR STATE HOSPITAL			
Preventive Maintenance	491,572	491,572	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	188,792	1,928,000	
RICHMOND STATE HOSPITAL			
Preventive Maintenance	550,000	550,000	
LARUE CARTER MEMORIAL HOSPITAL			
Preventive Maintenance	916,559	916,559	
NEURO DIAGNOSTIC INSTITUTE			
Preventive Maintenance	475,810	475,810	

(2) PUBLIC HEALTH

SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED			
Preventive Maintenance	282,857	282,857	
State Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation	404,383	108,270	
SCHOOL FOR THE DEAF			
Preventive Maintenance	424,825	424,825	
State Construction Fund (IC 7.1-4-8-1)			

HEA 1001 — CC 1



	<i>FY 2019-2020 Appropriation</i>	<i>FY 2020-2021 Appropriation</i>	<i>Biennial Appropriation</i>
Repair and Rehabilitation	3,520,210	1,594,279	
(3) VETERANS' AFFAIRS			
DEPARTMENT OF VETERANS' AFFAIRS			
Preventive Maintenance	56,700	56,700	
INDIANA VETERANS' HOME			
Veterans' Home Building Fund (IC 10-17-9-7)			
Preventive Maintenance	750,000	750,000	
Veterans' Home Building Fund (IC 10-17-9-7)			
Repair and Rehabilitation	900,000	0	

F. EDUCATION

HIGHER EDUCATION

INDIANA UNIVERSITY - TOTAL SYSTEM			
Repair and Rehabilitation	14,349,098	14,349,098	
Regional Deferred Maintenance	0	8,100,000	
PURDUE UNIVERSITY - TOTAL SYSTEM			
Repair and Rehabilitation	12,242,154	12,242,154	
Regional Deferred Maintenance	0	3,500,000	
INDIANA STATE UNIVERSITY			
Repair and Rehabilitation	1,504,289	1,504,289	
UNIVERSITY OF SOUTHERN INDIANA			
Repair and Rehabilitation	1,112,962	1,112,962	
BALL STATE UNIVERSITY			
Repair and Rehabilitation	2,917,359	2,917,359	
VINCENNES UNIVERSITY			
Campus Infrastructure Upgrades	22,300,000	0	
Advanced Manufacturing Renovation	4,000,000	0	
Repair and Rehabilitation	1,005,286	1,005,286	
IVY TECH COMMUNITY COLLEGE			
Repair and Rehabilitation	3,610,577	3,610,577	

SECTION 31. [EFFECTIVE JULY 1, 2019]

The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts.

SECTION 32. [EFFECTIVE UPON PASSAGE]

If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration



of the biennium, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.

SECTION 33. [EFFECTIVE JULY 1, 2019]

The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet the service needs of the developmentally disabled and the mentally ill in any year.

SECTION 34. [EFFECTIVE JULY 1, 2019]

If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund any additional amount necessary to maintain a positive balance in the general fund.

SECTION 35. IC 1-1-1.1-16, AS ADDED BY P.L.220-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 16. Section 2 of this chapter does not repeal the following statutes concerning miscellaneous appropriations and fiscal matters:

- (1) P.L.282-1985, SECTION 5 (concerning an appropriation to the state board of health from the state general fund).
- (2) P.L.372-1985, SECTION 14 (requiring certain persons receiving appropriations to be subject to audit by the state board of accounts).
- (3) P.L.372-1985, SECTION 22 (relating to approval granted to state agencies for the expenditure of certain federal funds).
- (4) P.L.372-1985, SECTIONS 32 through 36 (concerning certain highway and transportation matters).
- (5) P.L.107-1986, SECTION 4 (concerning a general fund appropriation to the distressed township supplemental poor relief fund).
- (6) P.L.236-1986, SECTION 1 (concerning distribution of money by the department of mental health to Developmental Services, Inc.).
- (7) P.L.237-1986, SECTION 8 (concerning a general fund appropriation for the work of the general corporation law study commission).
- (8) P.L.248-1986, SECTION 1 (concerning a general fund appropriation for restoring the Soldiers' and Sailors' Monument and Monument Circle).
- (9) P.L.154-1987, SECTION 5 (concerning a general fund appropriation to the budget agency to carry out that act).
- (10) P.L.370-1987, SECTION 1 (concerning reversion of an appropriation made by Acts 1975, P.L.146, SECTION 3(a), for the residual malpractice insurance authority).
- (11) P.L.396-1987, SECTION 34 (making deficiency appropriations).
- (12) P.L.109-1988, SECTION 22 (concerning a general fund appropriation to the oil and gas



environmental fund).

(13) The following statutes relating to general fund appropriations to the St. Joseph River basin commission: P.L.191-1988, SECTION 2; P.L.307-1989, SECTION 2.

(14) P.L.334-1989, SECTION 49 (concerning a general fund appropriation to the judicial conference of Indiana).

(15) P.L.341-1989, SECTION 18 (concerning a general fund appropriation to the state lottery commission).

(16) P.L.357-1989, SECTION 36 (concerning reversion of appropriations to the legislative council contingency fund).

(17) P.L.13-1990, SECTION 26 (concerning transfer of money from the underground petroleum storage tank excess liability fund).

(18) P.L.51-1990, SECTION 54 (concerning general fund appropriations for performance based awards program under IC 20-1-1.3 (before its repeal)).

(19) P.L.185-1990, SECTION 6 (concerning appropriations made to the Chicago third airport site selection).

(20) P.L.240-1991, SECTION 112 (concerning transfer of money between state funds).

~~(21) The following statutes concerning Build Indiana Fund appropriations: P.L.278-1993, SECTION 2; P.L.340-1995, SECTION 37; P.L.273-1999, SECTION 33; P.L.291-2001, SECTION 38; P.L.291-2001, SECTION 40.~~

~~(22)~~ **(21)** P.L.278-1993, SECTIONS 32 and 33 (concerning interpretation of P.L.277-1993 and P.L.278-1993).

~~(23)~~ **(22)** P.L.18-1995, SECTION 145 (concerning increasing appropriations to the Indiana judicial center).

~~(24)~~ **(23)** P.L.18-1995, SECTION 147 (concerning general fund appropriations to the public defense fund).

~~(25)~~ **(24)** P.L.70-1995, SECTION 12 (concerning appropriations from the fire and building services fund to the firefighting equipment revolving loan fund).

~~(26)~~ **(25)** P.L.104-1995, SECTIONS 5 through 14 (concerning several appropriations to the state police department or the state police pension fund for carrying out the purposes of IC 10-1-1-4.5 (subsequently repealed)).

~~(27)~~ **(26)** P.L.340-1995, SECTION 34 (concerning the liability of the Indiana port commission to repay the state for certain appropriations made in 1965).

~~(28)~~ **(27)** P.L.13-1996, SECTION 4 (concerning appropriations for construction of certain correctional facilities).

~~(29)~~ **(28)** P.L.202-1997, SECTION 8 (concerning general fund appropriations for the Indiana conference for legal education opportunity).

~~(30)~~ **(29)** P.L.260-1997, SECTION 30 (concerning appropriations for the computer contingency fund).

~~(31)~~ **(30)** P.L.260-1997, SECTION 33 (concerning transfers from the state general fund to the local road and street fund).

~~(32)~~ **(31)** P.L.260-1997, SECTION 37 (authorizing the state armory board to transfer money to the Indiana war memorials commission).

~~(33)~~ **(32)** P.L.260-1997, SECTION 98 (directing the auditor of state to make certain distributions).

~~(34)~~ **(33)** P.L.260-1997, SECTION 100 (canceling a certain appropriation made by P.L.340-1995).

HEA 1001 — CC 1



- (35) P.L.260-1997, SECTION 103 (concerning an appropriation from the lottery and gaming surplus account of the build Indiana fund to the electronic and enhanced access fund):
- (36) (34) P.L.273-1999, SECTION 34 (canceling certain appropriations).
- (37) (35) P.L.273-1999, SECTION 35 (directing the auditor of state to make certain distributions).
- (38) (36) P.L.21-2000, SECTION 12 as amended by P.L.291-2001, SECTION 79 (concerning transfer of money between the tobacco settlement fund and the Indiana tobacco master settlement agreement fund and related appropriations).
- (39) (37) P.L.26-2001, SECTION 2 (concerning the use of appropriations from the Indiana economic development partnership fund).
- (40) (38) P.L.291-2001, SECTION 36 (concerning additional appropriations).
- (41) (39) P.L.291-2001, SECTION 39 (concerning the cancellation of appropriations made under P.L.273-1999, SECTION 33 relating to the Mount Hermon Youth Organization and making an appropriation to GEMS, Inc.).
- (42) P.L.291-2001, SECTION 45 (concerning deposits to the Build Indiana Fund):
- (43) (40) P.L.291-2001, SECTION 48 (concerning Medicaid appropriations).
- (44) (41) P.L.291-2001, SECTION 79 (concerning transfer of money between the tobacco settlement fund and the Indiana tobacco master settlement agreement fund and related appropriations).
- (45) P.L.291-2001, SECTION 235 (concerning build Indiana fund appropriations for the Jennings County Economic Development Corporation):
- (46) (42) P.L.178-2002, SECTION 155 as amended by P.L.1-2003, SECTION 110 (concerning appropriations to state educational institutions).
- (47) (43) P.L.192-2002, SECTION 209 as amended by P.L.224-2003, SECTION 176 (concerning appropriations for the twenty-first century research and technology fund).
- (48) (44) P.L.1-2003, SECTION 110 (concerning appropriations to state educational institutions).
- (49) P.L.224-2003, SECTION 176 (concerning appropriations from the build Indiana fund to the twenty-first century research and technology fund):
- (50) (45) The following statutes (concerning appropriations to the department of local government finance from the assessment training fund): P.L.1-2004, SECTION 83; P.L.23-2004, SECTION 86.
- (51) (46) P.L.51-2004, SECTION 12 (concerning appropriations to the budget agency to implement IC 27-8-10-2.1(g)).
- (52) (47) P.L.58-2006, SECTION 11 (concerning appropriations for statutory fee remission related to dependents of veterans with disabilities).
- (53) (48) P.L.187-2006, SECTION 20 (concerning appropriations to the department of homeland security to provide training).
- (54) (49) P.L.218-2007, SECTION 62 (annually transferring money from the state general fund to the Indiana tobacco use prevention and cessation trust fund and related appropriations).
- (55) (50) P.L.227-2007, SECTION 73 (concerning return of excess money by a county to the state from the property tax refunds appropriation made by HEA 1001-2007).
- (56) P.L.234-2007, SECTION 299 (concerning appropriations from the build Indiana fund for public water supply systems serving Ripley, Decatur, and Jennings counties):
- (57) (51) P.L.1-2008, SECTION 10 (concerning transfers of money between the state general fund and the property tax reduction trust fund).
- (58) (52) P.L.32-2008, SECTION 9 (transferring an appropriation from the department of labor, bureau of safety education and training to INSafe).

HEA 1001 — CC 1



~~(59)~~ **(53)** P.L.107-2008, SECTION 19 (transferring money from bureau of motor vehicles to the Indiana criminal justice institute for licensing of commercial driver training schools and instructors).

~~(60)~~ **(54)** P.L.146-2008, SECTION 851 (appropriating money from the state general fund to the property tax replacement fund board).

~~(61)~~ **(55)** P.L.146-2008, SECTION 859 (appropriating money from the state general fund to the state forestry fund).

~~(62)~~ **(56)** P.L.146-2008, SECTION 860 (appropriating money from the state general fund to the state fair fund).

~~(63)~~ **(57)** P.L.182-2009, SECTIONS 36, 37, 47, and 48 (concerning use of funds under the American Recovery and Reinvestment Act of 2009).

~~(64)~~ **(58)** P.L.182-2009, SECTION 39 (requiring certain reversions of appropriations).

~~(65)~~ **(59)** P.L.182-2009, SECTION 46 (concerning appropriations for a trauma care center in Gary).

SECTION 36. IC 1-1-2-3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:** **Sec. 3. It is the policy of the state that no person may be denied coverage for a preexisting condition under a plan of health coverage offered or administered by the state, including the following:**

(1) A state employee health plan offered under IC 5-10-8.

(2) Medicaid under IC 12-15, including the healthy Indiana plan under IC 12-15-44.2.

(3) The children's health insurance program under IC 12-17.6.

SECTION 37. IC 1-3-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:**

Chapter 2.2. Indiana-Michigan Boundary Line Commission

Sec. 1. As used in this chapter, "boundary county" refers to any of the following:

(1) Elkhart County.

(2) LaGrange County.

(3) LaPorte County.

(4) St. Joseph County.

(5) Steuben County.

Sec. 2. As used in this chapter, "commission" refers to the Indiana-Michigan boundary line commission established by section 3 of this chapter.

Sec. 3. The Indiana-Michigan boundary line commission is established.

Sec. 4. (a) The commission consists of five (5) members appointed by the governor.

(b) Each commission member must be a surveyor registered under IC 25-21.5.

(c) One (1) member of the commission must be appointed from each of the boundary counties.

(d) The commission's chair must be:

(1) a commission member; and

(2) elected by a majority of the commission members.

Sec. 5. (a) A commission member is not entitled to compensation for service on the commission.

(b) A commission member is entitled to reimbursement for expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 6. The commission shall meet at least four (4) times each year.

Sec. 7. (a) The commission shall administer and oversee a survey and remonumentation of the Indiana-Michigan border.



- (b) The survey required by this section shall install relatively permanent monumentation at:
- (1) the mile post positions and at other positions at or near lakes and large rivers as established by the original government survey of October 1827; or
 - (2) where necessary, witness corners to the positions referred to in subdivision (1).

However, the commission may not replace lost corner positions if the state of Michigan does not participate in the project as authorized by Michigan law.

(c) The commission may procure professional surveying services through the Indiana department of administration. A contract for surveying services entered into under this subsection must be awarded to a company incorporated in Indiana.

(d) The commission shall review the survey upon completion of each mile post.

(e) Upon completion of the survey, the commission shall submit the survey to the general assembly for ratification.

(f) If the survey is ratified by the general assembly under subsection (e), the commission shall file with the state land office established by IC 14-18-1.5-1 and with the county recorder's office of each boundary county:

- (1) a copy of the survey;
- (2) a written report outlining substantive facts, evidence, and details relating to the survey; and
- (3) appropriate references, and coordinates based on any coordinate system published by an agency of the state or federal government, for:
 - (A) each mile post;
 - (B) each post originally set at or near the shores of lakes or large rivers; and
 - (C) any witness corners;

as determined under this chapter.

Sec. 8. This chapter expires July 1, 2025.

SECTION 38. IC 3-11-6.5-2, AS AMENDED BY P.L.128-2015, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) In accordance with 52 U.S.C. 21004, the election administration assistance fund is established for the following purposes:

- (1) As provided by 52 U.S.C. 21001, to carry out activities to improve the administration of elections for federal office.
- (2) As provided by 52 U.S.C. 21001, to use funds provided to the state under Title II, Subtitle D, Part I of HAVA (52 U.S.C. 21001 through 52 U.S.C. 21008) as a reimbursement of costs in obtaining voting equipment that complies with 52 U.S.C. 21081 if the state obtains the equipment after November 7, 2000.
- (3) As provided by 52 U.S.C. 21001, to use funds provided to the state under Title II, Subtitle D, Part I of HAVA (52 U.S.C. 21001 through 52 U.S.C. 21008) as a reimbursement of costs in obtaining voting equipment that complies with 52 U.S.C. 21081 under a multiyear contract incurred after December 31, 2000.
- (4) For reimbursing counties for the purchase of new voting systems or for the upgrade or expansion of existing voting systems that would not qualify for reimbursement under subdivision (2) or (3).

(b) The fund consists of the following:

- (1) Money appropriated to the fund by the general assembly. ~~including any money appropriated from the build Indiana fund.~~
- (2) All money allocated to the state by the federal government:

HEA 1001 — CC 1



- (A) under Section 101 of HAVA (52 U.S.C. 20901), as required by 52 U.S.C. 20904;
 - (B) under Section 102 of HAVA (52 U.S.C. 20902), as required by 52 U.S.C. 20904;
 - (C) under Title II, Subtitle D, Part I of HAVA (52 U.S.C. 21001 through 52 U.S.C. 21008); and
 - (D) under any other program for the improvement of election administration.
- (3) Proceeds of bonds issued by the Indiana bond bank for improvement of voting systems as authorized by law.

The auditor of state shall establish an account within the fund for money appropriated by the general assembly and separate accounts within the fund for any money received by the state from the federal government for each source of allocations described under subdivision (2). Proceeds of bonds issued by the Indiana bond bank under subdivision (3) may be deposited into any account, as determined by the election division.

(c) The secretary of state shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the Section 101 account of the fund. If money is not available for this purpose in the Section 101 account of the fund, the expenses of administering the fund shall be paid from money appropriated under subsection (b)(1).

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund and allocated among the accounts within the fund according to the balances of the respective accounts.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(g) Money in the fund is appropriated continuously for the purposes stated in subsection (a).

SECTION 39. IC 4-1-12-1, AS ADDED BY P.L.160-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. **(a) Except as provided in subsection (b)**, as used in this chapter, "Patient Protection and Affordable Care Act" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), as amended from time to time, and regulations or guidance issued under those acts.

(b) As used in section 5 of this chapter, "Patient Protection and Affordable Care Act" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), and regulations or guidance issued under those acts, all as in effect on January 1, 2019.

SECTION 40. IC 4-1-12-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. **(a) As used in this section, "preexisting condition exclusion" has the meaning set forth in 45 CFR 144.103, as in effect on January 1, 2019.**

(b) Notwithstanding any other law:

(1) 42 U.S.C. 300gg-3;

(2) 45 CFR 147.108; and

(3) all other provisions of the Patient Protection and Affordable Care Act concerning preexisting condition exclusions;

and the protections therein and in effect on January 1, 2019, are in effect and must be enforced in Indiana, regardless of the legal status of the Patient Protection and Affordable Care Act.

SECTION 41. IC 4-2-6-15, AS ADDED BY P.L.114-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This section does not apply to the following:



- (1) A communication made by the governor concerning the public health or safety.
- (2) A communication:
 - (A) that a compelling public policy reason justifies the state officer to make; and
 - (B) the expenditure for which is approved by the budget agency after an advisory recommendation from the budget committee.

(3) A communication:

- (A) posted or maintained on a state owned Internet web site; or**
- (B) that relates to the official duties of the state officer and that is not made for commercial broadcast or dissemination to the general public.**

(4) Information posted on social media in accordance with section 15.5 of this chapter.

(b) This section does not prohibit a state officer from using in a communication the title of the office the state officer holds.

(c) As used in this section, "communication" refers only to the following:

- (1) An audio communication.
- (2) A video communication.
- (3) A print communication in a newspaper (as defined in IC 5-3-1-0.4).

(d) A state officer may not use the state officer's name or likeness in a communication paid for entirely or in part with appropriations made by the general assembly, regardless of the source of the money.

(e) A state officer may not use the state officer's name or likeness in a communication paid for entirely or in part with:

- (1) money from the securities division enforcement account established under IC 23-19-6-1(f); or
- (2) appropriations from the state general fund made under IC 23-19-6-1(f).

SECTION 42. IC 4-2-6-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15.5. (a) The following definitions apply throughout this section:**

(1) "Social media" means an Internet web page or any other form of electronic communication through which users create or use online communities to share information.

(2) "State funds" means funds derived, in whole or in part, from:

- (A) appropriations made by the general assembly;**
- (B) money from the securities division enforcement account established by IC 23-19-6-1(f);**
- or**
- (C) appropriations from the state general fund made under IC 23-19-6-1(f).**

(b) Except as provided in subsection (c), a state officer may use state funds to create, develop, and post information on social media if the information relates to the official duties of the state officer. Notwithstanding section 15(e) of this chapter, information posted on social media may include the name and likeness of the state officer.

(c) A state officer may not use state funds to:

- (1) post information on social media if the social media service provider requires payment for the posting, without approval from the budget committee established by IC 4-12-1-3, consistent with the requirements set forth in section 15(a)(2) of this section; or**
- (2) pay a nongovernmental entity to create, develop, or post information on social media;**

if the post includes the name or likeness of the state officer. However, this subsection does not prohibit the state officer from using state funds to pay a nongovernmental entity that is not the social media service provider for ancillary or de minimis expenses incurred in posting information



on social media, such as the costs of transmitting data by means of the Internet or a cellular telephone network to the social media service provider.

SECTION 43. IC 4-3-22-4, AS AMENDED BY P.L.269-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: 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) (E) 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 44. IC 4-3-22-18.2 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 18.2: The OMB shall, not later than December 1 each year, submit to the budget committee the following reports concerning post-employment benefits (as defined in IC 5-10-16-5):~~

- ~~(1) The report prepared by the OMB for state agencies under IC 5-10-16-7.~~
- ~~(2) Reports received from state educational institutions under IC 21-38-3-13.~~

SECTION 45. IC 4-3-22-19 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 19: The OMB shall, not later than October 1 each year, submit to the interim study committee on pension management oversight a written report that summarizes and analyzes the retirement plan information received for the immediately preceding state fiscal year under IC 5-11-20. The report must be in an electronic format under IC 5-14-6.~~

SECTION 46. IC 4-3-24-1, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. As used in this chapter, "office" means the office of state based initiatives established by section 3 of this chapter. "budget agency" means the budget agency created by IC 4-12-1-3.

SECTION 47. IC 4-3-24-3 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 3: (a) The Indiana office of state based initiatives is established.~~

- ~~(b) The governor shall appoint the director of the office.~~

SECTION 48. IC 4-3-24-4, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. In coordination with state agencies, the office budget agency shall:

- (1) review the state's federal grant opportunities; and all federal assistance received by state agencies;
- (2) subject each federal grant assistance opportunity to a cost-benefit analysis that will measure measures the fiscal impact and regulatory impact of the grant federal assistance to determine whether or not the federal grant assistance opportunity should be pursued;
- (3) prepare and administer an indirect cost allocation plan for managing federal assistance;
- (4) establish policies regarding federal assistance management by state agencies; and



(5) maintain an information system on federal assistance programs.

SECTION 49. IC 4-3-24-5, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. A state agency may not:

- (1) participate in a apply for federal grant opportunity assistance;**
- (2) accept federal assistance;**
- (3) submit or accept amendments for federal assistance; or**
- (4) make expenditures with state funds in anticipation of federal assistance;**

unless the state agency has received approval to do so from the ~~office:~~ **budget agency.**

SECTION 50. IC 4-3-24-6, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A state agency that receives federal funds must develop, in coordination with the ~~office;~~ **budget agency,** a ~~block grant contingency comprehensive federal assistance review~~ plan that does at least **all of** the following:

- (1) Evaluates ~~whether and~~ how Indiana could use federal funds more effectively without federal constraints, including an evaluation of opportunities for interagency collaboration.
- (2) Identifies **federal constraints, mandates, and regulations that prevent Indiana from using federal assistance more effectively.**
- (3) Identifies specific action items that are significant in solving issues caused by federal mandates and regulations: recommendations to use federal funds more effectively in the manner identified in subdivision (1).**

(b) A state agency subject to subsection (a) must

- ~~(1) submit a block grant contingency comprehensive federal assistance review plan to the office before November 1, 2015; and budget agency before November 1 of each odd-numbered year thereafter; and~~
- ~~(2) update the block grant contingency plan regularly and provide any updates to the office.~~

SECTION 51. IC 4-3-24-7, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The ~~office~~ **budget agency** shall ~~before January 1 of each year~~ publish an annual report that includes the following:

~~(1) A state block grant contingency~~

summarizing the federal assistance received by state agencies during the preceding federal fiscal year, including:

- (1) a list of all federal assistance that state agencies received;**
- (2) the state match requirements and maintenance of effort requirements for each federal assistance program; and**
- (3) the federal assistance agreement start and end date.**

(b) ~~The budget agency shall publish a comprehensive federal assistance review plan that incorporates each state agency's block grant contingency plan and related findings by the office.~~ **findings and recommendations under section 6 of this chapter.** The state ~~block grant contingency comprehensive federal assistance review~~ plan ~~must~~ **may** include options for coordination among state agencies to address issues caused by federal mandates and regulations. ~~(2)~~

~~(c) The budget agency shall perform a study review of the current impact and projected future impact of federal mandates and regulations on Indiana. The study shall be prepared by studying the data, surveying businesses, and speaking with citizens of Indiana.~~

~~(b) (d) The office~~ **budget agency** shall submit the annual report ~~and any other published reports of the office and any findings of the office~~ to the governor, to the members of the United States Congress



representing Indiana, **the budget committee, the interim study committee on fiscal policy,** and (in an electronic format under IC 5-14-6) to the legislative council.

(e) The budget agency, in collaboration with state agencies, shall maintain on its Internet web site a list of all federal grant applications made by state agencies, award notices, and grant amendments. A state agency that applies for a federal grant must provide the application submitted to the federal government to the budget agency within sixty (60) days of applying for the grant. State agencies shall provide a copy of each award notice and grant amendment approval to the budget agency within sixty (60) days of receiving it.

SECTION 52. IC 4-3-24-8, AS ADDED BY P.L.213-2015, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. **(a) In accordance with federal law, the office budget agency shall serve as the state's single point of contact under Presidential Executive Order 12372 to review and coordinate proposed federal financial assistance and direct federal development.**

(b) All state agencies must go through the intergovernmental review process for federal assistance, regardless of whether the federal program is covered under Presidential Executive Order 12372.

SECTION 53. IC 4-6-3-2.3 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 2.3. When the attorney general proposes language to a court or settlement committee for the purpose of a court order, the attorney general shall include language specifically permitting settlement funds to be used for any purpose allowable under state law.~~

SECTION 54. IC 4-6-3-2.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.4. **(a) Except as provided in subsection (b) or (c), the attorney general may not agree to a settlement agreement on behalf of the state of Indiana or a state agency unless the settlement agreement includes language specifying that all settlement funds may be used for any purpose allowable under Indiana law.**

(b) The attorney general may agree to a settlement requiring settlement funds to be used for the specific purpose set forth in the settlement agreement if:

- (1) a federal statute;**
- (2) a federal regulation; or**
- (3) a court having jurisdiction;**

requires that settlement funds be used for the specific purpose set forth in the settlement agreement.

(c) The attorney general may agree to a settlement requiring settlement funds to be used for the specific purpose set forth in the settlement agreement if the governor, after consultation with the attorney general, has approved the proposed settlement in writing.

(d) If the specific purpose requirement described in subsection (b) only applies to a portion of the settlement funds, the attorney general may agree to the settlement only if the settlement agreement specifies that the remaining settlement funds may be used for any purpose allowable under Indiana law.

(e) Not later than thirty (30) days after the court approves a settlement requiring some or all settlement funds to be used for the specific purpose set forth in the settlement agreement, the attorney general shall provide the legislative council with a:

- (1) copy of the settlement agreement; and**
- (2) concise outline of the settlement agreement.**

The settlement agreement and outline must be provided in an electronic format under IC 5-14-6.

SECTION 55. IC 4-10-21-6, AS AMENDED BY P.L.146-2008, SECTION 12, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The following expenditures that would otherwise be subject to this chapter shall be excluded from all computations and determinations related to a state spending cap:

- (1) Expenditures derived from money deposited in the state general fund and the counter-cyclical revenue and economic stabilization fund from any of the following:
 - (A) Gifts.
 - (B) Federal funds.
 - (C) Dedicated funds.
 - (D) Intergovernmental transfers.
 - (E) Damage awards.
 - (F) Property sales.
- (2) Expenditures for any of the following:
 - (A) Transfers of money among the state general fund and the counter-cyclical revenue and economic stabilization fund.
 - (B) Reserve fund deposits.
 - (C) Refunds of intergovernmental transfers.
 - (D) Payment of judgments against the state and settlement payments made to avoid a judgment against the state, other than a judgment or settlement payment for failure to pay a contractual obligation or a personnel expenditure.
 - (E) Distributions or allocations of state tax revenues to a unit of local government under IC 36-7-13, IC 36-7-26, IC 36-7-27, IC 36-7-31, or IC 36-7-31.3.
 - (F) Motor vehicle excise tax replacement payments that are derived from amounts transferred to the state general fund from the lottery and gaming surplus account of the build Indiana fund.
 - (G) Distributions of state tax revenues collected under IC 7.1 that are payable to cities and towns.

SECTION 56. IC 4-12-1-3, AS AMENDED BY P.L.215-2016, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A budget agency is created as an agency of the state. A director, appointed by the governor to serve at the governor's will and pleasure, shall be the chief executive officer of the agency and shall be known as the budget director. The director shall receive the salary fixed by the governor and shall give all of the director's time to the director's office and the budget agency. The director shall execute a bond as shall be approved by the governor, conditioned for the faithful discharge of the director's official duties, and an oath of office, and both shall be filed with the secretary of state.

(b) A budget committee consisting of five (5) regular members and ~~four (4)~~ **six (6)** alternate members is established: One (1) regular member is the budget director, while in office. The four (4) remaining regular members must be legislators selected in the following manner. Two (2) members must be senators appointed by the president pro tempore of the senate, one (1) of whom shall be nominated by the leader of the minority political party of the senate. Two (2) members must be representatives appointed by the speaker of the house of representatives, one (1) of whom shall be nominated by the leader of the minority political party of the house of representatives. Legislative appointments to the budget committee shall be made within fifteen (15) days after the official selection of the president pro tempore of the senate and the speaker of the house of representatives. Each member appointed by the president pro tempore of the senate and each member appointed by the speaker of the house of representatives shall serve at the will and pleasure of the member's respective appointing leadership or until the member's term as a member of the general assembly expires, whichever is shorter. Vacancies occurring in the legislative appointments



to the budget committee shall be filled for the unexpired term by the president pro tempore of the senate or speaker of the house last elected in like manner as if appointment to the vacant offices were being made originally. Nominations shall be made by the persons above mentioned in this section who were elected and selected at the last preceding session of the general assembly. When there is no legislative officer entitled to fill vacancies, the governor shall fill the vacancies from among members and members-elect of the senate and of the house of representatives who are members of the same house and political party as the vacating member. Any appointee of the governor shall serve for the unexpired term of the vacating member or until the first day of the next session of the general assembly.

(c) The ~~four (4)~~ **six (6)** alternate members of the budget committee must be **four (4)** legislators selected in the manner described in this section for the appointment of the four (4) regular legislative members of the budget committee **and the two (2) deputy budget directors appointed under section 4 of this chapter. The budget director shall designate the order in which the deputy directors will serve in the place and stead of the budget director in the event of the budget director's disability or absence with regard to the budget committee.** An alternate member is entitled to participate in the budget committee meetings in the same manner as the regular members, except that the alternate member is entitled to vote only if the regular member from the alternate member's respective house and political party is not present for the vote. **The alternate member for the budget director is entitled to vote only if the budget director is not present.** The alternate members shall serve the same term of office as the regular members of the budget committee.

SECTION 57. IC 4-12-1-9, AS AMENDED BY P.L.174-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The budget agency shall assist the budget committee in the preparation of the budget report and the budget bill, using the recommendations and estimates prepared by the budget agency and the information obtained through investigation and presented at hearings. The budget committee shall consider the data, information, recommendations and estimates before it and, to the extent that there is agreement on items, matters, and amounts between the budget agency and a majority of the members of the budget committee, the committee shall organize and assemble a budget report and a budget bill or budget bills. In the event the budget agency and a majority of the members of the budget committee shall differ upon any item, matter, or amount to be included in such report and bills, the recommendation of the budget agency shall be included in the budget bill or bills, and the particular item, matter, or amount, and the extent of and reasons for the differences between the budget agency and the budget committee shall be stated fully in the budget report. The budget committee shall submit the budget report and the budget bill or bills to the governor before:

- (1) the second Monday of January in the year immediately following the calendar year in which the budget report and budget bill or bills are prepared, if the budget report and budget bill or bills are prepared in a calendar year other than a calendar year in which a gubernatorial election is held; or
- (2) the third Monday of January, if the budget report and budget bill or bills are prepared in the same calendar year in which a gubernatorial election is held.

The governor shall deliver to the house members of the budget committee such bill or bills for introduction into the house of representatives.

(b) Whenever during the period beginning thirty (30) days prior to a regular session of the general assembly the budget report and budget bill or bills have been completed and printed and are available for distribution, upon the request of a member of the general assembly an informal distribution of one (1) copy of each such document shall be made by the budget committee to such members. During business hours, and as may be otherwise required during sessions of the general assembly, the budget agency shall



make available to the members of the general assembly so much as they shall require of its accumulated staff information, analyses and reports concerning the fiscal affairs of the state and the current budget report and budget bill or bills.

(c) The budget report shall include at least the following parts:

(1) A statement of budget policy, including but not limited to recommendations with reference to the fiscal policy of the state for the coming budget period, and describing the important features of the budget.

(2) A general budget summary setting forth the aggregate figures of the budget to show the total proposed expenditures and the total anticipated income, and the surplus or deficit.

(3) The detailed data on actual receipts and expenditures for the previous fiscal year or two (2) fiscal years depending upon the length of the budget period for which the budget bill or bills is proposed, the estimated receipts and expenditures for the current year, and for the ensuing budget period, and the anticipated balances at the end of the current fiscal year and the ensuing budget period. Such data shall be supplemented with necessary explanatory schedules and statements, including a statement of any differences between the recommendations of the budget agency and of the budget committee.

(4) A description of the capital improvement program for the state and an explanation of its relation to the budget.

(5) The budget bills.

~~(6) A list of tax expenditures for individual income tax and corporate income tax under IC 6-3-1 for the previous fiscal year, the current fiscal year, and the ensuing budget period.~~

(6) The tax expenditure report prepared by the legislative services agency under IC 2-5-3.2-2.

(7) For each appropriation in the governor's recommended budget bill that is made to a state provider, as defined in IC 22-4.1-1-5.5, for a workforce related program, as defined in IC 22-4.1-1-7, a summary and justification for the workforce related program.

(d) The budget report shall cover and include all special and dedicated revenue funds as well as the general revenue fund and shall include the estimated amounts of federal aids, for whatever purpose provided, together with estimated expenditures therefrom.

(e) The budget agency shall furnish the governor with any further information required concerning the budget, and upon request shall attend hearings of committees of the general assembly on the budget bills.

SECTION 58. IC 4-30-16-3, AS AMENDED BY P.L.127-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The commission shall transfer the surplus revenue in the administrative trust fund as follows:

(1) Before the last business day of January, April, July, and October, the commission shall transfer seven million five hundred thousand dollars (\$7,500,000) of the surplus revenue to the Indiana public retirement system for credit, as determined by the board of trustees of the Indiana public retirement system:

(A) first, to the pension stabilization fund established by IC 5-10.4-2-5, to be used as a credit against the unfunded accrued liability of the pre-1996 account (as defined by IC 5-10.4-1-12); and

(B) second, to one (1) or more of the supplemental allowance reserve accounts established under:

(i) IC 2-3.5-3-2(c) (for the legislators' defined benefit plan);

(ii) IC 5-10-5.5-4(c) (for the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan);

HEA 1001 — CC 1



- (iii) IC 5-10.2-2-2(a)(3) (for the public employees' retirement fund); or
- (iv) IC 5-10.2-2-2(c)(3) (for the Indiana state teachers' retirement fund).

(2) Before the last business day of January, April, July, and October, the commission shall transfer seven million five hundred thousand dollars (\$7,500,000) of the surplus revenue to the treasurer of state for deposit in the pension relief fund (IC 5-10.3-11).

(3) The surplus revenue remaining in the fund on the last day of January, April, July, and October after the transfers under subdivisions (1) and (2) shall be transferred by the commission to the treasurer of state for deposit on that day in the **build Indiana lottery surplus** fund.

(b) The commission may make transfers to the treasurer of state more frequently than required by subsection (a). However, the number of transfers does not affect the amount that is required to be transferred for the purposes listed in subsection (a)(1) and (a)(2). Any amount transferred during the month in excess of the amount required to be transferred for the purposes listed in subsection (a)(1) and (a)(2) shall be transferred to the **build Indiana lottery surplus** fund.

SECTION 59. IC 4-30-17-0.1 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 0.1: The amendments made to this chapter by P.L.33-1990 apply as follows:~~

(1) ~~The amendments made to section 10 of this chapter and to sections 1, 4, 5, 7, 8, and 9 of this chapter (before their repeal) apply to vehicles registered after December 31, 1990.~~

(2) ~~The addition of section 3.5 of this chapter and section 7.5 of this chapter (repealed) applies to vehicles registered after December 31, 1990.~~

SECTION 60. IC 4-30-17-2 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 2: As used in this chapter, "eligible recipient" means the following:~~

(1) ~~Any political subdivision (as defined in IC 36-1-2-13).~~

(2) ~~A volunteer fire department (as defined in IC 36-8-12-2) or another group recognized by a political subdivision (as defined in IC 36-1-2-13) as a group providing firefighting or other emergency services to the area served by the political subdivision; the majority of members of which receive no compensation or nominal compensation for their services.~~

(3) ~~A corporation, community chest, community fund, or community foundation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.~~

(4) ~~The state.~~

(5) ~~A state educational institution.~~

(6) ~~Any body corporate and politic that serves as an instrumentality of the state.~~

SECTION 61. IC 4-30-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:
 Sec. 3. There is established the **build Indiana lottery surplus** fund to receive deposits of surplus lottery revenues collected under this article. The fund shall be administered by the treasurer of state. The treasurer of state shall invest the money in the fund that is not needed to meet the obligations of the fund in the same manner as other public funds are invested. ~~Money~~ **The auditor of state shall transfer the balance** in the fund at the end of a state fiscal year ~~does not revert~~ to the state general fund.

SECTION 62. IC 4-30-17-3.3 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 3.3: (a) As used in this section, "build Indiana fund account" means any of the following accounts in the build Indiana fund established by section 3 of this chapter:~~

(1) ~~The state and local projects account.~~

(2) ~~The lottery and gaming surplus account.~~

(3) ~~The job creation and economic development account.~~

(b) ~~As used in this section, "capital project" has the meaning set forth in section 4.1 of this chapter;~~



as amended by P.L.186-2002.

(c) As used in this section, "eligible recipient" has the meaning set forth in section 2 of this chapter, as amended by P.L.186-2002.

(d) Any reference to a build Indiana fund account in a law, agreement, or other document that was created before March 28, 2002, shall be treated on and after March 28, 2002, as a reference to the build Indiana fund.

(e) If an eligible recipient submitted an application to the state for funding from the build Indiana fund before March 28, 2002, and the budget agency has available to it the information necessary to process the application, the budget agency shall use the information to process the application without requiring resubmission of the information on any particular form or in a different format.

SECTION 63. IC 4-30-17-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3.5. (a) Before the twenty-fifth day of the month, the auditor of state shall transfer from the **build Indiana lottery surplus** fund to the state general fund motor vehicle excise tax replacement account nineteen million six hundred eighty-four thousand three hundred seventy dollars (\$19,684,370) **seven hundred one thousand three hundred forty-four dollars (\$19,701,344)** per month.

(b) This subsection applies only if insufficient money is available in the **build Indiana lottery surplus** fund to make the distributions to the state general fund motor vehicle excise tax replacement account that are required under subsection (a). Before the twenty-fifth day of each month, the auditor of state shall transfer from the state general fund to the state general fund motor vehicle excise tax replacement account the difference between:

- (1) the amount that subsection (a) requires the auditor of state to distribute from the **build Indiana lottery surplus** fund to the state general fund motor vehicle excise tax replacement account; and
- (2) the amount that is available for distribution from the **build Indiana lottery surplus** fund to the state general fund motor vehicle excise tax replacement account.

The transfers required under this subsection are annually appropriated from the state general fund.

SECTION 64. IC 4-30-17-4.1 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 4.1. (a) Money credited to the build Indiana fund, after making the disbursements required under section 3.5 of this chapter, may be used only for:~~

- ~~(1) state or local capital projects that are managed or carried out by an eligible recipient; or~~
- ~~(2) deposit in a revolving loan fund for capital projects.~~

~~(b) An expenditure of money from the build Indiana fund for a state or local capital project must be certified by the budget agency to the budget committee under section 4.5 of this chapter before the project may be reviewed and approved under section 10 of this chapter.~~

(c) As used in this chapter, "capital project" refers to a capital project to which the general assembly has appropriated money from the build Indiana fund by project name, name of an eligible recipient, or other description of the capital project. The term includes:

- (1) the construction of airports, airport facilities, and local street and road projects;
- (2) an airport development project that is eligible for a grant or loan under IC 8-21-11; and
- (3) any other:
 - (A) acquisition of land;
 - (B) site improvements;
 - (C) infrastructure improvements;
 - (D) construction of buildings or structures;
 - (E) rehabilitation, renovation, or enlargement of buildings or structures; or



(F) acquisition or improvement of machinery, equipment, furnishings, or facilities; (or any combination of these); that comprises or is functionally related to an activity that serves a governmental; a recreational; a cultural; a community; a health; a charitable; a scientific; a public safety; a literary; or an educational purpose, fosters amateur sports competition; or fosters prevention of cruelty to children:

(d) As used in this chapter, "state project" refers to a capital project that is managed or carried out by an eligible recipient described in section 2(4) through 2(6) of this chapter.

(e) As used in this chapter, "local project" refers to a capital project that is managed or carried out by an eligible recipient described in section 2(1) through 2(3) of this chapter.

(f) In appropriating money from the build Indiana fund for state and local capital projects, the general assembly shall, to the extent practicable, allocate money:

(1) equally among legislative districts for the house of representatives; and

(2) equally among legislative districts for the senate;

without regard to the political affiliation of the member of the general assembly representing the legislative district or the voting preferences of the legislative district.

(g) In reviewing and approving projects under section 10 of this chapter, the budget committee and the governor shall carry out a program under which, to the extent that projects otherwise qualify for funding, money for projects is disbursed:

(1) equally among legislative districts for the house of representatives; and

(2) equally among legislative districts for the senate;

without regard to the political affiliation of the member of the general assembly representing the legislative district or the voting preferences of the legislative district.

SECTION 65. IC 4-30-17-4.5 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 4.5: (a) To receive funding for a state or local capital project, an eligible recipient must provide the budget agency with a project statement on a form prescribed under subsection (b):

(b) The budget agency shall prescribe a project statement form for its use in certifying eligible recipients under this section. The form must require the entity submitting the project statement to provide the following information:

(1) The name, mailing address, federal tax identification number, and state tax identification number of the eligible recipient.

(2) The legal status of the eligible recipient, including whether the eligible recipient is a governmental entity, a state educational institution, a volunteer fire department, or an entity exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

(3) The full name, title, address, and telephone number of the individual who will serve as the contact person for the project and a description of any contractual relationship that the person has with the eligible recipient, if the person is not a member or an employee of the eligible recipient.

(4) A list of the full name and address of any individual who is associated with the eligible recipient and who serves as a presiding officer of a governing board, a managing partner, an officer, or an office manager of the eligible recipient.

(5) The name and a description of the project.

(6) The street or other physical address where the project will be located when completed.

(7) A statement of the need for the project.

(8) An estimate of the total project cost.

(9) The current status of the project, including the percentage of completion at the time the project



statement is submitted, for which funding is requested.

(10) The anticipated completion date for the project.

(11) The amounts of funding previously appropriated or received from the build Indiana fund; including information concerning any funds not spent at the time the project statement is submitted.

(12) An itemization of all other governmental and private sources of funds for the particular project.

(13) The name, position, and telephone number of a contact person associated with any funding source identified under subdivision (12).

(14) The financial institution where all funds received under this chapter will be deposited.

(15) The name, position, and telephone number of a contact person employed by the financial institution listed under subdivision (14).

(16) Any additional or alternative information required by the budget agency.

(c) The budget agency shall review each project statement submitted under this section. If the budget agency determines that:

(1) the project statement is complete;

(2) the recipient qualifies as an eligible recipient; and

(3) an appropriation applies to the eligible recipient and project;

the budget agency shall certify to the budget committee that the eligible recipient and capital project have complied with this section and provide a copy of the project statement to the budget committee.

SECTION 66. IC 4-30-17-10 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 10. Money appropriated from the build Indiana fund may not be expended on a state or local capital project or transferred to a revolving fund for capital projects until the state or local capital project or transfer is reviewed by the budget committee and approved by the governor upon the recommendation of the budget agency.

SECTION 67. IC 4-30-17-11 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 11. (a) Each eligible recipient that is approved to receive money from the build Indiana fund under section 10 of this chapter must, as a condition of receiving money from the build Indiana fund, enter into a funding agreement with the budget agency.

(b) The agreement required under subsection (a) must obligate the eligible recipient to do the following:

(1) Complete the project in conformity with the information in the project statement reviewed and approved under section 10 of this chapter and any subsequent agreements reviewed by the budget committee and approved by the governor, upon recommendation of the budget agency.

(2) Acknowledge, on a form prescribed by the budget agency, the receipt and deposit of money received from the build Indiana fund. The written acknowledgment must include proof that the funds have been deposited in the financial institution listed in the documents described in subdivision (1) and must be submitted to the budget agency within ten (10) business days after receipt of the money.

(3) Account for money received from the build Indiana fund in accordance with generally accepted accounting principles, the accounting guidelines established by the state board of accounts, or an alternative method of accounting approved by the state board of accounts.

(4) Be subject to the audit and the reporting requirements under IC 5-11-1 (state board of accounts); beginning with the year in which money from the build Indiana fund is received and ending with the year in which the project is completed.

(5) Upon request, provide for the contact person specified in the project statement or another person who is knowledgeable about the project to appear and give testimony to the budget committee.



concerning the project.

(6) Submit to the budget agency, on a form prescribed by the budget agency, verification of the completion of the project not later than ten (10) business days after the project is complete.

(7) If a project is not completed by the anticipated completion date specified in the documents described in subdivision (1), submit to the budget agency, on a form prescribed by the budget agency, information as to the reason the project is not complete and the revised completion date of the project. The form must be submitted before the anticipated completion date specified in the documents described in subdivision (1).

(8) Pay reasonable attorney's fees and other reasonable expenses incurred to enforce the provisions of the agreement described in subdivisions (1) through (7), collect reimbursement of project funds under subsection (d), or prosecute a violation of the agreement.

(c) The budget agency shall monitor compliance with the agreement required under subsection (a).

(d) In addition to any other remedy provided by law, if the eligible recipient fails to comply with a condition of the agreement required under subsection (a), the budget agency may, under the procedures set forth in IC 4-21.5, require the entity to repay all the funds distributed to the eligible recipient under this chapter. The budget agency shall give notice of the order under IC 4-21.5-3-4. Money repaid under this section shall be deposited in the build Indiana fund.

SECTION 68. IC 4-30-17-12 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 12. (a) Upon compliance with this chapter, the appropriated amount for the state or local capital project shall be distributed to the eligible recipient. Subject to the review and approval required under section 10 of this chapter, the authorized amount may be distributed as a lump sum distribution in the full amount of the appropriation or in a series of progress payments. Upon receipt of documentation showing that the eligible recipient has paid or is contractually obligated to pay an expenditure for a project, the appropriation may be distributed to the eligible recipient. Before making the initial distribution of money from the build Indiana fund for a state or local capital project, at least seven (7) days notice of the following shall be given to each member of the general assembly who represents the area that will be most benefited by the state or local capital project and each regular member of the budget committee (as determined under IC 4-12-1-3) who is affiliated with the same political party and serves in the same legislative chamber as a member of the general assembly who represents the area:

(1) A copy of the project statement for the project.

(2) The approximate date that the money will be distributed.

(b) Money distributed under this section must be distributed either by:

(1) means of an electronic funds transfer (as defined in IC 4-8.1-2-7); or

(2) delivery of a warrant of the auditor of state by certified mail.

SECTION 69. IC 4-30-17-13 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 13. There is annually appropriated to the budget agency a sufficient amount from the build Indiana fund for the budget agency to:

(1) carry out its responsibilities under this chapter; and

(2) notwithstanding IC 5-11-4-3, pay the expense of examination and investigation of accounts related to a state or local capital project.

SECTION 70. IC 4-31-9-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:
Sec. 3. (a) At the close of each day on which a permit holder or satellite facility operator conducts pari-mutuel wagering on live racing or simulcasts at a racetrack or satellite facility, the permit holder or satellite facility operator shall pay to the department of state revenue a tax on the total amount of money



wagered on that day as follows:

(1) Two percent (2%) of the total amount of money wagered on live races and simulcasts conducted at a permit holder's racetrack.

(2) Two and one-half percent (2.5%) of the total amount of money wagered on simulcasts at satellite facilities, regardless of whether those simulcasts originate from Indiana or another state.

(b) The taxes collected under subsection (a) shall be paid from the amounts withheld under section 1 of this chapter and shall be distributed as follows:

(1) The first one hundred fifty thousand dollars (\$150,000) of taxes collected during each state fiscal year shall be deposited in the veterinary school research account established by IC 4-31-12-22.

(2) The remainder of the taxes collected during each state fiscal year shall be paid into the ~~built~~ **Indiana horse racing commission operating fund (IC 4-31-10)**.

(c) The tax imposed by this section is a listed tax for purposes of IC 6-8.1-1.

SECTION 71. IC 4-31-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Sec. 3. The fund consists of **the following**:

(1) Taxes paid into the fund under IC 4-31-9-3(b)(2).

(2) Transfers from the Indiana horse racing commission under IC 4-35-7-12.5.

(3) Appropriations made by the general assembly.

SECTION 72. IC 4-32.3-7-5, AS ADDED BY HEA 1517-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. Before the last business day of January, April, July, and October, the commission shall, upon approval of the budget agency, transfer the surplus revenue to the treasurer of state for deposit in the ~~built~~ **Indiana lottery surplus fund**.

SECTION 73. IC 4-33-13-5, AS AMENDED BY HEA 1517-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) This subsection does not apply to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, each month the ~~treasurer auditor~~ of state shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

(1) An amount equal to the following shall be set aside for revenue sharing under subsection ~~(e)~~: **(d)**:

(A) Before July 1, 2021, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection ~~(e)~~: **(d)**.

(B) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection ~~(e)~~: **(d)**.

(C) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less ~~then~~ **than** the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state year ending June 30, 2020, an amount equal to the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter multiplied by the result of:

(i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by

(ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020;

HEA 1001 — CC 1



shall be set aside for revenue sharing under subsection ~~(c)~~: **(d)**.

(2) Subject to subsection (c), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:

(A) to the city that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:

(i) a city described in IC 4-33-12-6(b)(1)(A); or

(ii) a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat whose home dock is not in a city described in clause (A).

(3) ~~Subject to subsection (d)~~; The remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the ~~treasurer~~ **auditor** of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the ~~treasurer~~ **auditor** of state may transfer the tax revenue to the state general fund in the immediately following month.

(b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district after June 30, 2015. After funds are appropriated under section 4 of this chapter, each month the ~~treasurer~~ **auditor** of state shall distribute the tax revenue remitted by the operating agent under this chapter as follows:

(1) Fifty-six and five-tenths percent (56.5%) shall be paid to the state general fund.

(2) Forty-three and five-tenths percent (43.5%) shall be paid as follows:

(A) Twenty-two and four-tenths percent (22.4%) shall be paid as follows:

(i) Fifty percent (50%) to the fiscal officer of the town of French Lick.

(ii) Fifty percent (50%) to the fiscal officer of the town of West Baden Springs.

(B) Fourteen and eight-tenths percent (14.8%) shall be paid to the county treasurer of Orange County for distribution among the school corporations in the county. The governing bodies for the school corporations in the county shall provide a formula for the distribution of the money received under this clause among the school corporations by joint resolution adopted by the governing body of each of the school corporations in the county. Money received by a school corporation under this clause must be used to improve the educational attainment of students enrolled in the school corporation receiving the money. Not later than the first regular meeting in the school year of a governing body of a school corporation receiving a distribution under this clause, the superintendent of the school corporation shall submit to the governing body a report describing the purposes for which the receipts under this clause were used and the improvements in educational attainment realized through the use of the money. The report is a public record.

(C) Thirteen and one-tenth percent (13.1%) shall be paid to the county treasurer of Orange County.

(D) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Dubois County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

HEA 1001 — CC 1



(E) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Crawford County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(F) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Paoli.

(G) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Orleans.

(H) Twenty-six and four-tenths percent (26.4%) shall be paid to the Indiana economic development corporation established by IC 5-28-3-1 for transfer as follows:

(i) Beginning after December 31, 2017, ten percent (10%) of the amount transferred under this clause in each calendar year shall be transferred to the South Central Indiana Regional Economic Development Corporation or a successor entity or partnership for economic development for the purpose of recruiting new business to Orange County as well as promoting the retention and expansion of existing businesses in Orange County.

(ii) The remainder of the amount transferred under this clause in each calendar year shall be transferred to Radius Indiana or a successor regional entity or partnership for the development and implementation of a regional economic development strategy to assist the residents of Orange County and the counties contiguous to Orange County in improving their quality of life and to help promote successful and sustainable communities.

To the extent possible, the Indiana economic development corporation shall provide for the transfer under item (i) to be made in four (4) equal installments. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making distributions to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships. The amount paid to the Orange County development commission shall proportionally reduce the amount payable to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships.

(c) For each city and county receiving money under subsection (a)(2), the ~~treasurer~~ **auditor** of state shall determine the total amount of money paid by the ~~treasurer~~ **auditor** of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The ~~treasurer~~ **auditor** of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the ~~treasurer~~ **auditor** of state shall pay that part of the riverboat wagering taxes that:

(1) exceeds a particular city's or county's base year revenue; and

(2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) Each state fiscal year the ~~treasurer~~ of state shall transfer from the tax revenue remitted to the state general fund under subsection (a)(3) to the ~~build~~ Indiana fund an amount that when added to the following



may not exceed two hundred fifty million dollars (\$250,000,000):

- (1) Surplus lottery revenues under IC 4-30-17-3.
- (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32.3-7-5.
- (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the state general fund under subsection (a)(3) to comply with this subsection, the treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount available in the state general fund from the transfers under subsection (a)(3) for the state fiscal year.

(~~e~~) (d) Except as provided in subsections (~~f~~) (k) and (~~m~~), (l), before August 15 of each year, the treasurer auditor of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (~~h~~), (g), the county auditor shall distribute the money received by the county under this subsection as follows:

- (1) To each city located in the county according to the ratio the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio the town's population bears to the total population of the county.
- (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

(~~f~~) (e) Money received by a city, town, or county under subsection (~~e~~) (d) or (~~h~~) (g) may be used for any of the following purposes:

- (1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).
- (2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.
- (3) To fund sewer and water projects, including storm water management projects.
- (4) For police and fire pensions.
- (5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county. Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(~~g~~) (f) Before July 15 of each year, the treasurer auditor of state shall determine the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If the treasurer auditor of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-9), the treasurer auditor of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection (~~i~~), (h), the amount of an entity's supplemental distribution is equal to:

- (1) the entity's base year revenue (as determined under IC 4-33-12-9); minus
- (2) the sum of:
 - (A) the total amount of money distributed to the entity and constructively received by the entity



during the preceding state fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus
(B) the amount of any admissions taxes deducted under IC 6-3.1-20-7.

~~(f)~~ **(g)** This subsection applies only to a county containing a consolidated city. The county auditor shall distribute the money received by the county under subsection ~~(e)~~ **(d)** as follows:

- (1) To each city, other than a consolidated city, located in the county according to the ratio that the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio that the town's population bears to the total population of the county.
- (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be paid in equal amounts to the consolidated city and the county.

~~(f)~~ **(h)** This subsection applies to a supplemental distribution made after June 30, 2017. The maximum amount of money that may be distributed under subsection ~~(g)~~ **(f)** in a state fiscal year is equal to the following:

- (1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).
- (2) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is forty-eight million dollars (\$48,000,000).
- (3) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is equal to the result of:
 - (A) forty-eight million dollars (\$48,000,000); multiplied by
 - (B) the result of:
 - (i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by
 - (ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020.

If the total amount determined under subsection ~~(g)~~ **(f)** exceeds the maximum amount determined under this subsection, the amount distributed to an entity under subsection ~~(g)~~ **(f)** must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 or IC 4-33-12-8 bears to the total amount distributed under IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental distribution.

~~(f)~~ **(i)** This subsection applies to a supplemental distribution, if any, payable to Lake County, Hammond, Gary, or East Chicago under subsections ~~(g)~~ **(f)** and ~~(f)~~ **(h)**. Beginning in July 2016, the ~~treasurer~~ **auditor** of state shall, after making any deductions from the supplemental distribution required by IC 6-3.1-20-7, deduct from the remainder of the supplemental distribution otherwise payable to the unit under this section the lesser of:

- (1) the remaining amount of the supplemental distribution; or
- (2) the difference, if any, between:
 - (A) three million five hundred thousand dollars (\$3,500,000); minus
 - (B) the amount of admissions taxes constructively received by the unit in the previous state fiscal year.



The ~~treasurer~~ **auditor** of state shall distribute the amounts deducted under this subsection to the northwest Indiana redevelopment authority established under IC 36-7.5-2-1 for deposit in the development authority revenue fund established under IC 36-7.5-4-1.

~~(k)~~ **(j)** Money distributed to a political subdivision under subsection (b):

- (1) must be paid to the fiscal officer of the political subdivision and may be deposited in the political subdivision's general fund or riverboat fund established under IC 36-1-8-9, or both;
- (2) may not be used to reduce the maximum levy under IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate of a school corporation, but, except as provided in subsection (b)(2)(B), may be used at the discretion of the political subdivision to reduce the property tax levy of the county, city, or town for a particular year;
- (3) except as provided in subsection (b)(2)(B), may be used for any legal or corporate purpose of the political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and
- (4) is considered miscellaneous revenue.

Money distributed under subsection (b)(2)(B) must be used for the purposes specified in subsection (b)(2)(B).

~~(h)~~ **(k)** After June 30, 2020, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection ~~(e)~~ **(d)** shall be deposited as being received from all riverboats whose supplemental wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and five-tenths percent (3.5%). The amount deposited under this subsection, in each riverboat's account, is proportionate to the supplemental wagering tax received from that riverboat under IC 4-33-12-1.5 in the month of July. The amount deposited under this subsection must be distributed in the same manner as the supplemental wagering tax collected under IC 4-33-12-1.5. This subsection expires June 30, 2021.

~~(m)~~ **(l)** After June 30, 2021, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection ~~(e)~~ **(d)** shall be withheld and deposited in the state general fund.

SECTION 74. IC 4-33-13-5.1, AS ADDED BY P.L.220-2011, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5.1. Subject to:

- (1) the appropriation requirements in IC 6-1.1; and
- (2) any agreement entered into by a city, town, or county that commits the money for a particular purpose;

money received at any time under ~~section 5(d) (currently, section 5(e) 5(d) or 5(h)) 5(g)~~ of this chapter may be used ~~after May 7, 2003~~, for any purpose authorized by section 5 of this chapter.

SECTION 75. IC 4-34 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Indiana Technology Fund).

SECTION 76. IC 4-35-7-12, AS AMENDED BY P.L.28-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The Indiana horse racing commission shall enforce the requirements of this section.

(b) Subject to section 12.5 of this chapter, a licensee shall before the fifteenth day of each month distribute ~~the following amounts~~ for the support of the Indiana horse racing industry

- ~~(1) An amount equal to fifteen percent (15%) of the adjusted gross receipts of the slot machine wagering from the previous month at each casino operated by the licensee with respect to adjusted gross receipts received after June 30, 2013, and before January 1, 2014.~~
- ~~(2) The percentage of the adjusted gross receipts of the slot machine wagering from the previous month at each casino operated by the licensee that is determined under section 16 or 17 of this chapter with respect to adjusted gross receipts received after December 31, 2013, and before July~~



1, 2015.

~~(3)~~ Subject to section 12.5 of this chapter, the percentage of the adjusted gross receipts of the gambling game wagering from the previous month at each casino operated by the licensee that is determined under section 16 or 17 of this chapter. ~~with respect to adjusted gross receipts received after June 30, 2015.~~

~~(e)~~ The Indiana horse racing commission may not use any of the money distributed under this section for any administrative purpose or other purpose of the Indiana horse racing commission.

~~(d)~~ (c) A licensee shall distribute the money devoted to horse racing purses and to horsemen's associations under this subsection as follows:

(1) Five-tenths percent (0.5%) shall be transferred to horsemen's associations for equine promotion or welfare according to the ratios specified in subsection ~~(g)~~: (f).

(2) Two and five-tenths percent (2.5%) shall be transferred to horsemen's associations for backside benevolence according to the ratios specified in subsection ~~(g)~~: (f).

(3) Ninety-seven percent (97%) shall be distributed to promote horses and horse racing as provided in subsection ~~(f)~~: (e).

~~(e)~~ (d) A horsemen's association shall expend the amounts distributed to the horsemen's association under subsection ~~(d)(1)~~ (c)(1) through ~~(d)(2)~~ (c)(2) for a purpose promoting the equine industry or equine welfare or for a benevolent purpose that the horsemen's association determines is in the best interests of horse racing in Indiana for the breed represented by the horsemen's association. Expenditures under this subsection are subject to the regulatory requirements of subsection ~~(h)~~: (g).

~~(f)~~ (e) A licensee shall distribute the amounts described in subsection ~~(d)(3)~~ (c)(3) as follows:

(1) Forty-six percent (46%) for thoroughbred purposes as follows:

(A) Fifty-five percent (55%) for the following purposes:

(i) Ninety-seven percent (97%) for thoroughbred purses.

(ii) Two and four-tenths percent (2.4%) to the horsemen's association representing thoroughbred owners and trainers.

(iii) Six-tenths percent (0.6%) to the horsemen's association representing thoroughbred owners and breeders.

(B) Forty-five percent (45%) to the breed development fund established for thoroughbreds under IC 4-31-11-10.

(2) Forty-six percent (46%) for standardbred purposes as follows:

(A) Three hundred seventy-five thousand dollars (\$375,000) to the state fair commission to be used by the state fair commission to support standardbred racing and facilities at the state fairgrounds.

(B) One hundred twenty-five thousand dollars (\$125,000) to the state fair commission to be used by the state fair commission to make grants to county fairs and the department of parks and recreation in Johnson County to support standardbred racing and facilities at county fair and county park tracks. The state fair commission shall establish a review committee to include the standardbred association board, the Indiana horse racing commission, the Indiana county fair association, and a member of the board of directors of a county park established under IC 36-10 that provides or intends to provide facilities to support standardbred racing, to make recommendations to the state fair commission on grants under this clause. A grant may be provided to the Johnson County fair or department of parks and recreation under this clause only if the county fair or department provides matching funds equal to one dollar (\$1) for every three



dollars (\$3) of grant funds provided.

(C) Fifty percent (50%) of the amount remaining after the distributions under clauses (A) and (B) for the following purposes:

(i) Ninety-six and five-tenths percent (96.5%) for standardbred purses.

(ii) Three and five-tenths percent (3.5%) to the horsemen's association representing standardbred owners and trainers.

(D) Fifty percent (50%) of the amount remaining after the distributions under clauses (A) and (B) to the breed development fund established for standardbreds under IC 4-31-11-10.

(3) Eight percent (8%) for quarter horse purposes as follows:

(A) Seventy percent (70%) for the following purposes:

(i) Ninety-five percent (95%) for quarter horse purses.

(ii) Five percent (5%) to the horsemen's association representing quarter horse owners and trainers.

(B) Thirty percent (30%) to the breed development fund established for quarter horses under IC 4-31-11-10.

Expenditures under this subsection are subject to the regulatory requirements of subsection ~~(h)~~ (g).

~~(g)~~ (f) Money distributed under subsection ~~(d)(1)~~ (c)(1) and ~~(d)(2)~~ (c)(2) shall be allocated as follows:

(1) Forty-six percent (46%) to the horsemen's association representing thoroughbred owners and trainers.

(2) Forty-six percent (46%) to the horsemen's association representing standardbred owners and trainers.

(3) Eight percent (8%) to the horsemen's association representing quarter horse owners and trainers.

~~(h)~~ (g) Money distributed under this section may not be expended unless the expenditure is for a purpose authorized in this section and is either for a purpose promoting the equine industry or equine welfare or is for a benevolent purpose that is in the best interests of horse racing in Indiana or the necessary expenditures for the operations of the horsemen's association required to implement and fulfill the purposes of this section. The Indiana horse racing commission may review any expenditure of money distributed under this section to ensure that the requirements of this section are satisfied. The Indiana horse racing commission shall adopt rules concerning the review and oversight of money distributed under this section and shall adopt rules concerning the enforcement of this section. The following apply to a horsemen's association receiving a distribution of money under this section:

(1) The horsemen's association must annually file a report with the Indiana horse racing commission concerning the use of the money by the horsemen's association. The report must include information as required by the commission.

(2) The horsemen's association must register with the Indiana horse racing commission.

The state board of accounts shall audit the accounts, books, and records of the Indiana horse racing commission, each horsemen's association, a licensee, and any association for backside benevolence containing any information relating to the distribution of money under this section.

~~(i)~~ (h) The commission shall provide the Indiana horse racing commission with the information necessary to enforce this section.

~~(j)~~ (i) The Indiana horse racing commission shall investigate any complaint that a licensee has failed to comply with the horse racing purse requirements set forth in this section. If, after notice and a hearing, the Indiana horse racing commission finds that a licensee has failed to comply with the purse requirements set forth in this section, the Indiana horse racing commission may:



- (1) issue a warning to the licensee;
- (2) impose a civil penalty that may not exceed one million dollars (\$1,000,000); or
- (3) suspend a meeting permit issued under IC 4-31-5 to conduct a pari-mutuel wagering horse racing meeting in Indiana.

~~(k)~~ **(j)** A civil penalty collected under this section must be deposited in the state general fund.

SECTION 77. IC 4-35-7-12.5, AS ADDED BY P.L.213-2015, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12.5. ~~(a)~~ **This section applies to adjusted gross receipts received after June 30, 2015:**

~~(b)~~ **(a)** A licensee shall annually withhold **the sum of:**

(1) the product of:

~~(1)~~ **(A)** seventy-five thousand dollars (\$75,000); multiplied by

~~(2)~~ **(B)** the number of racetracks operated by the licensee;

from the amount that must be distributed under section ~~12(b)(3)~~ **12(b)** of this chapter; **and**

(2) **forty-five hundredths percent (0.45%) of the adjusted gross receipts from the previous month at each casino operated by the licensee.**

~~(c)~~ **(b)** A licensee shall transfer the amount withheld under subsection ~~(b)~~ **(a)(1)** to the Indiana horse racing commission for deposit in the gaming integrity fund established by IC 4-35-8.7-3. Money transferred under this subsection must be used for the purposes described in IC 4-35-8.7-3(f)(1).

(c) **A licensee shall transfer the amount withheld under subsection (a)(2) to the Indiana horse racing commission for deposit in the Indiana horse racing commission operating fund established by IC 4-31-10-2.**

SECTION 78. IC 4-35-7-16, AS AMENDED BY P.L.255-2015, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 16. (a) The amount of gambling game revenue that must be distributed under section ~~12(b)(3)~~ **12(b)** of this chapter must be determined in a distribution agreement entered into by negotiation committees representing all licensees and the horsemen's associations having contracts with licensees that have been approved by the Indiana horse racing commission.

(b) Each horsemen's association shall appoint a representative to a negotiation committee to negotiate the distribution agreement required by subsection (a). If there is an even number of horsemen's associations appointing representatives to the committee, the members appointed by each horsemen's association shall jointly appoint an at-large member of the negotiation committee to represent the interests of all of the horsemen's associations. The at-large member is entitled to the same rights and privileges of the members appointed by the horsemen's associations.

(c) Each licensee shall appoint a representative to a negotiation committee to negotiate the distribution agreement required by subsection (a). If there is an even number of licensees, the members appointed by each licensee shall jointly appoint an at-large member of the negotiation committee to represent the interests of all of the licensees. The at-large member is entitled to the same rights and privileges of the members appointed by the licensees.

(d) If a majority of the members of each negotiation committee is present, the negotiation committees may negotiate and enter into a distribution agreement binding all horsemen's associations and all licensees as required by subsection (a).

(e) The initial distribution agreement entered into by the negotiation committees:

(1) must be in writing;

(2) must be submitted to the Indiana horse racing commission before October 1, 2013;



- (3) must be approved by the Indiana horse racing commission before January 1, 2014; and
- (4) may contain any terms determined to be necessary and appropriate by the negotiation committees, subject to subsection (f) and section 12 of this chapter.

(f) A distribution agreement must provide that at least ten percent (10%) and not more than twelve percent (12%) of a licensee's adjusted gross receipts must be distributed under section ~~12(b)(3)~~ **12(b)** of this chapter. A distribution agreement applies to adjusted gross receipts received by the licensee after December 31 of the calendar year in which the distribution agreement is approved by the Indiana horse racing commission.

(g) A distribution agreement may expire on December 31 of a particular calendar year if a subsequent distribution agreement will take effect on January 1 of the following calendar year. A subsequent distribution agreement:

- (1) is subject to the approval of the Indiana horse racing commission; and
- (2) must be submitted to the Indiana horse racing commission before October 1 of the calendar year preceding the calendar year in which the distribution agreement will take effect.

(h) The Indiana horse racing commission shall annually report to the budget committee on the effect of each distribution agreement on the Indiana horse racing industry before January 1 of the following calendar year.

SECTION 79. IC 4-35-7-17, AS ADDED BY P.L.210-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) Subject to subsection (b), if:

- (1) a distribution agreement is not submitted to the Indiana horse racing commission before the deadlines imposed by section 16 of this chapter; or
- (2) the Indiana horse racing commission is unable to approve a distribution agreement;

the Indiana horse racing commission shall determine the percentage of a licensee's adjusted gross receipts that must be distributed under section ~~12(b)(2)~~ **12(b)** of this chapter.

(b) The Indiana horse racing commission shall give the negotiation committees an opportunity to correct any deficiencies in a proposed distribution agreement before making a determination of the applicable percentage under subsection (a).

(c) The Indiana horse racing commission shall consider the factors used to evaluate a distribution agreement under section 18 of this chapter when making a determination under subsection (a).

SECTION 80. IC 4-35-8.8-2, AS AMENDED BY P.L.255-2015, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. **(a)** A licensee that offers slot machine wagering at racetracks under this article shall annually pay to the commission a problem gambling fee equal to five hundred thousand dollars (\$500,000) for each racetrack at which the licensee offers slot machine wagering. The commission shall annually retain two hundred fifty thousand dollars (\$250,000) from the total amount paid under this section for the commission's own efforts at preventing and treating compulsive gambling. The commission shall transfer the remaining seven hundred fifty thousand dollars (\$750,000) received each year to the division.

(b) The amount retained by the commission under subsection (a) shall be deposited in the problem gambling program fund established by section 5 of this chapter.

SECTION 81. IC 4-35-8.8-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. **(a) The problem gambling program fund is established. The fund shall be administered by the commission.**

(b) The fund consists of the fees collected and retained by the commission under section 2 of this chapter.



(c) Money in the fund may be used only for the purpose of the commission's own efforts at preventing and treating compulsive gambling.

(d) Money in the fund is continuously appropriated for the purposes of the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 82. IC 5-1.2-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 4.5. Public-Private Agreements and Certain Other Agreements

Sec. 1. (a) This section applies to a public-private agreement to which the authority is a party under IC 8-15.5 and that was originally entered into before January 1, 2013.

(b) If an extension or an amendment to a public-private agreement, which is proposed to be entered into after May 1, 2019, would require the approval of the authority at a meeting of the authority before taking effect, the authority shall submit the proposed extension or amendment to the public-private agreement to the budget committee established by IC 4-12-1-3 for its review. The budget committee may request that the authority or the department of transportation, or both, appear at a public meeting of the budget committee concerning the proposed extension or amendment to the public-private agreement. The authority may not enter into any extension or amendment to the public-private agreement until after the budget committee has reviewed the proposed extension or amendment.

(c) If the authority or the state receives a lump sum payment or a series of payments totaling more than one million dollars (\$1,000,000) as a result of entering into any extension or amendment to the public-private agreement in accordance with subsection (b), any amount of that payment that is not obligated to cover any obligation incurred or amounts owed by the authority or the state before the date of the extension or amendment shall be deposited in a special payment reserve fund to be administered by the authority.

(d) The money in the special payment reserve fund at the end of any state fiscal year does not revert to any other fund.

(e) The authority shall invest or cause to be invested all the money in the special payment reserve fund in one (1) or more fiduciary accounts with a trustee that is a financial institution in accordance with the authority's investment policy.

(f) The special payment reserve fund may not be used for any purpose before May 1 of the year following the year in which the payment was received. Thereafter, unless the use of the fund is otherwise specified by law, the money in the fund shall be allocated and distributed to the fund into which the payment would have otherwise been deposited under IC 8-15.5.

Sec. 2. (a) This section applies to a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019.

(b) If an extension or an amendment to a public-private agreement would increase the amount to be:

(1) paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars (\$100,000,000); or

(2) received by the operator or a party related to the operator by at least one hundred million dollars (\$100,000,000);

the authority shall submit the proposed extension or amendment to the public-private agreement to the budget committee established by IC 4-12-1-3 for its review. The budget committee may request that the authority or the department of transportation, or both, appear at a public meeting



of the budget committee concerning the proposed extension or amendment to the public-private agreement. The authority may not enter into any extension or amendment to the public-private agreement until after the budget committee has reviewed the proposed extension or amendment.

Sec. 3. (a) This section applies to any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, or any extension or any amendment to such an agreement, and that is to be entered into after May 1, 2019.

(b) If the proposed agreement, extension, or amendment would increase the amount to be received by the authority or the state by at least one hundred million dollars (\$100,000,000), the authority or the state shall submit the proposed agreement, extension, or amendment to the budget committee established by IC 4-12-1-3 for its review. The budget committee may request that the authority or the state, or both, appear at a public meeting of the budget committee concerning the proposed agreement, extension or amendment. The authority or the state may not enter into the proposed agreement, extension or amendment until after the budget committee has reviewed the proposed agreement, extension or amendment.

SECTION 83. IC 5-10-8-1, AS AMENDED BY P.L.91-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The following definitions apply in this chapter:

(1) "Employee" means:

- (A) an elected or appointed officer or official, or a full-time employee;
- (B) if the individual is employed by a school corporation, a full-time or part-time employee;
- (C) for a local unit public employer, a full-time or part-time employee or a person who provides personal services to the unit under contract during the contract period; or
- (D) a senior judge appointed under IC 33-24-3-7;

whose services have continued without interruption at least thirty (30) days.

(2) "Group insurance" means any of the kinds of insurance fulfilling the definitions and requirements of group insurance contained in IC 27-1.

(3) "INPRS" refers to the Indiana public retirement system established by IC 5-10.5-2-1.

(4) "Insurance" means insurance upon or in relation to human life in all its forms, including life insurance, health insurance, disability insurance, accident insurance, hospitalization insurance, surgery insurance, medical insurance, and supplemental medical insurance.

(5) "Local unit" includes a city, town, county, township, public library, municipal corporation (as defined in IC 5-10-9-1), school corporation, or charter school.

(6) "New traditional plan" means a self-insurance program established under section 7(b) of this chapter to provide health care coverage.

(7) "Public employer" means the state or a local unit, including any board, commission, department, division, authority, institution, establishment, facility, or governmental unit under the supervision of either, having a payroll in relation to persons it immediately employs, even if it is not a separate taxing unit. With respect to the legislative branch of government, "public employer" or "employer" refers to the following:

- (A) The president pro tempore of the senate, with respect to former members or employees of the senate.
- (B) The speaker of the house, with respect to former members or employees of the house of representatives.
- (C) The legislative council, with respect to former employees of the legislative services agency.

(8) "Public employer" does not include a state educational institution.



~~(8)~~ (9) "Retired employee" means:

- (A) in the case of a public employer that participates in the public employees' retirement fund, a former employee who qualifies for a benefit under IC 5-10.3-8 or IC 5-10.2-4;
- (B) in the case of a public employer that participates in the teachers' retirement fund under IC 5-10.4, a former employee who qualifies for a benefit under IC 5-10.4-5; and
- (C) in the case of any other public employer, a former employee who meets the requirements established by the public employer for participation in a group insurance plan for retired employees.

~~(9)~~ (10) "Retirement date" means the date that the employee has chosen to receive retirement benefits from the employees' retirement fund.

SECTION 84. IC 5-10-8-6, AS AMENDED BY P.L.217-2017, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The state police department, conservation officers of the department of natural resources, and the state excise police may establish common and unified plans of self-insurance for their employees, including retired employees, as separate entities of state government. These plans may be administered by a private agency, business firm, limited liability company, or corporation. Any modification to:

- (1) eligibility requirements;
- (2) required premiums;
- (3) change the benefits under the plan; or
- (4) any other plan provisions;

may not be made unless the modification is approved by the budget agency on or before September 1 of each year, with an annual review of the modifications by the budget committee.

(b) Except as provided in this section and IC 5-10-14, the state agencies listed in subsection (a) may not pay as the employer part of benefits for any employee or retiree an amount greater than that paid for other state employees for group insurance.

(c) This subsection applies to a health benefit plan for an individual described in subsection (a). ~~After June 30, 2011,~~ At least one (1) time in each state fiscal year, the ~~budget agency~~ INPRS shall determine the average amount of contributions made under IC 5-10-8.5-15 and IC 5-10-8.5-16 to participants in a health reimbursement arrangement or other separate fund under IC 5-10-8.5 in the immediately preceding state fiscal year. ~~In the state fiscal year beginning July 1, 2011, the amount determined under this section must exclude contributions made to persons described in IC 5-10-8.5-15(e) and IC 5-10-8.5-16(f).~~ An amount equal to the average amount determined under this subsection multiplied by the number of participants (other than retired participants) in the plans described in subsection (a) shall be transferred to the plans described in subsection (a). The amount transferred under this subsection shall be proportionally allocated to each plan relative to the number of members in each plan. The amount allocated to a plan under this subsection shall be allocated among the participants in the plan in the same manner as other employer contributions. Funds shall be used only to reduce unfunded other post-employment benefit (OPEB) liability and not to increase benefits or reduce premiums.

(d) Trust funds may be established to carry out the purposes of this section. A trust fund established under this subsection is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from a trust fund established under this subsection by the state board of finance, the budget agency, or any other state agency. Money in a trust fund established under this subsection does not revert to the state general fund at the end of any state fiscal year. A trust fund established under this subsection consists of appropriations, revenues, or transfers to the trust fund



under IC 4-12-1. Contributions to a trust fund established under this subsection are irrevocable. A trust fund established under this subsection must be limited to providing prefunding of annual required contributions and to cover OPEB liability for covered individuals. Funds may be used only for these purposes and not to increase benefits or reduce premiums. A trust fund established under this subsection shall be established to comply with and be administered in a manner that satisfies the Internal Revenue Code requirements concerning a trust fund for prefunding annual required contributions and for covering OPEB liability for covered individuals. All assets in a trust fund established under this subsection:

- (1) are dedicated exclusively to providing benefits to covered individuals and their beneficiaries according to the terms of the health plan; and
- (2) are exempt from levy, sale, garnishment, attachment, or other legal process.

A trust fund established under this subsection shall be administered by the agency employing the covered individuals. The expenses of administering a trust fund established under this subsection shall be paid from money in the trust fund. Notwithstanding IC 5-13, the treasurer of state shall invest the money in a trust fund established under this subsection not currently needed to meet the obligations of the trust fund in the same manner as money may be invested by the ~~public employees' retirement fund under IC 5-10.3-5. However, the trustee may not invest the money in the trust in equity securities.~~ **Indiana state police pension trust under IC 10-12-2-2.** The trustee shall also comply with the prudent investor rule set forth in IC 30-4-3.5. The trustee may contract with investment management professionals, investment advisors, and legal counsel to assist in the investment of the trust and may pay the state expenses incurred under those contracts from the trust. Interest that accrues from these investments shall be deposited in the trust fund.

(e) On or before July 15 of each year, each state agency listed in subsection (a) shall submit to the budget agency **and the INPRS** the current plan documents and any other related information for any common and unified plan established under subsection (a) as well as any proposed modification to the plan under subsection (a). The budget agency **and the INPRS** may request additional information from a state agency listed in subsection (a) to analyze the impact of any proposed modification to the state's contribution and post-employment liability under the plan. In addition, the budget agency **and the INPRS** may enlist the assistance of the state personnel department and a third party, independent actuary to analyze any information related to a proposed modification under this subsection and subsection (a).

(f) If a state agency listed in subsection (a) fails to provide any information under subsection (e) to the budget agency, the budget agency may recommend to the budget committee that the state personnel department manage the state agency's common and unified plans established under subsection (a) during the next succeeding calendar year.

SECTION 85. IC 5-10-8-8.5, AS ADDED BY P.L.182-2009(ss), SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8.5. (a) The retiree health benefit trust fund is established to provide funding for a retiree health benefit plan developed under IC 5-10-8.5.

(b) The trust fund shall be administered by the ~~budget agency.~~ **INPRS.** The expenses of administering the trust fund shall be paid from money in the trust fund. The trust fund consists of cigarette tax revenues deposited in the fund under IC 6-7-1-28.1(7) and other appropriations, revenues, or transfers to the trust fund under IC 4-12-1.

(c) The ~~treasurer of state~~ **INPRS** shall invest the money in the trust fund not currently needed to meet the obligations of the trust fund in the same manner as ~~other public money may be invested.~~ **and with the same limitations described in IC 5-10.5-4-1 and IC 5-10.5-5-1.**

(d) The trust fund is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be



transferred, assigned, or otherwise removed from the trust fund by the state board of finance, the budget agency, or any other state agency.

(e) The trust fund shall be established and administered in a manner that complies with Internal Revenue Code requirements concerning health reimbursement arrangement (HRA) trusts. Contributions by the state to the trust fund are irrevocable. All assets held in the trust fund must be held for the exclusive benefit of participants of the retiree health benefit plan developed under IC 5-10-8.5 and their beneficiaries. All assets in the trust fund:

- (1) are dedicated exclusively to providing benefits to participants of the plan and their beneficiaries according to the terms of the plan; and
- (2) are exempt from levy, sale, garnishment, attachment, or other legal process.

(f) Money in the trust fund does not revert to the state general fund at the end of any state fiscal year.

(g) The money in the trust fund is appropriated to the ~~budget agency~~ **INPRS** for providing the retiree health benefit plan developed under IC 5-10-8.5.

SECTION 86. IC 5-10-8.5-3 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 3: As used in this chapter, "budget agency" refers to the budget agency established under IC 4-12-1-3.~~

SECTION 87. IC 5-10-8.5-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6.5. "INPRS" refers to the Indiana public retirement system established by IC 5-10.5-2-1.**

SECTION 88. IC 5-10-8.5-11, AS ADDED BY P.L.44-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) The ~~budget agency~~ **INPRS** shall adopt provisions to establish a retirement medical benefits account as a health reimbursement arrangement or as a separate fund under another applicable section of the Internal Revenue Code for the purpose of funding by an employer on a pretax basis benefits for sickness, accident, hospitalization, and medical expenses for a participant and the spouse and dependents of a participant after the participant's retirement.

(b) The ~~budget agency~~ **INPRS** shall administer the account and may request the assistance of the department, the fund, and other state agencies. The account shall be maintained as a separate account to pay benefits for sickness, accident, hospitalization, and medical expenses for retired participants and their spouses and dependents.

(c) Notwithstanding any other provision of this chapter, the ~~budget agency~~ **INPRS** may not establish the account or implement the health reimbursement arrangement unless the general assembly makes a specific appropriation to implement the health reimbursement arrangement.

(d) The ~~budget agency~~ **INPRS** may adopt rules ~~under IC 4-22-2~~ **and regulations under IC 5-10.5-4-2** that it considers appropriate or necessary to administer the account.

SECTION 89. IC 5-10-8.5-12, AS ADDED BY P.L.44-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. The ~~budget agency~~ **INPRS** may request from the Internal Revenue Service any rulings or determination letters that the ~~budget agency~~ **INPRS** considers necessary or appropriate in order to implement or administer the account.

SECTION 90. IC 5-10-8.5-13, AS ADDED BY P.L.44-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) The ~~budget agency~~ **INPRS** may designate the board of trustees of the fund to manage the assets in the account in the same manner and with the same limitations that apply to the management of the assets in the fund.

(b) The assets in the account may be commingled or pooled with other public funds for investment purposes.

(c) The account and subaccount records of individual participants and participants' information are



confidential, except for the name and contributions made on behalf of the participant.

SECTION 91. IC 5-10-8.5-14, AS ADDED BY P.L.44-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. (a) The account ~~consists~~ **may consist** of the following:

- (1) Contributions made by a participant's employer to the account under section 15 or 16 of this chapter.
- (2) All earnings on investments or deposits of the account.
- (3) All contributions or payments to the account made in a manner provided by the general assembly.

(b) The administrative costs of the account shall be paid from the earnings of the account before the earnings are credited to participants' subaccounts.

(c) The ~~budget agency~~ **INPRS** shall establish a subaccount for each participant. Each participant's subaccount ~~shall~~ **may** be credited with:

- (1) the contributions made to the account on behalf of the participant under this chapter; and
- (2) after the costs described in subsection (b) are paid, the earnings attributable to the balance of the subaccount **offset by the administrative costs not covered by subsection (b).**

SECTION 92. IC 5-10-8.5-15, AS AMENDED BY P.L.213-2015, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15. (a) Except as provided in subsections (c), (d), and (e), a participant's employer shall make contributions annually to the account on behalf of the participant **sufficient to provide the benefit described in section 17 of this chapter. For a participant meeting the eligibility rules set forth in section 17 of this chapter, the amount credited to the participant's subaccount balance shall be the sum of annual contributions and earnings for each year of service.** The amount of the contribution each fiscal year must equal the following, based on the participant's age on the last day of the calendar year that is in the fiscal year in which the contribution is made:

Participant's Age in Years	Annual Contribution Amount
Less than 30	\$ 500
At least 30, but less than 40	\$ 800
At least 40, but less than 50	\$ 1,100
At least 50	\$ 1,400

(b) The ~~budget agency~~ **INPRS** shall determine by rule the date on which the contributions are credited to participants' subaccounts.

(c) A contribution under this section shall not be made after June 30, 2011, to any of the following participants:

- (1) A conservation officer of the department of natural resources.
- (2) An employee of the state excise police.
- (3) An employee of the state police department, other than the following:
 - (A) An employee of the state police department who waived coverage under a common and unified plan of self-insurance under IC 5-10-8-6 before July 1, 2011.
 - (B) An employee of the state police department who makes an election under IC 5-10-8.5-9.5.
 - (C) An employee of the state police department who makes an election under IC 5-10-8.5-9.6.

(d) For individuals who are employed on June 30, 2011, the accrued annual contributions made in accordance with subsection (a) to an account described in section 14 of this chapter on behalf of the



individuals for any years the individuals were employed as described in section 1(b)(1) through 1(b)(3) of this chapter shall be transferred to the respective plans described in IC 5-10-8-6(a) for those individuals and shall be used only to reduce the unfunded other post-employment benefit (OPEB) liability of those plans and not to increase benefits or reduce premiums.

(e) A contribution under this section shall not be made after June 30, 2017, to a participant who on June 30, 2017:

(1) is eligible for a normal, unreduced retirement benefit from the public employee retirement fund of which the participant is a member; and

(2) has completed:

(A) fifteen (15) years of service with the participant's employer; or

(B) ten (10) years of service as an elected or appointed officer.

(f) At least every two (2) years and in every year in which benefits are changed under this chapter, the actuary shall make a valuation of the assets and liabilities of the retiree health benefit trust fund. The valuation must include a recommended amount to actuarially fund participants' benefits described in section 17 of this chapter.

SECTION 93. IC 5-10-8.5-17, AS AMENDED BY P.L.229-2011, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) A retired participant is entitled to receive a benefit from the account. **The benefit amount is the balance in the participant's subaccount as determined under this chapter.**

(b) A participant who is not a retired participant is not entitled to receive a benefit from the account when the participant separates from service.

(c) Years of service that accrued to an individual during the individual's service as an employee described in section 1(b)(1) through 1(b)(3) of this chapter may not be included in determining the individual's eligibility for the retirement medical benefits account under this chapter, regardless of whether the individual is a retired participant described in section 9 of this chapter.

SECTION 94. IC 5-10-8.5-20, AS ADDED BY P.L.44-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20. ~~The budget committee shall annually~~ **INPRS shall submit annually to the interim study committee on pension management oversight the information necessary for it to** review the financial status of the account.

SECTION 95. IC 5-10-16-3, AS ADDED BY P.L.138-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. As used in this chapter, ~~"OMB" refers to the office of management and budget established by IC 4-3-22-3.~~ **"INPRS" refers to the Indiana public retirement system established by IC 5-10.5-2-1.**

SECTION 96. IC 5-10-16-7, AS ADDED BY P.L.138-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. Each state agency shall cooperate with the ~~OMB~~ **INPRS** and provide to the ~~OMB~~ **INPRS** the information necessary for the ~~OMB~~ **system** to prepare an OPEB report for state agencies. Each state agency shall provide information required under GASB Statements ~~43 74~~ and ~~45 75~~ and any other information requested by the ~~OMB~~ **or the budget committee system.**

SECTION 97. IC 5-10.5-4-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. **The system shall, not later than December 1 each year, submit to the budget committee the following reports concerning post-employment benefits (as defined in IC 5-10-16-5):**

(1) The report prepared by the system for state agencies under IC 5-10-16-7.



(2) Reports received from state educational institutions under IC 21-38-3-13.

SECTION 98. IC 5-10.5-6-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6.5.** The system shall, not later than October 1 each year, submit to the interim study committee on pension management oversight a written report that summarizes and analyzes the retirement plan information received for the immediately preceding state fiscal year under IC 5-11-20. The report must be in an electronic format under IC 5-14-6.

SECTION 99. IC 5-13-10.5-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 20. (a)** The following definitions apply throughout this section:

- (1) "Bonds" means bonds of the IFA issued under IC 5-1.3-6-1(a).
- (2) "Construction" means constructing, acquiring, renovating, rehabilitating, reconstructing, improving, extending, and equipping a rail project.
- (3) "Costs" has the meaning set forth in IC 5-1.3-2-5.
- (4) "FTA" means the Federal Transit Administration.
- (5) "IFA" means the Indiana finance authority established by IC 5-1.2-3.
- (6) "NICTD" means the northern Indiana commuter transportation district established under IC 8-5-15.
- (7) "NWIRDA" means the northwest Indiana regional development authority established under IC 36-7.5-2-1.
- (8) "Rail project" has the meaning set forth in IC 5-1.3-2-14.

(b) This section applies if the IFA, the NWIRDA, and NICTD enter into an agreement, pursuant to which:

- (1) the IFA agrees to issue bonds pursuant to a trust agreement between the IFA and a corporate trustee for the purpose of financing the costs of construction of a rail project before the award of a capital investment grant for such a rail project by the FTA;
- (2) NICTD agrees to lease to the NWIRDA any real estate on which the rail project is or will be located and any existing improvements on the real estate;
- (3) the NWIRDA agrees to lease to the IFA any or all of its leasehold interests described in subdivision (2);
- (4) the IFA agrees to lease back to the NWIRDA any or all of its leasehold interests described in subdivision (3), and pursuant to the lease the NWIRDA agrees to pay any rent due under the lease from any available revenues of the NWIRDA, including revenues derived from the interlocal agreements or from other actions taken by local governmental entities within Lake County offering to provide revenue under IC 6-3.6-11-7 to support and finance a rail project; and
- (5) the NWIRDA agrees to lease to NICTD any or all of its leasehold interests described in subdivision (2);

all in accordance with IC 5-1.3-5 and IC 5-1.3-6.

(c) To qualify for an investment under this section, the IFA must submit a request to the treasurer of state in the form and manner required by the treasurer of state. As part of the request, the IFA shall include the agreement described in subsection (b) and commit to pay the IFA's obligation to the treasurer of state solely from the security, which consists solely of the rent payable by the NWIRDA under the lease described in subsection (b)(4), provided for in the bonds to be



issued by the IFA and to be acquired by the treasurer of state.

(d) If the IFA makes a request under subsection (c), after review by the budget committee established by IC 4-12-1-3, the treasurer of state shall approve the request and agree to acquire the bonds, which may consist of draw-down bonds, pursuant to which the treasurer of state shall provide proceeds at the request of the IFA. The maximum principal amount of the bonds shall be two hundred five million dollars (\$205,000,000).

(e) The sole source of funds available to the treasurer of state to acquire the bonds consists of the transfers made to the treasurer of state from the northern Indiana commuter rail account established under IC 8-14-14.3-5.

(f) The maximum term of the bonds, including all draws under the bonds, is twenty-five (25) years. The rate of interest borne by each draw under the bonds shall be set by the treasurer of state, at a rate then currently applicable to a United States Treasury note that has payment terms that are substantially the same as the bonds. No principal and interest are due under the bonds until the date six (6) months after, nor shall any interest accrue on the bonds until the earlier of:

- (1) the date that the rail project being financed with the bonds has been abandoned as determined by the budget director appointed under IC 4-12-1-3; or
- (2) the date on which it has been determined by the budget director that the FTA will not award a capital investment grant for the rail project.

(g) If the FTA awards a capital investment grant for the rail project financed by the bonds and the IFA issues additional bonds, which are secured by a lease with the NWIRDA, the payment of rent under the lease is payable from any available revenues of the NWIRDA, including revenues derived from the interlocal agreements or from other actions taken by local governmental entities within Lake County offering to provide revenue under IC 6-3.6-11-7 to support and finance a rail project, the principal of and any interest due on the bonds shall be entirely forgiven by the treasurer of state.

(h) This section expires on the later of:

- (1) July 1, 2045; or
- (2) the earlier of:
 - (A) the date on which the principal of and interest on the bonds acquired by the treasurer of state under this section are paid in full; or
 - (B) the date on which it has been determined by the budget director, the IFA, and the treasurer of state that the obligation of the NWIRDA to pay rent under the lease securing the bonds has been paid in full.

SECTION 100. IC 5-33.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

ARTICLE 33.5. AGREEMENTS WITH FEDERALLY RECOGNIZED INDIAN TRIBES

Chapter 1. Applicability

Sec. 1. This article applies only to an agreement between the state or a state agency and a federally recognized Indian tribe.

Chapter 2. Definitions

Sec. 1. "Federally recognized Indian tribe" means an Indian tribe named on the list of Indian tribes recognized by the United States Secretary of the Interior published under 25 U.S.C. 5131.

Sec. 2. "State" means the state of Indiana. The term does not include a political subdivision.

Sec. 3. "State agency" means an authority, a board, a commission, a committee, a department,



a division, or other instrumentality of state government. However, the term does not include a state educational institution.

Chapter 3. Agreements with Federally Recognized Indian Tribes

Sec. 1. The state or a state agency may enter into a cooperative agreement with a federally recognized Indian tribe.

Sec. 2. A cooperative agreement entered into under this chapter must be in writing and must provide for the following:

- (1) The duration of the agreement.
- (2) The purpose of the agreement.
- (3) The administration of the agreement.
- (4) The manner of carrying out the joint undertaking.
- (5) The methods that may be employed in accomplishing the partial or complete termination of the agreement.

Sec. 3. If a cooperative agreement entered into under this chapter concerns the provision of services or facilities that a state officer or state agency has power to control, the agreement must be submitted to that officer or agency for approval before it takes effect.

Sec. 4. A cooperative agreement entered into under this chapter must be filed with the state board of accounts for audit purposes not later than sixty (60) days after the agreement takes effect.

Sec. 5. A cooperative agreement entered into under this chapter may provide for the following:

- (1) An effective waiver of sovereign immunity from the federally recognized Indian tribe.
- (2) Subject to section 6 of this chapter, a waiver of sovereign immunity by the state.
- (3) A statement that IC 34-13-1-1 applies to the agreement.

Sec. 6. A provision of a cooperative agreement with a federally recognized Indian tribe waiving the sovereign immunity of the state must be submitted to the attorney general for review. A cooperative agreement containing a provision subject to review under this section may not take effect unless the attorney general approves the provision.

Sec. 7. (a) For purposes of this chapter only, the state may waive its immunity from suit in federal court under the Eleventh Amendment to the Constitution of the United States only if both of the following conditions are met:

- (1) The agreement in dispute was entered into under this chapter.
 - (2) The agreement in dispute contains a provision that mandates arbitration providing the federal court jurisdiction under the Federal Arbitration Act (9 U.S.C. 1 et seq.) or a successor act that requires or may require arbitration.
- (b)** A waiver permitted under subsection (a) applies only to an action:
- (1) to compel arbitration;
 - (2) to determine whether an issue is arbitrable; or
 - (3) to confirm an award entered by the arbitrator.

SECTION 101. IC 6-1.1-3-7, AS AMENDED BY P.L.249-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) Except as provided in subsections (b) and (c), a taxpayer shall, on or before the filing date of each year, file a personal property return with:

- (1) the assessor of each township in which the taxpayer's personal property is subject to assessment;
- or
- (2) the county assessor if there is no township assessor for a township in which the taxpayer's personal property is subject to assessment; or



(3) after 2020, the personal property online submission portal developed and maintained by the department under section 26 of this chapter.

(b) The township assessor or county assessor may grant a taxpayer an extension of not more than thirty (30) days to file the taxpayer's return if:

- (1) the taxpayer submits a written **or an electronic** application for an extension prior to the filing date; and
- (2) the taxpayer is prevented from filing a timely return because of sickness, absence from the county, or any other good and sufficient reason.

(c) If a taxpayer:

- (1) has personal property subject to assessment in more than one (1) township in a county; or
- (2) has personal property that is subject to assessment and that is located in two (2) or more taxing districts within the same township;

the taxpayer shall file a single return with the county assessor and attach a schedule listing, by township, all the taxpayer's personal property and the property's assessed value. The taxpayer shall provide the county assessor with the information necessary for the county assessor to allocate the assessed value of the taxpayer's personal property among the townships listed on the return and among taxing districts, including the street address, the township, and the location of the property. **The taxpayer may, in the alternative, submit the taxpayer's personal property information and the property's assessed value through the personal property online submission portal developed under section 26 of this chapter.**

(d) The county assessor shall provide to each affected township assessor (if any) in the county all information filed by a taxpayer under subsection (c) that affects the township.

(e) The county assessor may refuse to accept a personal property tax return that does not comply with subsection (c). For purposes of IC 6-1.1-37-7, a return to which subsection (c) applies is filed on the date it is filed with the county assessor with the schedule required by subsection (c) attached.

SECTION 102. IC 6-1.1-3-26, IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 26. The department, in collaboration with county assessors, shall develop and maintain a personal property online submission portal through which a taxpayer is able to submit information through a single point of contact to accomplish the following:**

(1) Completing and submitting a personal property return with:

- (A) the assessor of each township in which the taxpayer's personal property is subject to assessment; or**
- (B) the county assessor if there is no township assessor for a township in which the taxpayer's personal property is subject to assessment.**

(2) Filing a complete disclosure of all information required by the department that is related to the value, nature, or location of personal property:

- (A) that the taxpayer owned on the assessment date of that year; or**
- (B) that the taxpayer held, possessed, or controlled on the assessment date of that year.**

(3) Reviewing information submitted with a personal property return during previous years.

(4) Calculating the payment for any fee to be included with the tax statement that must be paid to the department for a taxpayer to submit a personal property return.

The department shall make the portal available for taxpayer use no later than January 1, 2021.

SECTION 103. IC 6-1.1-3-27 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 27. (a) The department shall adopt rules**



under IC 4-22-2 to set a fee for the submission of a personal property return using the personal property online submission portal described in section 26 of this chapter.

(b) A person filing a personal property return using the personal property online submission portal shall pay a fee established under subsection (a) to the county auditor.

(c) All revenue collected under this section shall be transferred by the county auditor to the treasurer of state for deposit in the personal property online submission portal fund established by section 28 of this chapter.

SECTION 104. IC 6-1.1-3-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 28. (a) The personal property online submission portal fund is established for the purpose of receiving fees deposited under section 27 of this chapter. The fund shall be administered by the department of local government finance.**

(b) Money in the fund may be used by the department:

- (1) to cover expenses incurred in the development, maintenance, and administration of the personal property online submission portal;**
- (2) for data base management expenses; and**
- (3) to cover any other expenses related to property tax administration.**

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 105. IC 6-2.5-1-19.5 IS REPEALED [EFFECTIVE JULY 1, 2019]. **Sec. 19.5. "Facilitator" means a person who:**

(1) contracts or otherwise enters into an agreement:

(A) with a person who rents or furnishes rooms, lodgings, or accommodations for consideration; and

(B) to market the rooms, lodgings, or accommodations through the Internet; and

(2) accepts payment from the consumer for the room, lodging, or accommodation.

The term does not include a licensee (as defined in IC 25-34.1-1-2(6)) under the real estate broker licensing act (IC 25-34.1) or the owner of the room, lodging, or accommodation.

SECTION 106. IC 6-2.5-1-21.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 21.7. "Marketplace" means a forum, whether physical or electronic, that a marketplace facilitator uses to connect sellers to purchasers for the purpose of making retail transactions involving a seller's products (including tangible personal property, specified digital products, rooms, lodgings, or accommodations, or enumerated services), by means of any of the following:**

- (1) Listing, making available, or advertising products.**
- (2) Transmitting or otherwise communicating an offer or acceptance of a retail transaction of products between a seller and a purchaser.**
- (3) Providing or offering fulfillment or storage services for a seller.**
- (4) Setting prices for a seller's sale of the seller's products.**
- (5) Providing or offering customer service to a seller or a seller's customers, or accepting or assisting with taking orders, returns, or exchanges of products sold by a seller.**
- (6) Branding sales as those of the marketplace facilitator.**

SECTION 107. IC 6-2.5-1-21.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 21.9. (a) "Marketplace facilitator" means**



a person, including any affiliate (as determined by the relationship standards in Section 267(b) of the Internal Revenue Code) of the person, who:

- (1) owns, operates, or otherwise controls a marketplace; and**
- (2) facilitates a retail transaction pursuant to IC 6-2.5-4-18.**

(b) The term does not include a payment processor business:

- (1) that is appointed by a merchant to handle payment transactions from various channels, including credit cards and debit cards; and**
- (2) whose sole activity with respect to marketplace sales is to handle payment transactions between two (2) parties.**

SECTION 108. IC 6-2.5-2-1, AS AMENDED BY P.L.247-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) An excise tax, known as the state gross retail tax, is imposed on retail transactions made in Indiana.

(b) The person who acquires property in a retail transaction is liable for the tax on the transaction and, except as otherwise provided in this chapter, shall pay the tax to the retail merchant as a separate added amount to the consideration in the transaction. The retail merchant shall collect the tax as agent for the state.

(c) A retail merchant that does not have a physical presence in Indiana shall, as an agent for the state, collect the gross retail tax on a retail transaction made in Indiana, remit the gross retail tax as provided in this article, and comply with all applicable procedures and requirements of this article as if the retail merchant has a physical presence in Indiana, if the retail merchant meets either of the following conditions for the calendar year in which the retail transaction is made or for the calendar year preceding the calendar year in which the retail transaction is made:

- (1) The retail merchant's gross revenue from any combination of:
 - (A) the sale of tangible personal property that is delivered into Indiana;
 - (B) a product transferred electronically into Indiana; or
 - (C) a service delivered in Indiana;exceeds one hundred thousand dollars (\$100,000).
- (2) The retail merchant sells any combination of:
 - (A) tangible personal property that is delivered into Indiana;
 - (B) a product transferred electronically into Indiana; or
 - (C) a service delivered in Indiana;in two hundred (200) or more separate transactions.

(d) A marketplace facilitator must include both transactions made on its own behalf and transactions facilitated for sellers under IC 6-2.5-4-18 for purposes of establishing the requirement to collect gross retail or use tax without having a physical presence in Indiana for purposes of subsection (c). In addition, except in instances where the marketplace facilitator has not met the thresholds in subsection (c), the transactions of the seller made through the marketplace are not counted toward the seller for purposes of determining whether the seller has met the thresholds in subsection (c).

SECTION 109. IC 6-2.5-4-4, AS AMENDED BY P.L.181-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A person is a retail merchant making a retail transaction when the person rents or furnishes rooms, lodgings, or other accommodations, such as booths, display spaces, banquet facilities, and cubicles or spaces used for adult relaxation, massage, modeling, dancing, or other entertainment to another person:



(1) if those rooms, lodgings, or accommodations are rented or furnished for periods of less than thirty (30) days; and

(2) if the rooms, lodgings, and accommodations are located in:

(A) a hotel, motel, inn, tourist camp, tourist cabin, gymnasium, hall, coliseum, or other place, where rooms, lodgings, or accommodations are regularly furnished for consideration; or

(B) a house, condominium, or apartment in which rooms, lodgings, or accommodations are rented or furnished for transient residential housing for consideration.

~~(b)~~ A facilitator is a retail merchant making a retail transaction when the facilitator accepts payment from the consumer for a room, lodging, or accommodation rented or furnished in Indiana.

~~(c)~~ **(b)** Except as provided in section 4.2 of this chapter, Each rental or furnishing by a retail merchant under subsection (a) or ~~(b)~~ is a separate unitary transaction regardless of whether consideration is paid to an independent contractor or directly to the retail merchant.

~~(d)~~ **(c)** For purposes of this section, "consideration" includes a membership fee charged to a customer.

~~(e)~~ **(d)** Notwithstanding subsection (a), a person is not a retail merchant making a retail transaction if:

(1) the person is a promoter that rents a booth or display space to an exhibitor; and

(2) the booth or display space is located in a facility that:

(A) is described in subsection (a)(2); and

(B) is operated by a political subdivision (including a capital improvement board established under IC 36-10-8 or IC 36-10-9) or the state fair commission.

This subsection does not exempt from the state gross retail tax the renting of accommodations by a political subdivision or the state fair commission to a promoter or an exhibitor.

(e) The gross retail income derived from a transaction to which this section applies is equal to the total amount of consideration paid by the purchaser, including the payment of any fee (including a facilitation fee), commission, or other charge by the retail merchant (including a marketplace facilitator), except that the gross retail income does not include any taxes on the transaction that are imposed directly on the consumer.

(f) A marketplace facilitator who is considered a retail merchant under section 18 of this chapter for a transaction to which this section applies shall collect and remit innkeeper's taxes imposed under IC 6-9 on the retail transaction.

SECTION 110. IC 6-2.5-4-4.2 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 4.2: (a) A person or a facilitator who is a retail merchant making a retail transaction described in section 4 of this chapter shall give to the consumer of the room, lodging, or accommodation an itemized statement separately stating all the following:

(1) The part of the gross retail income that is charged by the person for renting or furnishing the room, lodging, or accommodation:

(2) Any amount collected by the person renting or furnishing the room, lodging, or accommodation for:

(A) the state gross retail or use tax; and

(B) any innkeeper's tax due under IC 6-9.

(3) Any part of the gross retail income that is a fee, commission, or other charge of a facilitator.

(b) A penalty of twenty-five dollars (\$25) is imposed for each transaction described in subsection (a) in which a facilitator fails to separately state the information required to be separately stated by subsection (a).

SECTION 111. IC 6-2.5-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,



2019]: Sec. 10. (a) A person, other than a public utility, is a retail merchant making a retail transaction when ~~he~~ **the person** rents or leases tangible personal property to another person other than for subrent or sublease.

(b) A person is a retail merchant making a retail transaction when the person sells any tangible personal property which has been rented or leased in the regular course of the person's rental or leasing business.

(c) Notwithstanding subsection (a), a person is not a retail merchant making a retail transaction when the person rents or leases motion picture film, audio tape, or video tape to another person. However, this exclusion only applies if:

- (1) the person who pays to rent or lease the film charges admission to those who view the film; or
- (2) the person who pays to rent or lease the film or tape broadcasts the film or tape for home viewing or listening.

(d) The sharing of passenger motor vehicles and trucks through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) is a retail transaction.

SECTION 112. IC 6-2.5-4-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 18. (a) A marketplace facilitator shall be considered the retail merchant of each retail transaction (including a retail transaction under section 4 of this chapter) that is facilitated for sellers on its marketplace when it does any of the following on behalf of the seller:**

- (1) Collects the sales price or purchase price of the seller's products.**
- (2) Provides access to payment processing services, either directly or indirectly.**
- (3) Charges, collects, or otherwise receives fees or other consideration for transactions made on its electronic marketplace.**

(b) Regardless of whether a transaction under subsection (a) was made by the marketplace facilitator on its own behalf or facilitated on behalf of a seller, a marketplace facilitator is required to do the following with each retail transaction made on its marketplace:

- (1) Collect and remit the gross retail tax, even if a seller for whom a transaction was facilitated:**
 - (A) does not have a registered retail merchant certificate; or**
 - (B) would not have been required to collect gross retail tax had the transaction not been facilitated by the marketplace facilitator.**
- (2) Comply with all applicable procedures and requirements imposed under this article as the retail merchant in such transaction.**

(c) The gross retail income from a transaction under this section is equal to the total amount of consideration paid by the purchaser, including the payment of any fee, commission, or other charge by the marketplace facilitator, except that the gross retail income does not include any taxes on the transaction that are imposed directly on the consumer other than taxes under section 1(f)(2) of this chapter.

SECTION 113. IC 6-2.5-5-8, AS AMENDED BY P.L.182-2009(ss), SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 8. (a) As used in this section, "new motor vehicle" has the meaning set forth in IC 9-13-2-111.**

(b) Except as provided in subsection (j), transactions involving tangible personal property other than a new motor vehicle are exempt from the state gross retail tax if the person acquiring the property acquires it for resale, rental, or leasing in the ordinary course of the person's business without changing the form



of the property.

(c) The following transactions involving a new motor vehicle are exempt from the state gross retail tax:

(1) A transaction in which a person that has a franchise in effect at the time of the transaction for the vehicle trade name, trade or service mark, or related characteristics acquires a new motor vehicle for resale, rental, or leasing in the ordinary course of the person's business.

(2) A transaction in which a person that is a franchisee appointed by a manufacturer or converter manufacturer licensed under IC 9-23 acquires a new motor vehicle that has at least one (1) trade name, service mark, or related characteristic as a result of modification or further manufacture by the manufacturer or converter manufacturer for resale, rental, or leasing in the ordinary course of the person's business.

(3) A transaction in which a person acquires a new motor vehicle for rental or leasing in the ordinary course of the person's business **as a rental company (as defined in IC 24-4-9-7)**.

(d) The rental or leasing of accommodations to a promoter by a political subdivision (including a capital improvement board) or the state fair commission is not exempt from the state gross retail tax, if the rental or leasing of the property by the promoter is exempt under IC 6-2.5-4-4.

(e) This subsection applies only to aircraft acquired after June 30, 2008. Except as provided in subsection (h), a transaction in which a person acquires an aircraft for rental or leasing in the ordinary course of the person's business is not exempt from the state gross retail tax unless the person establishes, under guidelines adopted by the department in the manner provided in IC 4-22-2-37.1 for the adoption of emergency rules, that the annual amount of the gross lease revenue derived from leasing or rental of the aircraft, which may include revenue from related party transactions, is equal to or greater than seven and five-tenths percent (7.5%) of the:

(1) book value of the aircraft, as published in the Vref Aircraft Value Reference guide for the aircraft; or

(2) net acquisition price for the aircraft.

If a person acquires an aircraft below the Vref Aircraft Value Reference guide book value, the person may appeal to the department for a lower lease or rental threshold equal to the actual acquisition price paid if the person demonstrates that the transaction was completed in a commercially reasonable manner based on the aircraft's age, condition, and equipment. The department may request the person to submit to the department supporting documents showing the aircraft is available for general public lease or rental, copies of business and aircraft insurance policies, and other documents that assist the department in determining if an aircraft is exempt from the state gross retail tax.

(f) A person is required to meet the requirements of subsection (e) until the earlier of the date the aircraft has generated sales tax on leases or rental income that is equal to the amount of the original sales tax exemption or the elapse of thirteen (13) years. If the aircraft is sold by the person before meeting the requirements of this section and before the sale the aircraft was exempt from gross retail tax under subsection (e), the sale of the aircraft shall not result in the assessment or collection of gross retail tax for the period from the date of acquisition to the date of sale by the person.

(g) The person is required to remit the gross retail tax on taxable lease and rental transactions no matter how long the aircraft is used for lease and rental.

(h) This subsection applies only to aircraft acquired after December 31, 2007. A transaction in which a person acquires an aircraft to rent or lease the aircraft to another person for predominant use in public transportation by the other person or by an affiliate of the other person is exempt from the state gross retail



tax. The department may not require a person to meet the revenue threshold in subsection (e) with respect to the person's leasing or rental of the aircraft to receive or maintain the exemption. To maintain the exemption provided under this subsection, the department may require the person to submit only annual reports showing that the aircraft is predominantly used to provide public transportation.

(i) The exemptions allowed under subsections (e) and (h) apply regardless of the relationship, if any, between the person or lessor and the lessee or renter of the aircraft.

(j) A person who purchases a motor vehicle for sharing through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) is not eligible for the exemption under this section.

SECTION 114. IC 6-2.5-5-53 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 53. (a) This subsection applies only to property that is the owner's primary personal residence. If:**

(1) at least one (1) owner of a house, condominium, or apartment maintains the house, condominium, or apartment as the owner's primary personal residence;

(2) the owner rents or furnishes rooms, lodgings, or other accommodations in the house, condominium, or apartment for consideration for fewer than fifteen (15) days in a calendar year;

(3) none of the payments for the room, lodging, or other accommodation are made through a marketplace facilitator; and

(4) the rental or furnishing of the room, lodging, or other accommodation qualifies for the special rule for certain use under Section 280A(g) of the Internal Revenue Code;

the transaction involving the renting or furnishing of the rooms, lodgings, or other accommodations in the house, condominium, or apartment for consideration during the calendar year is exempt from the state gross retail tax.

(b) If an owner described in subsection (a) rents or furnishes rooms, lodgings, or other accommodations in a house, condominium, or apartment for consideration for more than fourteen (14) days in the current calendar year or in the preceding calendar year, the exemption under subsection (a) does not apply and the owner shall collect and remit any state gross retail tax imposed under IC 6-2.5-4-4, subject to the following conditions:

(1) If the rental or furnishing for more than fourteen (14) days occurred in the current calendar year, but not the preceding calendar year, then the tax collection must begin on the fifteenth day of rental or furnishing and each day thereafter in the current calendar year that the owner rents or furnishes rooms, lodgings, or other accommodations in the house, condominium, or apartment for consideration.

(2) If the rental or furnishing for more than fourteen (14) days occurred in the preceding calendar year, then the tax collection must begin on the first day of rental or furnishing and each day thereafter in the current calendar year that the owner rents or furnishes rooms, lodgings, or other accommodations in the house, condominium, or apartment for consideration.

SECTION 115. IC 6-2.5-5-54 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 54. (a) For purposes of this section, an owner of a passenger motor vehicle refers only to an individual and not other types of entities.**

(b) If:

(1) an owner of one (1) or more passenger motor vehicles (as defined by IC 9-13-2-123) shares their passenger motor vehicle or vehicles for consideration for fewer than fifteen (15) days in



a calendar year; and

(2) none of the payments for the sharing of these passenger motor vehicles are made through a marketplace facilitator, including a peer to peer vehicle sharing program (as defined by IC 24-4-9.2-4);

the transactions involving the sharing of these passenger motor vehicles during the calendar year are exempt from the state gross retail tax.

(c) In the case of passenger motor vehicles that are jointly owned, each time a vehicle is shared by any owner counts toward the fifteen (15) days of each owner.

(d) If an owner described in subsection (b) shares one (1) or more passenger motor vehicles for consideration for more than fourteen (14) days in the current calendar year or in the preceding calendar year, the exemption under subsection (b) does not apply and the owner is responsible for collecting and remitting any state gross retail tax imposed under IC 6-2.5-4-10 on the sharing of passenger motor vehicles, subject to the following conditions:

(1) If the sharing for more than fourteen (14) days occurred in the current calendar year, but not the preceding year, the tax collection must begin on the fifteenth day of sharing and each day thereafter in the current calendar year that the owner shares their passenger motor vehicle or vehicles for consideration.

(2) If the sharing for more than fourteen (14) days occurred in the preceding calendar year, the tax collection must begin on the first day of sharing and each day thereafter in the current calendar year that the owner shares their passenger motor vehicle or vehicles for consideration.

SECTION 116. IC 6-2.5-6-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) Except as provided in subsection (b), a person is entitled to a refund from the department if:

- (1) a retail merchant erroneously or illegally collects state gross retail or use taxes under this article from the person;
- (2) the retail merchant remits the taxes to the department;
- (3) the retail merchant does not refund the taxes to the person; and
- (4) the person properly applies for the refund under the refund provisions contained in IC 6-8.1-9.

(b) A person is not entitled to a refund from the department on any state gross retail tax paid on the purchase or lease of a motor vehicle if the motor vehicle was purchased or leased for sharing on a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4).

SECTION 117. IC 6-2.5-6-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13.5. Any purchaser of tangible personal property or services who has overpaid gross retail or use tax to a marketplace facilitator:

- (1) may file a claim for refund with the department; and
- (2) shall not have a cause of action against the marketplace facilitator for the recovery of the overpayment.

A purchaser wishing to file a claim for refund under subdivision (1) must file the claim on the form, in the manner, and with the supporting documentation prescribed by the department. If a purchaser properly files a valid claim for refund, the department shall refund to the purchaser the amount of the overpayment of gross retail or use tax with respect to the transaction.

SECTION 118. IC 6-2.5-9-3, AS AMENDED BY P.L.158-2013, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) Except as provided in subsection (b)



and the limited relief provided for marketplace facilitators in section 3.5 of this chapter (before its expiration), an individual who:

- (1) is an individual retail merchant or is an employee, officer, or member of a corporate or partnership retail merchant; and
- (2) has a duty to remit state gross retail or use taxes (as described in IC 6-2.5-3-2) to the department; holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus any penalties and interest attributable to those taxes, to the state. If the individual knowingly fails to collect or remit those taxes to the state, the individual commits a Level 6 felony.

(b) For calendar years beginning after December 31, 2021, except in cases in which the marketplace facilitator and the seller are affiliated, a marketplace facilitator is not liable under this section for failure to collect and remit gross retail and use taxes if the marketplace facilitator demonstrates to the satisfaction of the department that:

- (1) the marketplace facilitator has a system in place to require the seller to provide accurate information and has made a reasonable effort to obtain accurate information from the seller about a retail transaction;**
- (2) the failure to collect and remit the correct tax was due to incorrect or insufficient information provided to the marketplace facilitator by the seller; and**
- (3) the marketplace facilitator provides information showing who the purchaser was in each transaction for which the tax had not been collected.**

If the marketplace facilitator is relieved of liability under this subsection, the purchaser is liable for any amount of uncollected, unpaid, or unremitted tax.

SECTION 119. IC 6-2.5-9-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 3.5. (a) This section applies only in the context of an audit or other investigation conducted by the department of calendar years beginning after December 31, 2018, and before January 1, 2022.**

(b) Subject to the limits in subsection (c), a marketplace facilitator is relieved of liability for the failure to collect and remit gross retail or use tax on taxable retail transactions to the extent that the marketplace facilitator can show to the department's satisfaction that:

- (1) the taxable retail transaction was made through the marketplace;**
- (2) the marketplace facilitator and the seller are not affiliated persons;**
- (3) the failure to collect gross retail or use tax was not due to an error in sourcing the transaction; and**
- (4) the transaction facilitated by the marketplace facilitator occurred before January 1, 2022, regardless of when the purchased items are delivered to the purchaser.**

(c) Liability relief for a marketplace facilitator under this section for any calendar year to which this section applies is limited as follows:

- (1) For calendar year 2019, the liability relief may not exceed five percent (5%) of the total tax due under this article on taxable retail transactions facilitated by the marketplace and sourced to this state under IC 6-2.5-13-1 during the same calendar year.**
- (2) For calendar year 2020, the liability relief may not exceed three percent (3%) of the total tax due under this article on taxable retail transactions facilitated by the marketplace and sourced to this state under IC 6-2.5-13-1 during the same calendar year.**
- (3) For calendar year 2021, the liability relief may not exceed two percent (2%) of the total tax due under this article on taxable retail transactions facilitated by the marketplace and sourced**



to this state under IC 6-2.5-13-1 during the same calendar year.

(d) If a marketplace facilitator is relieved of liability under this section, the seller is also relieved of liability for the amount of uncollected tax due.

(e) Nothing in this section shall be construed to relieve any person of liability for collecting but failing to remit to the department gross retail and use tax. If a marketplace facilitator exceeds the limits of subsection (c), the marketplace facilitator is liable for the payment of any remaining taxes, plus any penalties and interest attributable to those taxes, to the state. The marketplace facilitator shall also be considered a retail merchant for purposes of section 3 of this chapter.

(f) This section expires January 1, 2023.

SECTION 120. IC 6-3-3-14.6 IS REPEALED [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)].
Sec. 14.6. (a) This section applies only to taxable years beginning after December 31, 2015.

(b) As used in this section, "hospital" means an acute care hospital that:

- (1) is licensed under IC 16-21-2;
- (2) is operated on a for-profit basis;
- (3) is subject to the adjusted gross income tax at the rate specified in IC 6-3-2-1(b);
- (4) provides health care, accommodations, facilities, and equipment, in connection with the services of a physician, to individuals who may need medical or surgical services; and
- (5) is not primarily providing care and treatment of patients:
 - (A) with a cardiac condition;
 - (B) with an orthopedic condition; or
 - (C) receiving a surgical procedure.

(c) Each taxable year, a hospital is entitled to a credit against the hospital's adjusted gross income tax liability for the taxable year equal to twenty percent (20%) of the property taxes paid in Indiana on real property for the taxable year on property used as a hospital.

(d) The credit provided by this section may not exceed the amount of the taxpayer's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section. The amount of any unused credit under this section for a taxable year may be carried forward to a succeeding taxable year or may be claimed as a refundable tax credit.

SECTION 121. IC 6-3.1-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: **Sec. 8. (a) If a taxpayer claims a credit for Indiana qualified research expenses under this chapter for a taxable year, the taxpayer must report to the department whether it has:**

- (1) determined a credit for those Indiana qualified research expenses under either Section 41(a)(1) of the Internal Revenue Code or Section 41(c)(4) of the Internal Revenue Code for that taxable year; and
- (2) claimed the determined credit for those Indiana qualified research expenses under either Section 41(a)(1) of the Internal Revenue Code or Section 41(c)(4) of the Internal Revenue Code for that taxable year.

(b) If a taxpayer claims a credit for those qualified research expenses under this chapter for a taxable year and does not claim a credit for those qualified research expenses for federal tax purposes under Section 41(a)(1) of the Internal Revenue Code or Section 41(c)(4) of the Internal Revenue Code in that taxable year, the taxpayer must disclose to the department any reasons for not claiming the credit for those Indiana qualified research expenses for federal purposes for the



taxable year. The disclosure under this subsection shall be made in the manner specified by the department.

(c) For purposes of IC 6-3-4-6 and IC 6-8.1-5-2, a change to the federal credit under Section 41(a)(1) of the Internal Revenue Code or Section 41(c)(4) of the Internal Revenue Code shall be considered a modification.

(d) The department may adopt rules under IC 4-22-2, including emergency rules, governing this section.

SECTION 122. IC 6-3.1-20-7, AS AMENDED BY P.L.204-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The department shall before July 1 of each year determine the following:

(1) The greater of:

(A) eight million five hundred thousand dollars (\$8,500,000); or

(B) the amount of credits allowed under this chapter for taxable years ending before January 1 of the year.

(2) The quotient of:

(A) the amount determined under subdivision (1); divided by

(B) four (4).

(b) Except as provided in subsection (d), one-half (1/2) of the amount determined by the department under subsection (a)(2) shall be:

(1) deducted each quarter from the riverboat admissions tax revenue otherwise payable to the county under IC 4-33-12-8 and the supplemental distribution otherwise payable to the county under

~~IC 4-33-13-5(g); IC 4-33-13-5(f);~~ and

(2) paid instead to the state general fund.

(c) Except as provided in subsection (d), one-sixth (1/6) of the amount determined by the department under subsection (a)(2) shall be:

(1) deducted each quarter from the riverboat admissions tax revenue otherwise payable under IC 4-33-12-8 and the supplemental distribution otherwise payable under ~~IC 4-33-13-5(g)~~

IC 4-33-13-5(f) to each of the following:

(A) The largest city by population located in the county.

(B) The second largest city by population located in the county.

(C) The third largest city by population located in the county; and

(2) paid instead to the state general fund.

(d) If the amount determined by the department under subsection (a)(1)(B) is less than eight million five hundred thousand dollars (\$8,500,000), the difference of:

(1) eight million five hundred thousand dollars (\$8,500,000); minus

(2) the amount determined by the department under subsection (a)(1)(B);

shall be paid in four (4) equal quarterly payments to the northwest Indiana regional development authority established by IC 36-7.5-2-1 instead of the state general fund. Any amounts paid under this subsection shall be used by the northwest Indiana regional development authority only to establish or improve public mass rail transportation systems in Lake County.

SECTION 123. IC 6-3.1-30.5-13, AS AMENDED BY P.L.217-2017, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) The total amount of tax credits awarded under this chapter may not exceed nine million five hundred thousand dollars (\$9,500,000) in the state fiscal year beginning July 1, 2016, and ending June 30, 2017.



(b) The total amount of tax credits awarded under this chapter in a state fiscal year may not exceed the following:

(1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning July 1, 2017, and ending June 30, 2018.

(2) Fourteen million dollars (\$14,000,000) for ~~each the~~ state fiscal year beginning ~~after June 30, 2018~~: **July 1, 2018, and ending June 30, 2019.**

(3) **Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending June 30, 2020.**

(4) **Sixteen million five hundred thousand dollars (\$16,500,000) for each state fiscal year beginning after June 30, 2020.**

SECTION 124. IC 6-6-5-9.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Sec. 9.5. (a) Before the twentieth day of each month the bureau shall do the following:

(1) Determine the amount of excise taxes that would have been collected for each county for the preceding month based on the tax rate schedule that was in effect on January 1, 1995.

(2) Determine and report to the auditor of state the difference between what was actually collected for each county for that month and what would have been collected at the January 1, 1995, rates.

(b) For the months of January through November, the auditor of state shall determine a monthly uniform disbursement percentage to be applied in determining the amount of motor vehicle excise tax replacement money to be disbursed to each county. The monthly uniform disbursement percentage equals the quotient of the sum of the amounts transferred under IC 4-30-17-3.5 plus the amounts transferred under ~~subsections (f) and (g)~~ **subsection (f)** to the motor vehicle excise tax replacement account in the month of the bureau's report divided by the sum of the total differences for all counties, as determined under subsection (a) and identified in the bureau's report for that month.

(c) For December, the auditor of state shall determine an annual uniform disbursement percentage to be applied in determining the amount of motor vehicle excise tax replacement money to be disbursed to each county in December as an annual adjustment.

(d) The annual uniform disbursement percentage equals the quotient of the sum of the amounts transferred under IC 4-30-17-3.5 plus the amounts transferred under ~~subsections (f) and (g)~~ **subsection (f)** to the motor vehicle excise tax replacement account in the months of January through December divided by the sum of the total differences for all counties, as determined under subsection (a) and identified in the bureau's reports for the months of January through December.

(e) For the months of January through November, the auditor of state shall distribute to the county the amount of the difference determined under subsection (a) in the month of the bureau's report for that county, multiplied by the monthly uniform disbursement percentage for that month. For December, the auditor shall distribute to the county the total difference in the bureau's reports determined under subsection (a) in the months of January through December for that county, multiplied by the annual uniform disbursement percentage, less the amounts distributed to the county in January through November. However, the total distribution to a county in a calendar year may not exceed the total difference in the bureau's reports determined under subsection (a) in the months of January through December for that county in the year.

(f) ~~The transfers under this subsection are in addition to the transfers required under IC 4-30-17-3.5 and subsection (g). Before the twenty-fifth day of each month, the auditor of state shall transfer from the state general fund to the state general fund motor vehicle excise tax replacement account sixteen thousand nine hundred seventy-four dollars (\$16,974). The transfers required under this subsection are annually~~



appropriated from the state general fund:

(g) (f) This subsection applies only after December 31, 1995, and applies only if insufficient money is available in the **build Indiana lottery surplus** fund to make the distributions to the state general fund motor vehicle excise tax replacement account that are required under IC 4-30-17-3.5. Before the twenty-fifth day of each month, the auditor of state shall transfer from the state general fund to the state general fund motor vehicle excise tax replacement account the difference between:

- (1) the amount that IC 4-30-17-3.5 requires the auditor of state to distribute from the **build Indiana lottery surplus** fund to the state general fund motor vehicle excise tax replacement account; and
- (2) the amount that is available for distribution from the **build Indiana lottery surplus** fund to the state general fund motor vehicle excise tax replacement account.

The transfers required under this subsection are annually appropriated from the state general fund.

(h) (g) Any money remaining in the motor vehicle excise tax replacement account after the last county distribution in December shall be transferred to the **build Indiana lottery surplus** fund. The auditor of state shall make the distribution before the end of the month the auditor receives the bureau's report.

(i) (h) The money needed for the distribution shall be withdrawn from the motor vehicle excise tax replacement account. There is appropriated from the state general fund motor vehicle excise tax replacement account, the amount needed to make the distributions required by this section.

(j) (i) Distributions made under this section are considered motor vehicle excise taxes for purposes of allocating revenue among taxing units under this chapter.

SECTION 125. IC 6-6-9-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:
Sec. 8. (a) The rental of a truck is exempt from the auto rental excise tax if the declared gross weight of the truck being rented exceeds eleven thousand (11,000) pounds.

(b) The rental of a passenger motor vehicle or truck by a funeral director licensed under IC 25-15 is exempt from the auto rental excise tax if the rental is part of the services provided by the director for a funeral.

(c) The sharing of a passenger motor vehicle or truck through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) is exempt from the auto rental excise tax.

SECTION 126. IC 6-6-9.5-7, AS ADDED BY P.L.214-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The legislative body of the most populous city in the county may adopt an ordinance to impose an excise tax, known as the county supplemental auto rental excise tax, upon the rental of passenger motor vehicles in the county for periods of less than thirty (30) days. The ordinance must specify that the tax expires December 31, 2036.

(b) **Except as provided in subsection (c)**, the county supplemental auto rental excise tax that may be imposed upon the rental of a passenger motor vehicle is two percent (2%) of the gross retail income received by the retail merchant for the rental.

(c) The county supplemental auto rental excise tax does not apply to the sharing of passenger motor vehicles through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) in the county unless the legislative body of the most populous city in the county adopts an ordinance to impose the tax as provided in this section. The legislative body of the most populous city in the county may adopt an ordinance to impose the county supplemental auto rental excise tax on the sharing of passenger motor vehicles registered in the county for purposes of IC 6-6-5 through a peer to peer vehicle sharing program. The amount of the tax is equal to:

- (1) the gross retail income received by the peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) for the sharing of the passenger motor vehicle; multiplied by



(2) one percent (1%).

The ordinance must specify that the ordinance expires December 31, 2036.

~~(e)~~ **(d)** If the city legislative body adopts an ordinance under subsection (a) **or (c)**, the city legislative body shall immediately send a certified copy of the ordinance to the commissioner of the department.

~~(d)~~ **(e)** If the city legislative body adopts an ordinance under subsection (a) **or (c)** before June 1 of a year, the county supplemental auto rental excise tax applies to auto rentals after June 30 of the year in which the ordinance is adopted. If the city legislative body adopts an ordinance under subsection (a) **or (c)** on or after June 1 of a year, the county supplemental auto rental excise tax applies to auto rentals after the last day of the month in which the ordinance is adopted.

SECTION 127. IC 6-6-9.7-7, AS AMENDED BY P.L.205-2013, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The city-county council of a county that contains a consolidated city may adopt an ordinance to impose an excise tax, known as the county supplemental auto rental excise tax, upon the rental of passenger motor vehicles and trucks in the county for periods of less than thirty (30) days. The ordinance must specify that the tax expires December 31, 2027.

(b) Except as provided in ~~subsection~~ **subsections (c) and (f)**, the county supplemental auto rental excise tax that may be imposed upon the rental of a passenger motor vehicle or truck equals two percent (2%) of the gross retail income received by the retail merchant for the rental.

(c) On or before June 30, 2005, the city-county council may, by ordinance adopted by a majority of the members elected to the city-county council, increase the tax imposed under subsection (a) from two percent (2%) to four percent (4%). The ordinance must specify that:

(1) if on December 31, 2027, there are obligations owed by the capital improvement board of managers to the Indiana stadium and convention building authority or any state agency under IC 5-1-17-26, the original two percent (2%) rate imposed under subsection (a) continues to be levied after its original expiration date set forth in subsection (a) and through December 31, 2040; and

(2) the additional rate authorized under this subsection expires on:

(A) January 1, 2041;

(B) January 1, 2010, if on that date there are no obligations owed by the capital improvement board of managers to the Indiana stadium and convention building authority or to any state agency under IC 5-1-17-26; or

(C) October 1, 2005, if on that date there are no obligations owed by the capital improvement board of managers to the Indiana stadium and convention building authority or to any state agency under a lease or a sublease of an existing capital improvement entered into under IC 5-1-17, unless waived by the budget director.

(d) The amount collected from that portion of county supplemental auto rental excise tax imposed under:

(1) subsection (b) and collected after December 31, 2027; ~~and~~

(2) ~~under~~ subsection (c); **and**

(3) subsection (f);

shall, in the manner provided by section 11 of this chapter, be distributed to the capital improvement board of managers operating in a consolidated city or its designee. So long as there are any current or future obligations owed by the capital improvement board of managers to the Indiana stadium and convention building authority created by IC 5-1-17 or any state agency pursuant to a lease or other agreement entered into between the capital improvement board of managers and the Indiana stadium and



convention building authority or any state agency under IC 5-1-17-26, the capital improvement board of managers or its designee shall deposit the revenues received under this subsection in a special fund, which may be used only for the payment of the obligations described in this subsection.

(e) After January 1, 2013, and before March 1, 2013, the city-county council may, by ordinance adopted by a majority of the members elected to the city-county council, increase the tax rate imposed under subsection (a) by not more than two percent (2%). The amount collected from an increase adopted under this subsection shall be deposited in the sports and convention facilities operating fund established by IC 36-7-31-16. An increase in the tax rate under this subsection continues in effect unless the increase is rescinded. However, any increase in the tax rate under this subsection may not continue in effect after February 28, 2023.

(f) The county supplemental auto rental excise tax does not apply to the sharing of passenger motor vehicles or trucks through a peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) in the county unless the city-county council adopts an ordinance, by a majority of the members elected to the city-county council, to impose the tax as provided in this section. The city-county council may adopt an ordinance to impose the county supplemental auto rental excise tax on the sharing of passenger motor vehicles or trucks registered in the county for purposes of IC 6-6-5 through a peer to peer vehicle sharing program. The amount of the tax is equal to:

- (1) the gross retail income received by the peer to peer vehicle sharing program (as defined in IC 24-4-9.2-4) for the sharing of the passenger motor vehicle or truck; multiplied by**
- (2) one percent (1%).**

The ordinance must specify that the ordinance expires December 31, 2027.

~~(f)~~ **(g)** If a city-county council adopts an ordinance under subsection (a), (c), ~~or~~ (e), **or (f)**, the city-county council shall immediately send a certified copy of the ordinance to the commissioner of the department of state revenue.

~~(g)~~ **(h)** If a city-county council adopts an ordinance under subsection (a), (c), ~~or~~ (e), **or (f)** on or before the fifteenth day of a month, the county supplemental auto rental excise tax applies to auto rentals after the last day of the month in which the ordinance is adopted. If the city-county council adopts an ordinance under subsection (a), (c), ~~or~~ (e), **or (f)** after the fifteenth day of a month, the county supplemental auto rental excise tax applies to auto rentals after the last day of the month following the month in which the ordinance is adopted.

SECTION 128. IC 6-6-16 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]:

Chapter 16. Vehicle Sharing Excise Tax

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

- (1) "Department" refers to the department of state revenue.**
- (2) "Gross retail income" has the meaning set forth in IC 6-2.5-1-5.**
- (3) "Passenger motor vehicle" has the meaning set forth in IC 9-13-2-123.**
- (4) "Peer to peer vehicle sharing program" has the meaning set forth in IC 24-4-9.2-4.**
- (5) "Person" has the meaning set forth in IC 6-2.5-1-3.**
- (6) "Retail merchant" has the meaning set forth in IC 6-2.5-1-8 and, for purposes of this chapter, is limited to:**
 - (A) the peer to peer vehicle sharing program when a vehicle is shared through a peer to peer vehicle sharing program; or**
 - (B) the vehicle owner when a vehicle is not shared through a peer to peer vehicle sharing**



program;

(7) "Shared vehicle driver" has the meaning set forth in IC 24-4-9.2-7.

(8) "Shared vehicle owner" has the meaning set forth in IC 24-4-9.2-8.

(9) "Truck" has the meaning set forth in IC 9-13-2-188(a).

(10) "Vehicle owner" means a person who shares a vehicle that is not available for sharing on a peer to peer vehicle sharing program. The term excludes shared vehicle owners.

Sec. 2. (a) An excise tax, known as the vehicle sharing excise tax, is imposed upon the sharing of passenger motor vehicles and trucks in Indiana for periods of less than thirty (30) days.

(b) The vehicle sharing excise tax imposed upon the sharing of a passenger motor vehicle or truck equals:

(1) the gross retail income received by the retail merchant for the sharing of the passenger motor vehicle or truck; multiplied by

(2) two percent (2%).

(c) The gross retail income from each transaction under this section is the total amount of consideration paid by the shared vehicle driver, including the payment of any fee, commission, or other charge by the peer to peer vehicle sharing program, except that it does not include any taxes on such a transaction.

Sec. 3. (a) The sharing of a truck is exempt from the vehicle sharing excise tax if the declared gross weight of the truck being shared exceeds eleven thousand (11,000) pounds.

(b) The sharing of a passenger motor vehicle or truck by a funeral director licensed under IC 25-15 is exempt from the vehicle sharing excise tax if the sharing is part of the services provided by the director for a funeral.

(c) The exemption provided by IC 6-2.5-5-54(b) from the state gross retail tax also applies to the vehicle sharing excise tax.

Sec. 4. The shared vehicle driver who shares a passenger motor vehicle or truck is liable for the vehicle sharing excise tax. The shared vehicle driver shall pay the tax:

(1) to the peer to peer vehicle sharing program if shared through a peer to peer vehicle sharing program; or

(2) to the vehicle owner if not shared through a peer to peer vehicle sharing program;

as a separate amount added to the consideration for the sharing. The peer to peer vehicle sharing program or vehicle owner shall collect the tax as an agent for the state.

Sec. 5. (a) Except as otherwise provided in this section, the vehicle sharing excise tax shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(b) Each retail merchant filing a return for the vehicle sharing excise tax shall indicate in the return the amount of vehicle sharing excise taxes collected for each county in which one (1) or more shared vehicles are registered for purposes of IC 6-6-5, and the amount collected for vehicles registered outside Indiana but subject to the vehicle sharing excise tax.

(c) The return to be filed for the payment of the vehicle sharing excise tax may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax, in a manner prescribed by the department.

Sec. 6. (a) All revenues collected from the vehicle sharing excise tax shall be deposited in a special account of the state general fund called the vehicle sharing excise tax account.

(b) On or before May 20 and November 20 of each year, all amounts held in the vehicle sharing



excise tax account shall be distributed to the county treasurers of Indiana.

(c) The amount to be distributed to a county treasurer equals that part of the total vehicle sharing excise taxes being distributed that were initially imposed on and collected from the sharing of motor vehicles registered in that county for purposes of IC 6-6-5. The department shall notify each county auditor of the amount of taxes to be distributed to the county treasurer.

(d) The county treasurer shall deposit vehicle sharing excise tax collections into a separate account for settlement at the same time as property taxes are accounted for and settled in June and December of each year.

(e) The county auditor shall apportion and the county treasurer shall distribute the vehicle sharing excise taxes among the tax districts in the county in the same proportion as property taxes are apportioned by the county.

(f) Any vehicle sharing excise tax revenue collected for vehicles that are not registered under IC 6-6-5 shall be distributed to the state general fund.

(g) All distributions from the vehicle sharing excise tax account shall be made by warrants issued by the auditor of state to the treasurer of state ordering those payments to the appropriate county treasurer.

SECTION 129. IC 6-7-1-29.1, AS AMENDED BY P.L.95-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 29.1. (a) One-sixth (1/6) of the money in the cigarette tax fund is annually appropriated as follows:

(1) The amount to which subsection (d) applies is annually appropriated to the division of soil conservation for the purpose set forth in subsection (d).

(2) The remainder of one-sixth (1/6) of the money in the cigarette tax fund is annually appropriated as follows:

(A) One million eight hundred thousand dollars (\$1,800,000) shall be transferred to the state construction fund (IC 7.1-4-8).

(B) The remainder is appropriated to the department of natural resources for the purposes set forth in subsections (b) and (c).

(b) The department of natural resources shall use at least two percent (2%) but not more than twenty-one percent (21%) of the money appropriated under this section for:

(1) flood control and water resource projects, including multiple-purpose reservoirs; and

(2) applied research related to technical water resource problems.

The department of natural resources may use the money to which this subsection applies to plan, design, acquire land for, or construct the projects.

(c) The department of natural resources shall use at least thirty-six percent (36%) of the money appropriated under this section to construct, reconstruct, rehabilitate, or repair general conservation facilities or to acquire land.

(d) The division of soil conservation of the Indiana state department of agriculture shall use at least forty-three percent (43%) of the money appropriated under this section for soil conservation.

SECTION 130. IC 6-8-12-1, AS AMENDED BY P.L.239-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. **(a)** As used in this chapter, "eligible entity" means:

(1) the National Football League and its affiliates;

(2) the National Collegiate Athletic Association and its affiliates; ~~and~~

(3) the National Basketball Association and its affiliates; **and**



(4) the College Football Playoff Group and its affiliates.

(b) The College Football Playoff Group described in subsection (a)(4) is comprised of the American Athletic Conference, Atlantic Coast Conference, the Big Ten Conference, Inc., the Big 12 Conference, Inc., Conference USA, Mid-American Conference, Mountain West Conference, Pac-12 Conference, Southeastern Conference, Sun Belt Conference, University of Notre Dame Du Lac, and BCS Properties, LLC.

SECTION 131. IC 6-8-12-2, AS AMENDED BY P.L.239-2017, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter, "eligible event" means:

- (1) an event known as the Super Bowl that is conducted after December 31, 2011, by an eligible entity described in section ~~4(1)~~**1(a)(1)** of this chapter;
- (2) an event known as the Men's Final Four or the Women's Final Four, including the ancillary events associated with the Men's Final Four or the Women's Final Four, that is conducted after December 31, 2011, by an eligible entity described in section ~~4(2)~~**1(a)(2)** of this chapter; **or**
- (3) an event comprising NBA All-Star Weekend conducted by an eligible entity described in section ~~4(3)~~**1(a)(3)** of this chapter, including the NBA All-Star Game, All-Star Saturday Night, Rising Stars Challenge, Celebrity Game, D-League All-Star Game, and additional events as the NBA may establish; **or**
- (4) an event known as the College Football Playoff National Championship, including the ancillary events associated with the College Football Playoff National Championship, that is conducted after December 31, 2021, by an eligible entity described in section 1(a)(4) of this chapter.**

SECTION 132. IC 6-8.1-1-1, AS AMENDED BY P.L.212-2018(ss), SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 1. "Listed taxes" or "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the supplemental wagering tax (IC 4-33-12); the riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC 6-3.5-1.1) (repealed); the county option income tax (IC 6-3.5-6) (repealed); the county economic development income tax (IC 6-3.5-7) (repealed); the local income tax (IC 6-3.6); the auto rental excise tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13); the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the heavy equipment rental excise tax (IC 6-6-15); **the vehicle sharing excise tax (IC 6-6-16)**; the cigarette tax (IC 6-7-1); the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-20-18); the fees and penalties assessed for overweight vehicles (IC 9-20-4 and IC 9-20-18); and any other tax or fee that the department is required to collect or administer.

SECTION 133. IC 6-8.1-3-7.1, AS AMENDED BY P.L.242-2015, SECTION 33, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7.1. (a) "Fiscal officer" has the meaning set forth in IC 36-1-2-7.

(b) The department shall enter into an agreement with the fiscal officer of an entity that has adopted an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9 to furnish the fiscal officer annually with:

- (1) the name of each business collecting the taxes listed in this subsection; and
- (2) the amount of money collected from each business.

For an innkeeper's tax or food and beverage tax remitted through a marketplace facilitator, the information must include the name of each business and the amount of money collected from each business by a marketplace facilitator acting on behalf of the business.

(c) The agreement must provide that the department must provide the information in an electronic format that the fiscal officer can use, as well as a paper copy.

(d) The agreement must include a provision that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the department.

(e) The department shall also enter into an agreement with the fiscal officer of a capital improvement board of managers:

- (1) created under IC 36-10-8 or IC 36-10-9; and
- (2) that is responsible for expenditure of funds from:
 - (A) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;
 - (B) the supplemental auto rental excise tax under IC 6-6-9.7; or
 - (C) the state gross retail taxes allocated to a professional sports development area fund, a sports and convention facilities operating fund, or other fund under IC 36-7-31 or IC 36-7-31.3;

to furnish the fiscal officer annually with the name of each business collecting the taxes listed in this subsection, and the amount of money collected from each business. An agreement with a fiscal officer under this subsection must include a nondisclosure provision the same as is required for a fiscal officer under subsection (d).

SECTION 134. IC 6-8.1-9-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. **(a)** A class action for the refund of a tax subject to this chapter may not be maintained in any court, including the Indiana tax court, on behalf of any person who has not complied with the requirements of section 1(a) of this chapter before the certification of the class. A refund of taxes to a member of a class in a class action is subject to the time limits set forth in section 1(a) of this chapter based on the time the class member filed the required claim for refund with the department.

(b) A class action may not be brought against a marketplace facilitator on behalf of purchasers arising from or in any way related to an overpayment of gross retail tax or use tax collected by the marketplace facilitator, regardless of whether such action is characterized as a tax refund claim. However, nothing in this subsection affects a purchaser's right to seek a refund under this chapter.

SECTION 135. IC 6-8.1-16.3-5, AS ADDED BY P.L.147-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).

- (b) The department of state revenue pilot program fund is established.
- (c) The fund shall be used to assist implementation and administration of the pilot program.
- (d) The fund may consist of one (1) or more of the following:



- (1) Appropriations made by the general assembly.
- (2) Donations made or gifts donated to the fund.
- (3) Any proceeds derived from agreements or contracts made with third parties.
- (e) The fund shall be administered by the department.
- (f) The expenses of administering the pilot program and the fund shall be paid for by the fund.
- (g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.
- (h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.
- (i) Money in the fund is continuously appropriated to the department of state revenue to carry out the purposes of the fund.**

SECTION 136. IC 6-9-1-5, AS AMENDED BY P.L.175-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) In a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), there shall be levied each year a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any commercial hotel, motel, inn, tourist camp, or tourist cabin.

(b) Subject to subsection (c), such tax shall be at the rate of six percent (6%) on the gross income derived from lodging income only and shall be in addition to the state gross retail tax imposed on such persons by IC 6-2.5.

(c) The following apply to the tax rate imposed under this chapter:

- (1) On the date set forth in section 6.2(d) of this chapter, the tax rate in subsection (b) shall be decreased by six-tenths of one percent (0.6%).**
- (2) On the date set forth in section 6.3(d) of this chapter, the tax rate in subsection (b) shall be decreased by four-tenths of one percent (0.4%).**
- (3) If both decreases to the tax rate are made under subdivisions (1) and (2), the tax rate imposed under this chapter shall be five percent (5%).**

(d) The tax shall be paid quarterly to the county treasurer not more than twenty (20) days after the end of the quarter in which the tax is collected. All provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, exemptions, and definitions apply to the imposition of the tax imposed by this section except as otherwise provided by this chapter, and except that the county treasurer, and not the department of state revenue, is responsible for administration of the tax. All provisions of IC 6-8.1 apply to the county treasurer with respect to the tax imposed by this section in the same manner that they apply to the department of state revenue with respect to the other listed taxes under IC 6-8.1-1-1.

~~(b)~~ **(e)** The tax imposed under subsection (a) does not apply to the renting or furnishing of rooms, lodgings, or accommodations to a person for a period of thirty (30) days or more.

SECTION 137. IC 6-9-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) As used in this section, "fund" refers to the convention and exhibition center fund.

(b) As used in this section, "primary capital improvement" means a capital improvement in the nature of a convention and exhibition center for which the majority of the money deposited in the fund in calendar year 1993 was used.

(c) Except as provided in sections 6.2 and 6.3 of this chapter, the tax revenues collected by the county treasurer under section 5 of this chapter shall be deposited quarterly in the convention and exhibition center fund.

(d) Money in the fund shall be expended by the board of managers to:



- (1) finance, construct, improve, equip, operate, promote, and maintain any capital improvement in the nature of a convention and exhibition center;
- (2) renovate, equip, operate, and maintain any existing structure which may be used as a convention and exhibition center;
- (3) refund bonds issued for a purpose described in subdivisions (1) through (2), make lease payments incurred, or retire bonds issued to finance, construct, improve, or equip a capital project described in this section;
- (4) promote tourism; or
- (5) any other purpose described in this section.

(e) The board of managers shall expend money in the fund that is not used to operate a facility or make payments under a lease agreement in the following order of priority:

- (1) First, to preserve and enhance the physical condition and economic competitiveness of the primary capital improvement, including the establishment of reasonable reserves.
- (2) Second, for capital improvements to support, supplement, or enhance the utilization of the primary capital improvement and for tourism promotion. However, the capital improvements to which this subdivision applies must be managed directly or ultimately by the governing body of the primary capital improvement.

(f) The board of managers is authorized to enter into lease arrangements with governmental or private agencies for the purpose of using the facilities for convention, civic, or exhibition activities. The convention and exhibition center fund may be obligated by the board of managers and used for the purpose of paying any amount agreed upon in said lease agreement with governmental or private agencies.

(g) With respect to obligations to refund or retire bonds or loans issued or make lease payments incurred for a purpose described in this section, the general assembly covenants with the holders of these obligations that:

- (1) this chapter will not be repealed or amended in any manner that will adversely affect the imposition or collection of the portion of the tax imposed under this chapter that is authorized to be expended for an obligation; and
- (2) this chapter will not be amended in any manner that will change the purpose for which the revenues from the tax imposed under this chapter;

as long as the payment of any of those obligations is outstanding.

SECTION 138. IC 6-9-1-6.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6.2. (a) As used in this section, "sports complex fund" refers to the Mishawaka indoor sports complex fund.**

(b) Beginning after June 30, 2019, and subject to subsection (d), the amount of revenue collected by the county treasurer under section 5 of this chapter as a result of a one percent (1%) rate shall be deposited as follows:

- (1) Sixty percent (60%) shall be deposited quarterly in the sports complex fund.**
- (2) Forty percent (40%) shall be deposited as set forth in section 6.3 of this chapter.**

In the event that section 6.3 of this chapter expires and the tax rate is decreased as set forth in section 5(c) of this chapter, the amount of revenue deposited in the sports complex fund under subdivision (1) shall not be affected and the reduction in tax revenue collected by the county treasurer under section 5 of this chapter as a result of the decrease in the rate shall only be allocated to reduce the quarterly deposit in the convention and exhibition center fund under section



6(c) of this chapter.

(c) Money in the sports complex fund shall be expended by the board of managers to develop and operate an indoor sports complex located in the city of Mishawaka.

(d) This section expires and the tax rate imposed under this chapter shall be decreased as set forth in section 5(c) of this chapter on the later of:

(1) July 1, 2024; or

(2) the date on which the operations of the indoor sports complex have expired.

SECTION 139. IC 6-9-1-6.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6.3. (a) As used in this section, "zoo fund" refers to the Potawatomi Zoo fund.

(b) Beginning after June 30, 2019, and subject to subsection (d), the amount of revenue collected by the county treasurer under section 5 of this chapter as a result of a one percent (1%) rate shall be deposited as follows:

(1) Forty percent (40%) shall be deposited quarterly in the zoo fund.

(2) Sixty percent (60%) shall be deposited as set forth in section 6.2 of this chapter.

In the event that section 6.2 of this chapter expires and the tax rate is decreased as set forth in section 5(c) of this chapter, the amount of revenue deposited in the zoo fund under subdivision (1) shall not be affected and the reduction in tax revenue collected by the county treasurer under section 5 of this chapter as a result of the decrease in the rate shall only be allocated to reduce the quarterly deposit in the convention and exhibition center fund under section 6(c) of this chapter.

(c) Money in the zoo fund shall be expended by the board of managers to:

(1) finance projects for the Potawatomi Zoo located in the city of South Bend that are included in the Potawatomi Zoo's capital improvement master plan as in effect on July 1, 2019; and

(2) refund bonds issued or pay other obligations incurred for a purpose described in subdivision (1), make lease payments incurred, or retire bonds issued to finance projects for the Potawatomi Zoo located in the city of South Bend as described in subdivision (1).

(d) This section expires and the tax rate imposed under this chapter shall be decreased as set forth in section 5(c) of this chapter on the later of:

(1) July 1, 2024; or

(2) the date on which any bonds, leases, or debt obligations that are financed with tax revenue in the zoo fund have expired or been paid.

SECTION 140. IC 6-9-29-1.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.2. (a) Except as provided in subsection (b), an innkeeper's tax imposed under this article applies, in addition to any other place explicitly specified in a statute under this article, to rooms, lodgings, or other accommodations in a house, condominium, or apartment that are furnished for consideration for less than thirty (30) days.

(b) The exemption provided by IC 6-2.5-5-53(a) from the state gross retail tax also applies to innkeeper's taxes imposed under subsection (a).

(c) This subsection is intended as notice to an owner in subsection (a). The state gross retail tax imposed under IC 6-2.5-4-4 may also apply to transactions described in subsection (a) in which an owner is required to collect and remit innkeeper's taxes under an applicable innkeeper's tax statute in this article.

SECTION 141. IC 6-9-29-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A marketplace facilitator (as defined in



IC 6-2.5-1-21.9) of rooms, lodgings, or accommodations subject to taxation under this article is considered the person engaged in the business of renting or furnishing the rooms, lodgings, or accommodations and is required to collect and remit any taxes imposed under this article.

(b) Regardless of whether a transaction under this article was made by the marketplace facilitator on its own behalf or facilitated on behalf of a seller, a marketplace facilitator is required to do the following with each retail transaction made on its marketplace:

- (1) Collect and remit the tax imposed under this article to the department, even if:
 - (A) a seller for whom a transaction was facilitated:
 - (i) does not have a registered retail merchant certificate; or
 - (ii) would not have been required to collect an innkeeper's tax had the transaction not been facilitated by the marketplace facilitator; and
 - (B) the innkeeper's tax is normally remitted directly to a political subdivision of the state.
- (2) Comply with all applicable procedures and requirements imposed under this article or IC 6-2.5 as the retail merchant in the transaction.

(c) Upon the request of:

- (1) the department; or
- (2) a political subdivision;

a marketplace facilitator shall provide information listing the tax collected in accordance with this article by the marketplace facilitator on behalf of each of its sellers for the period specified by the requesting entity.

(d) For purposes of subsection (c):

- (1) if the information is requested by the department, the department may share the information with the political subdivision in which the transactions occurred in accordance with IC 6-8.1-3-7.1; or
- (2) if the information is requested by a political subdivision, the political subdivision is entitled only to information pertaining to transactions that occurred within the political subdivision.

SECTION 142. IC 6-9-29-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 7. (a) A county treasurer may enter into an agreement with the fiscal officer of an entity:**

- (1) created under this article; and
- (2) that is responsible for the expenditure of funds from an innkeeper's tax under this article;

to furnish the fiscal officer each month with the name and retail address of each business collecting the innkeeper's tax and the amount of money collected from each business.

(b) An agreement under subsection (a) must include a provision specifying that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names or retail addresses of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the county treasurer.

SECTION 143. IC 6-9-29.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 29.5. Food and Beverage Tax Administration

Sec. 1. This chapter applies to all political subdivisions imposing a food and beverage tax under this article.

Sec. 2. (a) A marketplace facilitator (as defined in IC 6-2.5-1-21.9) subject to the requirements



to collect sales tax on its own transactions or on behalf of its sellers in accordance with IC 6-2.5-4-18 is also required to collect any taxes imposed under this article on a transaction that it facilitates.

(b) A marketplace facilitator must source the tax imposed under this article on any transaction to the retail location of the seller in each transaction.

(c) Regardless of whether a transaction under this article is made by the marketplace facilitator on its own behalf or facilitated on behalf of a seller, a marketplace facilitator is required to do the following with each retail transaction made on its marketplace:

(1) Collect and remit the tax imposed under this article to the department, even if:

(A) a seller for whom a transaction was facilitated:

(i) does not have a registered retail merchant certificate; or

(ii) would not have been required to collect a food and beverage tax had the transaction not been facilitated by the marketplace facilitator; and

(B) the food and beverage tax is normally remitted directly to a political subdivision of the state.

(2) Comply with all applicable procedures and requirements imposed under this article or IC 6-2.5 as the retail merchant in the transaction.

Sec. 3. (a) An individual who:

(1) is an individual taxpayer or an employee, officer, or member of a corporate or partnership taxpayer; and

(2) has a duty to remit food and beverage taxes to the department of state revenue or a political subdivision;

holds those food and beverage taxes in trust for the state or political subdivision and is personally liable for the payment of the food and beverage taxes, plus any penalties and interest attributable to the food and beverage taxes, to the state or political subdivision. An individual who knowingly fails to collect or remit the food and beverage taxes to the state or political subdivision commits a Level 6 felony.

(b) Upon the request of:

(1) the department; or

(2) a political subdivision;

a marketplace facilitator shall provide information listing the tax collected in accordance with this article by the marketplace facilitator on behalf of each of its sellers for the period specified by the requesting entity.

(c) For purposes of subsection (b):

(1) if the information is requested by the department, the department may share the information with the political subdivision in which the transactions occurred in accordance with IC 6-8.1-3-7.1; or

(2) if the information is requested by a political subdivision, the political subdivision is entitled only to information pertaining to transactions that occurred within the political subdivision.

SECTION 144. IC 7.1-4-8-1, AS AMENDED BY P.L.213-2015, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. The department shall:

(1) deposit daily with the treasurer of state:

(A) three and three-fourths cents ($3\frac{3}{4}\text{¢}$) of the beer excise tax rate collected on each gallon of beer or flavored malt beverage;

(B) one dollar and seventeen cents (\$1.17) of the liquor excise tax rate collected on each gallon



of liquor; and

(C) sixteen cents (16¢) of the wine excise tax rate collected on each gallon of wine; and

(2) not later than the fifth day of the following month, transfer the deposits under subdivision (1) into the ~~postwar state~~ construction fund.

SECTION 145. IC 7.1-4-8-2, AS AMENDED BY P.L.234-2007, SECTION 274, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The monies deposited in the ~~postwar state~~ construction fund shall be used ~~for construction~~ by the state for the ~~use of:~~

~~(1) penal, benevolent, charitable and educational institutions of the state;~~

~~(2) public safety projects of the state; and~~

~~(3) municipal water and sewer infrastructure improvements necessary or useful for an institution or project described in subdivision (1) or (2);~~

construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties and institutions (excluding state educational institutions, as defined in IC 21-7-13-32).

SECTION 146. IC 8-5-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter:

"Board" means the board of trustees of the commuter transportation district.

"Commuter transportation system" means any rail common carrier of passengers for hire, the line, route, road, or right-of-way of which crosses one (1) or more county boundaries and one (1) or more boundaries of the state and serves residents in more than one (1) county. This system is limited to commuter passenger railroads.

"Commissioner" means the commissioner of the Indiana department of transportation.

"Cost" as applied to a railroad or railroad project includes:

(1) the cost of construction;

(2) the cost of acquisition of personal property, capital stock, land, rights-of-way, property rights, easements, and interests;

(3) the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved;

(4) the cost of relocating public roads and land, or of easements;

(5) the cost of all machinery and equipment, financing charges, interest before and during construction and for not exceeding two (2) years after the estimated date of completion of construction;

(6) the cost of engineering and legal expenses, plans, specifications, surveys, estimates of cost, traffic, and revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing or acquiring any such project;

(7) administrative expense; and

(8) such other expenses as may be necessary or incident to the construction or acquisition, of the project, the financing of the construction or acquisition, and the placing of the project in operation.

"District" means a commuter transportation district established under this chapter.

"Passenger" means a frequent user of the commuter transportation system who can demonstrate an interest and familiarity with the commuter transportation system.

"Project" or "railroad project" includes any facilities, adjuncts, and appurtenances necessary to operate a railroad, such as lines, routes, roads, rights-of-way, easements, licenses, permits, tangible personal property, and real property. It also includes all or a majority of the outstanding capital stock of a corporation that operates a railroad.



"Revenues" means all fees, tolls, rentals, gifts, grants, money, and all other funds coming into the possession or under the control of the board by virtue of this chapter, but does not include real property or personal property other than money, nor the proceeds from the sale of bonds issued under this chapter.

SECTION 147. IC 8-5-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A county served by a system of commuter transportation and through which the line, road, route, or right-of-way of the system passes is a member, subject to subsection (b), of a commuter transportation district. The district is created and shall be composed solely of counties which are served by the system and through which the system passes.

(b) A county is a member of a district if that county's board of county commissioners adopted an ordinance authorizing the county's membership in the district under this chapter before January 1, 1987.

(c) (b) A district shall be a distinct municipal corporation and shall bear a name including the words "commuter transportation district". Such municipal corporation shall include all the territory of the counties that are members of the district served by the system and through which the system passes and shall be coterminous with such counties.

(d) Membership of the district is limited to counties which are directly served by a commuter transportation system which provides daily interstate commuter service and which owns and operates over trackage within the boundaries of the county.

SECTION 148. IC 8-5-15-3, AS AMENDED BY P.L.48-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The district shall be supervised and managed by a board of trustees, which consists of the following:

(1) Four (4) members; one (1) from each county that is a member of the district, appointed by that county's board of county commissioners. In the case of a member appointed or reappointed under this subdivision after December 31, 2009, the member must be a member of the board of county commissioners of the county that the member represents.

(2) Four (4) members; one (1) from each county that is a member of the district, each of whom is the president of that county's county council or another council member designated by the president as a board member.

(3) After June 30, 2010, one (1) member representing the rest of the state, appointed by the governor.

(4) After June 30, 2010, one (1) passenger member appointed by the governor. The member appointed under this subdivision must be selected from passengers who have submitted a letter of interest to the governor. To be considered for this position, a passenger must submit a letter of interest to the governor during a two (2) week period that begins, in 2010, on May 2, 2010, and, in any year after 2010 in which the term of a member appointed under this subsection expires, sixty (60) days before the expiration of the term of the member appointed under this subdivision. A member of the board serving under this subdivision is not required to submit a letter of interest to be eligible for appointment to a successive term.

(5) After June 30, 2010, one (1) member who is an employee of the district, appointed by the governor from a list of names submitted by the labor unions representing the employees of the district. Each labor union representing employees of the district may submit one (1) name to be included on the list of names under this subdivision.

(1) The commissioner, or the commissioner's designee, who shall serve as chair of the board.

(2) Four (4) members appointed by the governor, consisting of one (1) elected official from each county that is served by the system and through which the system passes, not more than



two (2) of whom may be from the same political party.

(b) A member shall serve for a term of two (2) years from the beginning of the term for which the member was appointed and until a successor has qualified for the office. Each member shall serve at the pleasure of the appointing authority but is eligible for reappointment for successive terms:

(c) The members of the board shall elect for a one (1) year term:

- (1) one (1) member as chairman;
- (2) one (1) member to serve as vice chairman;
- (3) one (1) member to serve as secretary; and
- (4) one (1) member to serve as treasurer.

(d) Not later than:

- (1) April 1, 2010; and
- (2) in any year after 2010 in which the term of a member appointed under subsection (a)(4) expires; ninety (90) days before the expiration of the term of the board member appointed under subsection (a)(4);

the district shall post in each commuter station in the district a notice of the opening on the board of trustees. The notice must announce the opening for a passenger member on the board of trustees and provide information on submitting a letter of interest. The notice must state the period in which the passenger must submit a letter of interest. The notice must remain posted until, in 2010, May 15, 2010; and, in any subsequent year in which the term of a member appointed under subsection (a)(4) expires, the expiration of the two (2) week period described in subsection (a)(4).

(e) A member appointed under subsection (a)(4) or (a)(5) may not:

- (1) vote on issues involving perceived or actual financial conflicts of interest, including personnel issues, collective bargaining, and assessment or levy of taxes; or
- (2) participate in an executive session of the board under IC 5-14-1.5-6.1, on issues regarding:
 - (A) the discussion of strategy for:
 - (i) collective bargaining; or
 - (ii) the initiation of litigation or litigation that is either pending or has been threatened specifically in writing;
 - as described in IC 5-14-1.5-6.1(b)(2); or
 - (B) the discussion of job performance evaluation of individual employees, except for a discussion of the salary, compensation, or benefits of employees during a budget process, as described in IC 5-14-1.5-6.1(b)(9).

(f) The members appointed under subsection (a)(4) and (a)(5) must reside in different counties.

(b) Appointments to the board under subsection (a)(2) are for terms of four (4) years, except that the initial term of the initial members shall be one (1) year, two (2) years, three (3) years, and four (4) years, as determined by the governor in connection with the appointment of each such member. Each member appointed to the board under subsection (a)(2):

- (1) holds office for the term of the appointment;
- (2) continues to serve after expiration of the appointment until a successor is appointed and qualified;
- (3) is eligible for reappointment; and
- (4) may be removed from office by the governor with or without cause and serves at the pleasure of the governor.

The governor shall fill a vacancy for the unexpired term of any member appointed under subsection



(a)(2).

(c) The board shall elect from among its members a vice chair, a secretary, and a treasurer.

SECTION 149. IC 8-5-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The board may exercise the executive and legislative power of the district as provided by this chapter.

(b) The board shall hold regular meetings, to be held not less than four (4) times a year, and shall keep its meetings open to the public.

(c) The members of the board are entitled to reimbursement for traveling expenses and other expenses incurred in connection with the members' duties, subject to state travel policies and procedures established by the state budget agency, to be paid by the district. ~~Members are also entitled to a salary per diem provided by IC 4-10-11-2.1(b) while performing their duties.~~

(d) A majority of the members appointed to the board constitutes a quorum for a meeting. The affirmative votes of a majority of the members are necessary for any action to be taken by the board.

SECTION 150. IC 8-5-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board has all powers reasonably necessary to carry out the purpose of this chapter including the following powers:

- (1) To receive federal, state, county, and municipal funds, or private contributions and disburse them for the purpose of aiding commuter transportation systems serving the district.
- (2) To monitor and evaluate the use of funds granted or distributed by the district.
- (3) To apply for federal, state, municipal, or county funds for the purpose of rendering assistance to commuter transportation systems.
- (4) To coordinate its plans and activities with:
 - (A) any public transportation authority serving one (1) or more counties that are ~~members of the district, served by the system and through which the system passes;~~
 - (B) the Indiana department of transportation;
 - (C) regional planning commissions serving any portion of the district;
 - (D) units of county and municipal government included in the district; and
 - (E) any regional transportation authority, transit authority, or like governmental unit in another state if the commuter transportation system crosses the boundary of the state or serves another.
- (5) To purchase, lease, or lease with option to purchase capital equipment in aid of any system of commuter transportation operating in the district, and lease the equipment to the system under conditions and for a term to be determined by the board.
- (6) As a municipal corporation, to sue and be sued.
- (7) To conduct public hearings to accomplish the purpose of this chapter.
- (8) To seek and accept the assistance of any public or publicly funded agency in carrying out its functions and duties.
- (9) To enter into agreements with either private or public agencies for any purpose required to accomplish the intent of this chapter. The board may enter into a trust indenture or any other agreement with the board for depositories in order to obtain a loan or a loan guarantee under IC 5-13-12-11.
- (10) To set levels of service and rates notwithstanding IC 8-3-1, for transportation of passengers subject to section 7 of this chapter.
- (11) To expend funds granted to the district from any source for the purpose of paying reasonable administrative expenses.

HEA 1001 — CC 1



(12) To purchase, acquire, lease, or lease with option to purchase all or any part of the assets of a railroad that is providing commuter transportation services within the district and to purchase or acquire all or any part of the issued and outstanding stock of a railroad that is providing commuter transportation services within the district.

(13) To own all or any part of the capital stock or assets of a railroad that is providing commuter transportation services within the district, and to operate either directly, by management contract, or by lease any such railroad.

(14) To issue revenue bonds of the district payable solely from revenues for the purpose of paying all or any part of the cost of acquiring the capital stock of a railroad company, all or any part of the assets of a railroad, or any property, real or personal, for the purposes of this chapter.

(15) To acquire, lease, construct, maintain, repair, police, and operate a railroad and to establish rules for the use of the railroad and other properties subject to the jurisdiction and control of the board.

(16) To acquire and dispose of real and personal property in the exercise of its powers and the performance of its duties under this chapter.

(17) To lease to others for development or operation all or any part of a railroad on such terms and conditions as the board considers advisable.

(18) To make and enter into all contracts, undertakings, and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter.

(19) To employ, subject to sections 18 and 19 of this chapter, an executive director or manager, consulting engineers, superintendents, and such other engineers, construction and accounting experts, attorneys, and other employees and agents as may be necessary in its judgment, and to fix their compensation.

(20) To negotiate and enter into agreements for railroad trackage rights regardless of the location of the track.

(21) To authorize the Indiana department of transportation to exercise all or a part of the powers of the board under this chapter or IC 5-1.3 that are necessary or desirable to accomplish the purposes of this chapter or IC 5-1.3, subject, in each case, to the agreement of the Indiana department of transportation.

~~(21)~~ **(22)** To do all other acts necessary or reasonably incident to carrying out the purpose of this chapter.

(b) Notwithstanding the powers granted to the board in subsection (a), the district does not have the power to levy taxes.

(c) In the event the board of trustees determines that the commuter transportation system or the railroad owned by the district cannot continue to provide adequate transportation service, or the district is terminated, the board may, subject to the conditions of any state or federal grant used to purchase equipment or property, dispose of any properties of the district.

(d) In the event the district is dissolved, ninety percent (90%) of the proceeds shall be paid to the state and ten percent (10%) to the counties in proportion to their contributions.

(e) In the exercise of any of the powers granted to the board in subsection (a), the board is not subject to any other laws related to commuter transportation systems or railroads.

SECTION 151. IC 8-5-15-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. ~~(a)~~ The board of commissioners of any county may authorize the grant of funds to any commuter transportation system serving or passing through the county for the purchase of equipment



or other capital improvements. The grants shall be made to a district for distribution to the commuter transportation systems or for purchases of equipment or capital improvements to be used on or by the systems in connection with its public transportation operation.

~~(b) In the event the county is not a member of a district, a grant authorized by this section may be distributed directly to a commuter transportation system.~~

SECTION 152. IC 8-14-1-3, AS AMENDED BY P.L.185-2018, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The money collected for the motor vehicle highway account fund and remaining after refunds and the payment of all expenses incurred in the collection thereof, ~~of the money and after the deduction of the amount appropriated to the department for traffic safety,~~ **transferring three hundred twenty-five thousand dollars (\$325,000) each month to the motor carrier regulation fund (IC 8-2.1-23)**, shall be allocated to and distributed among the department and subdivisions designated as follows:

(1) Of the net amount in the motor vehicle highway account the auditor of state shall set aside for the cities and towns of the state twelve and thirteen hundredths percent (12.13%). This sum shall be allocated to the cities and towns upon the basis that the population of each city and town bears to the total population of all the cities and towns and shall be used for the construction or reconstruction and maintenance of streets and alleys and shall be annually budgeted as now provided by law. However, no part of such sum shall be used for any other purpose than for the purposes defined in this chapter. If any funds allocated to any city or town shall be used by any officer or officers of such city or town for any purpose or purposes other than for the purposes as defined in this chapter, such officer or officers shall be liable upon their official bonds to such city or town in such amount so used for other purposes than for the purposes as defined in this chapter, together with the costs of said action and reasonable attorney fees, recoverable in an action or suit instituted in the name of the state of Indiana on the relation of any taxpayer or taxpayers resident of such city or town. A monthly distribution thereof of funds accumulated during the preceding month shall be made by the auditor of state.

(2) Of the net amount in the motor vehicle highway account, the auditor of state shall set aside for the counties of the state twenty-five and eighty-seven hundredths percent (25.87%). However, as to the allocation to cities and towns under subdivision (1) and as to the allocation to counties under this subdivision, in the event that the amount in the motor vehicle highway account fund remaining after refunds and after the payment of all expenses incurred in the collection thereof is less than twenty-two million six hundred fifty thousand dollars (\$22,650,000) in any fiscal year, then the amount so set aside in the next calendar year for distributions to counties shall be reduced fifty-four percent (54%) of such deficit and the amount so set aside for distribution in the next calendar year to cities and towns shall be reduced thirteen percent (13%) of such deficit. Such reduced distributions shall begin with the distribution January 1 of each year.

(3) The amount set aside for the counties of the state under the provisions of subdivision (2) shall be allocated monthly upon the following basis:

(A) Five percent (5%) of the amount allocated to the counties to be divided equally among the ninety-two (92) counties.

(B) Sixty-five percent (65%) of the amount allocated to the counties to be divided on the basis of the ratio of the actual miles, now traveled and in use, of county roads in each county to the total mileage of county roads in the state, which shall be annually determined, accurately, by the department and submitted to the auditor of state before April 1 of each year.



(C) Thirty percent (30%) of the amount allocated to the counties to be divided on the basis of the ratio of the motor vehicle registrations of each county to the total motor vehicle registration of the state. **The bureau of motor vehicles shall annually determine the amount under this clause and submit its determination to the auditor of state before April 1 each year.**

All money so distributed to the several counties of the state shall constitute a special road fund for each of the respective counties and shall be under the exclusive supervision and direction of the board of county commissioners in the construction, reconstruction, maintenance, or repair of the county highways or bridges on such county highways within such county.

(4) Each month the remainder of the net amount in the motor vehicle highway account shall be credited to the state highway fund for the use of the department.

(5) Money in the fund may not be used for any toll road or toll bridge project.

(6) Notwithstanding any other provisions of this section, money in the motor vehicle highway account fund may be appropriated to the Indiana department of transportation from the amounts distributed to the political subdivisions of the state to pay the costs incurred by the department in providing services to those subdivisions.

(7) Notwithstanding any other provisions of this section or of IC 8-14-8, for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects, money may be appropriated to the Indiana department of transportation as follows:

(A) One-half (1/2) from the amounts set aside under subdivisions (1) and (2) for counties and for those cities and towns with a population greater than five thousand (5,000).

(B) One-half (1/2) from the distressed road fund under IC 8-14-8.

SECTION 153. IC 8-14-14-7, AS AMENDED BY P.L.203-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) In addition to any distributions required by section 6 of this chapter, money in the fund may be used for any of the following purposes:

(1) Except as provided in subsection (b), the payment of any obligation incurred or amounts owed by the authority, the department, or an operator under IC 8-15-2, IC 8-15-3, IC 8-15.5, or IC 8-15.7 in connection with the execution and performance of a public-private agreement under IC 8-15.5 or IC 8-15.7, including establishing reserves.

(2) Lease payments to the authority, if money for those payments is specifically appropriated by the general assembly.

(3) Distributions to the treasurer of state for deposit in the state highway fund, for the funding of any project in the department's transportation plan.

(b) Money in the fund may not be used for the payment of an obligation incurred or amounts owed by the authority, the department, or an operator under IC 8-15.7 in connection with a public-private agreement under IC 8-15.7 concerning a passenger or freight railroad system as described in IC 8-15.7-2-14(a)(4).

(c) The treasurer of state shall deposit in the toll road lease amendment proceeds fund established by IC 8-14-14.2-1 all proceeds, including interest earned on these proceeds, received under the First Amendment to the Amended and Restated Indiana Toll Road Concession and Lease Agreement entered on September 21, 2018.

SECTION 154. IC 8-14-14.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 14.2. Toll Road Lease Amendment Proceeds Fund



Sec. 1. (a) The toll road lease amendment proceeds fund is established.

(b) The fund consists of the following:

- (1) Distributions to the fund from the major moves construction fund under IC 8-14-14-7(c).**
- (2) Appropriations to the fund.**
- (3) Gifts, grants, loans, bond proceeds, and other money received for deposit in the fund.**
- (4) Interest, premiums, or other earnings on the fund.**

(c) Money in the fund may be used only for the construction, reconstruction, improvement, maintenance, and repair, including design and right-of-way acquisition, of state highways that have a direct or indirect nexus with the Indiana toll road in the following counties:

- (1) Elkhart.**
- (2) LaGrange.**
- (3) Lake.**
- (4) LaPorte.**
- (5) Porter.**
- (6) Steuben.**
- (7) St. Joseph.**

(d) The department of transportation shall administer the fund.

(e) Notwithstanding IC 5-13, the treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as money may be invested by the Indiana public retirement system under IC 5-10.3-5. However, the treasurer of state may not invest the money in the fund in equity securities. The treasurer of state may contract with investment management professionals, investment advisors, and legal counsel to assist in the investment of the fund and may pay the state expenses incurred under those contracts from the fund. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 155. IC 8-14-14.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE SEPTEMBER 1, 2018 (RETROACTIVE)]:

Chapter 14.3. Next Level Connections Fund

Sec. 0.5. As used in this chapter, "department" refers to the Indiana department of transportation.

Sec. 1. As used in this chapter, "fund" refers to the next level connections fund established under this chapter.

Sec. 2. (a) The next level connections fund is established to do the following:

- (1) Provide matching grants to local units of government and nonprofit organizations for trails. However, the funding for trails may not exceed ninety million dollars (\$90,000,000).**
- (2) Incentivize and establish additional nonstop flights originating from Indiana airports. However, the funding for nonstop flights may not exceed twenty million dollars (\$20,000,000).**
- (3) Accomplish the transportation plan of the department.**

(b) The department may transfer up to one hundred million dollars (\$100,000,000) from the next level connections fund to the rural broadband fund established under IC 4-4-38.5-11 for the purpose of awarding broadband grants for rural areas.

(c) The fund consists of the following:

- (1) Transfers to the fund of other money appropriated to the department that are approved by the budget agency.**



- (2) Appropriations to the fund.**
- (3) Gifts, grants, loans, bond proceeds, and other money received for deposit in the fund.**
- (4) Interest, premiums, or other earnings on the fund.**

(d) The department shall administer the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 3. The department may collaborate with other state agencies, including transferring funds to other agencies, with the approval of the budget director, in carrying out section 2 of this chapter.

Sec. 4. The budget agency and the department shall report to the budget committee before October 1 of each year, beginning in 2019, on any projects identified or expenditures that have been made under this chapter during the immediately preceding state fiscal year. The report must include a summary of any expenditures and the sources of the funding for these expenditures.

Sec. 5. (a) As used in this section, "authority" refers to the Indiana finance authority established under IC 5-1.2-3.

(b) The northern Indiana commuter rail account is established within the next level connections fund. The budget agency shall transfer one hundred eighty-five million dollars (\$185,000,000) from the next level connections fund to the northern Indiana commuter rail account and, subject to the approval of the governor, may transfer up to an additional twenty million dollars (\$20,000,000) from the next level connections fund to the northern Indiana commuter rail account. The account shall be administered by the department.

(c) Money in the account may be used only for the purpose of paying the costs of construction of a rail project (as each such term is defined in IC 5-1.3-2). The department may collaborate with other state agencies, the treasurer of state, and the authority, including transferring funds to other agencies, the treasurer of state, or the authority, with the approval of the budget director, to accomplish the purpose described in this section.

(d) If the authority notifies the department and the budget agency that the money in the account is no longer needed for paying the costs of construction of a rail project, the budget agency shall transfer any money remaining in the account back to the next level connections fund. Once a rail project, for which federal funds have been granted pursuant to the capital investment grant program outlined in 49 U.S.C. 5309, has commenced, such a transfer may not occur until the rail project is substantially complete.

(e) Money in the account at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the account is continuously appropriated for the purpose of the account.

Sec. 6. (a) This chapter expires June 30, 2024.

(b) The department may not award additional grants under section 2 of this chapter after June 30, 2024. The department may distribute grants after June 30, 2024, that have been awarded before June 30, 2024.

SECTION 156. IC 8-23-2-4.1, AS AMENDED BY P.L.235-2005, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.1. The department is responsible for the following activities:

- (1) The identification, development, coordination, and implementation of the state's transportation policies.**
- (2) The approval of applications for federal transportation grants from funds allocated to the state:**
 - (A) from the Highway Trust Fund (23 U.S.C.);**
 - (B) from the Aviation Trust Fund (49 U.S.C.);**



- (C) through the Federal Transit Administration (49 U.S.C. 5301 et seq.); or
- (D) from any other federal grant that has a transportation component.
- (3) The review, revision, adoption, and submission of budget proposals.
- (4) The construction, reconstruction, improvement, maintenance, and repair of:
 - (A) state highways; ~~and~~
 - (B) a toll road project or toll bridge in accordance with a contract or lease entered into with the Indiana finance authority under IC 8-9.5-8-7 or IC 8-9.5-8-8; ~~and~~
 - (C) a railroad project, as defined in IC 8-5-15-1, in accordance with an authorization provided to the department by the board of trustees of a commuter transportation district under IC 8-5-15-5(a)(21).**
- (5) The administration of programs as required by law, including the following:
 - (A) IC 8-3-1 (railroads).
 - (B) IC 8-3-1.5 (rail preservation).
 - (C) IC 8-21-1 (aeronautics).
 - (D) IC 8-21-9 (airports).
 - (E) IC 8-21-11 (aviation development program).

SECTION 157. IC 8-23-2-6, AS AMENDED BY P.L.229-2017, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The department, through the commissioner or the commissioner's designee, may do the following:

- (1) Acquire by purchase, gift, or condemnation, sell, abandon, own in fee or a lesser interest, hold, or lease property in the name of the state, or otherwise dispose of or encumber property to carry out its responsibilities.
- (2) Contract with persons outside the department to do those things that in the commissioner's opinion cannot be adequately or efficiently performed by the department.
- (3) Enter into:
 - (A) a contract with the Indiana finance authority under IC 8-9.5-8-7; or
 - (B) a lease with the Indiana finance authority under IC 8-9.5-8-8;
 for the construction, reconstruction, improvement, maintenance, repair, or operation of toll road projects under IC 8-15-2 and toll bridges under IC 8-16-1.
- (4) Enter into a contract with a contractor, operator, or design builder or construction manager as constructor for, or with any adviser, consultant, attorney, accountant, engineer, architect, or other person or entity in connection with, the construction, reconstruction, improvement, maintenance, repair, or operation of a railroad project, as defined in IC 8-5-15-1, in accordance with an authorization provided to the department by the board of trustees of a commuter transportation district under IC 8-5-15-5(a)(21).**
- ~~(4)~~ **(5)** Sue and be sued, including, with the approval of the attorney general, the compromise of any claims of the department.
- ~~(5)~~ **(6)** Hire attorneys.
- ~~(6)~~ **(7)** Perform all functions pertaining to the acquisition of property for transportation purposes, including the compromise of any claims for compensation.
- ~~(7)~~ **(8)** Hold investigations and hearings concerning matters covered by orders and rules of the department.
- ~~(8)~~ **(9)** Execute all documents and instruments necessary to carry out its responsibilities.
- ~~(9)~~ **(10)** Make contracts and expenditures, perform acts, enter into agreements, and make rules,



orders, and findings that are necessary to comply with all laws, rules, orders, findings, interpretations, and regulations promulgated by the federal government in order to:

- (A) qualify the department for; and
- (B) receive;

federal government funding on a full or participating basis.

~~(10)~~ **(11)** Adopt rules under IC 4-22-2 to carry out its responsibilities, including emergency rules in the manner provided under IC 4-22-2-37.1.

~~(11)~~ **(12)** Establish regional offices.

~~(12)~~ **(13)** Adopt a seal.

~~(13)~~ **(14)** Perform all actions necessary to carry out the department's responsibilities.

~~(14)~~ **(15)** Order a utility to relocate the utility's facilities and coordinate the relocation of customer service facilities if:

- (A) the facilities are located in a highway, street, or road; and
- (B) the department determines that the facilities will interfere with a planned highway or bridge construction or improvement project funded by the department.

~~(15)~~ **(16)** Reimburse a utility:

- (A) in whole or in part for extraordinary costs of relocation of facilities;
- (B) in whole for unnecessary relocations;
- (C) in accordance with IC 8-23-26-12 and IC 8-23-26-13;
- (D) in whole for relocations covered by IC 8-1-9; and
- (E) to the extent that a relocation is a taking of property without just compensation.

~~(16)~~ **(17)** Provide state matching funds and undertake any surface transportation project eligible for funding under federal law. However, money from the state highway fund and the state highway road construction and improvement fund may not be used to provide operating subsidies to support a public transportation system or a commuter transportation system.

~~(17)~~ **(18)** Upon request, evaluate, negotiate, and enter into:

- (A) a supplemental funding agreement with a regional development authority under IC 36-9-43; or
- (B) an interlocal agreement with a regional development authority for purposes of IC 36-9-43.

(b) In the performance of contracts and leases with the Indiana finance authority, the department has authority under IC 8-15-2, in the case of toll road projects and IC 8-16-1, in the case of toll bridges necessary to carry out the terms and conditions of those contracts and leases.

(c) The department shall:

- (1) classify as confidential any estimate of cost prepared in conjunction with analyzing competitive bids for projects until a bid below the estimate of cost is read at the bid opening;
- (2) classify as confidential that part of the parcel files that contain appraisal and relocation documents prepared by the department's land acquisition division; and
- (3) classify as confidential records that are the product of systems designed to detect collusion in state procurement and contracting that, if made public, could impede detection of collusive behavior in securing state contracts.

This subsection does not apply to parcel files of public agencies or affect IC 8-23-7-10.

(d) In the case of a regional development authority that undertakes a regional transportation infrastructure project under IC 36-9-43, the department shall cooperate with the regional development authority.

HEA 1001 — CC 1



SECTION 158. IC 9-13-2-173.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 173.1. "State construction fund" refers to the state construction fund described in IC 7.1-4-8-1.**

SECTION 159. IC 9-13-2-173.5 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 173.5. "State police building account" refers to the state police building account established by IC 9-14-14-4.~~

SECTION 160. IC 9-14-14-4 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 4. (a) The state police building account is established. The account consists of amounts deposited in the account under this title, including amounts deposited under IC 9-29-14 (before its repeal). The state police department shall administer the account.~~

~~(b) Money in the account:~~

~~(1) does not revert to the state general fund or the motor vehicle highway account under IC 8-14-1, except as provided under subsection (c); and~~

~~(2) shall be expended for the following:~~

~~(A) The construction, maintenance, leasing, and equipping of state police facilities;~~

~~(B) Other projects provided for by law.~~

~~(c) At the end of each state fiscal year, the auditor of state shall transfer to the state general fund the balance in the state police building account that is in excess of appropriations made for the construction, maintenance, leasing, or equipping of state police facilities and other projects provided for by law.~~

~~(d) Transfers under subsection (c) shall be made until one million five hundred thousand dollars (\$1,500,000) has been transferred to the state general fund.~~

SECTION 161. IC 9-17-2-14.7, AS AMENDED BY P.L.256-2017, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14.7. (a) This section does not apply to a mobile home or a manufactured home.

(b) Except as provided in subsection (c), a person must apply for a certificate of title for a vehicle within forty-five (45) days after the date on which the person acquires the vehicle.

(c) A person that acquires a vehicle through a transfer on death conveyance under IC 9-17-3-9 must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person acquires the vehicle.

(d) A person that owns a vehicle and becomes an Indiana resident must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person becomes an Indiana resident.

(e) A person that violates this section with respect to a certificate of title for a vehicle other than a watercraft shall pay to the bureau an administrative penalty as follows:

(1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty-one dollars and fifty cents (\$21.50). The administrative penalty shall be distributed as follows:

(A) Twenty-five cents (\$0.25) to the crossroads 2000 fund.

(B) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(C) Three dollars (\$3) to the highway, road and street fund.

(D) Five dollars (\$5) to the motor vehicle highway account.

(E) One dollar and fifty cents (\$1.50) to the integrated public safety communications fund.

(F) Eleven dollars and twenty-five cents (\$11.25) to the commission fund.

(2) For a violation that occurs after December 31, 2016, an administrative penalty of thirty dollars (\$30). The administrative penalty shall be distributed as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Twenty-eight dollars and seventy-five cents (\$28.75) to the commission fund.



(f) A person that violates this section with respect to a certificate of title for a watercraft shall pay to the bureau an administrative penalty as follows:

(1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty dollars (\$20). The administrative penalty shall be distributed as follows:

- (A) Three dollars (\$3) to the crossroads 2000 fund.
- (B) Eight dollars (\$8) to the department of natural resources.
- (C) Nine dollars (\$9) to the commission fund.

(2) For a violation that occurs after December 31, 2016, an administrative penalty of thirty dollars (\$30). The administrative penalty shall be distributed as follows:

- (A) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (B) Two dollars and fifty cents (\$2.50) to the commission fund.
- (C) Twenty-seven dollars and twenty-five cents (\$27.25) to the department of natural resources.

SECTION 162. IC 9-18.1-5-2, AS AMENDED BY P.L.256-2017, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The bureau shall classify the following as a passenger motor vehicle, regardless of the vehicle's gross vehicle weight rating:

- (1) A low speed vehicle.
- (2) A hearse.
- (3) A motor vehicle that is funeral equipment and used in the operation of funeral services (as defined in IC 25-15-2-17).
- (4) A medical services vehicle.

(b) The fee to register a passenger motor vehicle is twenty-one dollars and thirty-five cents (\$21.35). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Thirty cents (\$0.30) to the spinal cord and brain injury fund.
- (3) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (4) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (5) Three dollars (\$3) to the crossroads 2000 fund.
- (6) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (7) Three dollars and ten cents (\$3.10) to the commission fund.
- (8) Any remaining amount to the motor vehicle highway account.

SECTION 163. IC 9-18.1-5-3, AS AMENDED BY P.L.256-2017, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The fee to register a motorcycle or motor driven cycle is twenty-six dollars and thirty-five cents (\$26.35). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Thirty cents (\$0.30) to the spinal cord and brain injury fund.
- (3) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (4) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (5) Four dollars (\$4) to the crossroads 2000 fund.
- (6) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (7) Three dollars and ten cents (\$3.10) to the commission fund.
- (8) Seven dollars (\$7) to the motorcycle operator safety education fund.
- (9) Any remaining amount to the motor vehicle highway account.

SECTION 164. IC 9-18.1-5-4, AS AMENDED BY P.L.185-2018, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The fee to register a not-for-hire bus is



sixteen dollars and thirty-five cents (\$16.35).

(b) Except as provided in subsection (c), a fee imposed and collected under subsection (a) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

(c) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in section 10.5 of this chapter.

SECTION 165. IC 9-18.1-5-6, AS AMENDED BY P.L.256-2017, SECTION 115, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The fee to register a recreational vehicle is twenty-nine dollars and thirty-five cents (\$29.35). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

SECTION 166. IC 9-18.1-5-7, AS AMENDED BY P.L.256-2017, SECTION 116, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. The fee to register special machinery is sixteen dollars and thirty-five cents (\$16.35). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

SECTION 167. IC 9-18.1-5-8, AS AMENDED BY P.L.218-2017, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) Except as provided in section 11 of this chapter, the fee to register a trailer is as follows:

Declared Gross	Weight (Pounds)	Fee (\$)
Greater than	Equal to	
	or less than	
0	3,000	\$ 16.35
3,000	9,000	25.35
9,000	12,000	72
12,000	16,000	108
16,000	22,000	168
22,000		228

HEA 1001 — CC 1



(b) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in section 10.5 of this chapter.

(c) A fee described in subsection (a) that is not required to be distributed under subsection (b) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

SECTION 168. IC 9-18.1-5-9, AS AMENDED BY P.L.218-2017, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) Except as provided in section 11 of this chapter, the fee to register a truck, a tractor used with a semitrailer, or a for-hire bus is determined as follows:

Declared Gross Greater than	Weight (Pounds) Equal to or less than	Fee (\$)
0	11,000	\$ 30.35
11,000	16,000	144
16,000	26,000	180
26,000	36,000	372
36,000	48,000	624
48,000	66,000	900
66,000	78,000	1,200
78,000		1,692

(b) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in section 10.5 of this chapter.

(c) A fee described in subsection (a) that is not required to be distributed under subsection (b) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) For a truck with a declared gross weight of eleven thousand (11,000) pounds or less, thirty cents (\$0.30) to the spinal cord and brain injury fund.
- (3) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (4) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (5) Four dollars (\$4) to the crossroads 2000 fund.
- (6) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (7) Three dollars and ten cents (\$3.10) to the commission fund.
- (8) Any remaining amount to the motor vehicle highway account.

(d) A trailer that is towed by a truck must be registered separately, and the appropriate fee must be paid under this chapter.

SECTION 169. IC 9-18.1-5-10, AS AMENDED BY P.L.218-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) The following vehicles shall be registered as semitrailers:



- (1) A semitrailer converted to a full trailer through the use of a converter dolly.
- (2) A trailer drawn behind a semitrailer.
- (3) A trailer drawn by a vehicle registered under the International Registration Plan.
- (b) The fee for a permanent registration of a semitrailer is eighty-two dollars (\$82).
- (c) A fee described in subsection (b) that is collected for a registration issued through an Indiana based International Registration Plan account shall be distributed as set forth in section 10.5 of this chapter.
- (d) The fee described in subsection (b) that is not required to be distributed under subsection (c) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Twelve dollars (\$12) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

(e) A permanent registration under subsection (b) must be renewed on an annual basis to pay all applicable excise taxes. There is no fee to renew a permanent registration under subsection (b).

(f) A permanent registration under subsection (b) may be transferred under IC 9-18.1-11.

(g) A semitrailer that is registered under IC 9-18-10-2(a)(2) (before its expiration) remains valid until its expiration and is not subject to renewal under subsection (e). This subsection expires July 1, 2020.

SECTION 170. IC 9-18.1-5-10.5, AS AMENDED BY P.L.185-2018, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10.5. (a) This section applies after June 30, 2017.

(b) This section applies only to fees that are collected under the International Registration Plan or through an Indiana based International Registration Plan account.

(c) The fees collected as described in subsection (b) during each state fiscal year shall be distributed as follows:

- (1) The first one hundred twenty-five thousand dollars (\$125,000) to the state ~~police building account~~. **construction fund.**
- (2) Any remaining amounts to the motor vehicle highway account.

SECTION 171. IC 9-18.1-6-4, AS AMENDED BY P.L.185-2018, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Except as provided in subsection (e), the fee to register a recovery vehicle with a gross vehicle weight rating greater than sixteen thousand (16,000) pounds is five hundred four dollars (\$504).

(b) Except as provided in subsection (e), the fee to register a recovery vehicle with a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds is seventy-two dollars (\$72).

(c) Except as provided in subsection (d), a fee imposed and collected under subsection (a) or (b) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.



(7) Any remaining amount to the motor vehicle highway account.

(d) A fee described in subsection (a) that is collected under the International Registration Plan shall be distributed as set forth in IC 9-18.1-5-10.5.

(e) The fee to register a recovery vehicle for a period other than twelve (12) months is the amount determined under the following formula:

STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the STEP TWO product by the applicable registration fee under subsection (a) or (b) for the vehicle.

A fee imposed and collected under this subsection that is not collected under the International Registration Plan shall be distributed under subsection (c). A fee imposed and collected under this subsection that is collected under the International Registration Plan shall be distributed under subsection (d).

SECTION 172. IC 9-18.1-7-5, AS AMENDED BY P.L.256-2017, SECTION 118, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. A fee to register a farm vehicle under section 3 or 4 of this chapter shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars (\$2) to the crossroads 2000 fund.
- (4) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.
- (7) Any remaining amount to the motor vehicle highway account.

SECTION 173. IC 9-18.1-7-6, AS AMENDED BY P.L.256-2017, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The fee for permanent registration of a farm vehicle that is a semitrailer is forty-one dollars (\$41). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (5) Three dollars and ten cents (\$3.10) to the commission fund.
- (6) Six dollars (\$6) to the crossroads 2000 fund.
- (7) Any remaining amount to the motor vehicle highway account.

(b) A permanent registration under subsection (a) must be renewed on an annual basis to pay all applicable excise tax. There is no fee to renew a permanent registration under subsection (a).

SECTION 174. IC 9-18.1-7-8, AS AMENDED BY P.L.256-2017, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) If a person has registered a vehicle as a farm vehicle and the person:

- (1) desires to register the vehicle as a vehicle other than a farm vehicle; or
- (2) operates the vehicle in the conduct of a commercial enterprise;

the person shall apply to the bureau to change the registration from registration as a farm vehicle to the applicable registration for the vehicle under IC 9-18.1-5.

(b) The bureau shall issue to a person described in subsection (a) an amended certificate of registration



and the appropriate license plate after the person pays the following:

- (1) A fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar (\$1) to the crossroads 2000 fund.
 - (D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (F) Five dollars (\$5) to the commission fund.
- (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.
- (3) If the vehicle was registered as a farm semitrailer, a fee of forty-one dollars (\$41). The fee shall be distributed to the motor vehicle highway account.
- (4) If the vehicle was registered as a farm vehicle other than a farm semitrailer, the amount determined under the following formula:

STEP ONE: Determine the number of months between:

- (i) the date on which the farm vehicle is registered as a vehicle other than a farm vehicle or is operated in the conduct of a commercial enterprise; and
- (ii) the next registration date under IC 9-18.1-11 of the farm vehicle.

A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Determine the product of:

- (i) the STEP TWO result; multiplied by
- (ii) the applicable fee under IC 9-18.1-5 for the classification to which the vehicle's registration is changed.

The amount determined under this subdivision shall be deposited in the motor vehicle highway account.

SECTION 175. IC 9-18.1-8-4, AS AMENDED BY P.L.256-2017, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. The registration of a military vehicle under this chapter is permanent. The fee for the permanent registration of a military vehicle is twelve dollars (\$12). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) Two dollars and ninety cents (\$2.90) to the highway, road and street fund.
- (4) Four dollars (\$4) to the crossroads 2000 fund.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Three dollars and ten cents (\$3.10) to the commission fund.

SECTION 176. IC 9-18.1-11-6, AS AMENDED BY P.L.256-2017, SECTION 125, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A person that sells or otherwise disposes of a vehicle owned by the person before the date on which the vehicle's registration expires may apply to the bureau to transfer the registration and license plates to a vehicle acquired or owned by the person.

(b) This subsection applies if the vehicle to which the registration and license plate are transferred is of the same type and in the same weight class as the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue an amended



certificate of registration to the person applying for the transfer after the person pays the following:

- (1) A fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar (\$1) to the crossroads 2000 fund.
 - (D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (F) Five dollars (\$5) to the commission fund.
- (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.

(c) This subsection applies if a vehicle to which the registration is transferred is of a different type or in a different weight class than the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue to the person applying for the transfer an amended certificate of registration and, if necessary, a new license plate or other proof of registration under this article or IC 9-18.5 after the person pays the following:

- (1) A fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar (\$1) to the crossroads 2000 fund.
 - (D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (F) Five dollars (\$5) to the commission fund.
- (2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.
- (3) If the fee to register the vehicle to which the registration is transferred exceeds by more than ten dollars (\$10) the fee to register the vehicle for which the registration was originally issued, the amount determined under the following formula:

STEP ONE: Determine the number of months between:

- (i) the date on which the vehicle to which the registration is transferred was acquired; and
- (ii) the next registration date under this chapter for a vehicle registered by the person.

A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Determine the difference between:

- (i) the registration fee for the vehicle to which the registration is transferred; minus
- (ii) the registration fee for the vehicle for which the registration was originally issued.

STEP FOUR: Determine the product of:

- (i) the STEP TWO result; multiplied by
- (ii) the STEP THREE result.

A fee collected under this subdivision shall be deposited in the motor vehicle highway account.

- (d) A person may register a vehicle to which a registration is transferred under this section:
 - (1) individually; or
 - (2) with one (1) or more other persons.

SECTION 177. IC 9-18.1-11-8, AS AMENDED BY P.L.256-2017, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) If a license plate or other proof of



registration is lost or stolen, the person in whose name the license plate or other proof of registration was issued shall notify:

- (1) the Indiana law enforcement agency that has jurisdiction where the loss or theft occurred; or
- (2) the law enforcement agency that has jurisdiction over the address listed on the registration for the vehicle for which the license plate or other proof of registration was issued;

that the original license plate or other proof of registration has been lost or stolen.

(b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed, or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following:

- (1) Pays a fee of nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar (\$1) to the crossroads 2000 fund.
 - (D) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (E) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (F) Five dollars (\$5) to the commission fund.

However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the Internet web site of the bureau.

- (2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau.

(c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration.

SECTION 178. IC 9-18.1-11-9, AS AMENDED BY P.L.256-2017, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) A person that owns a vehicle may apply to the bureau to change the ownership of the vehicle:

- (1) by adding at least one (1) other person as a joint owner; or
- (2) if the person is a joint owner of the vehicle, by transferring the person's ownership interest in a vehicle to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

- (1) Complies with IC 9-17.
- (2) Pays a fee of nine dollars and fifty cents (\$9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in a certificate of registration. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents (\$9.50).

(d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) One dollar (\$1) to the crossroads 2000 fund.
- (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Five dollars (\$5) to the commission fund.



SECTION 179. IC 9-18.1-11-10, AS AMENDED BY P.L.256-2017, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) A person that owns a vehicle may apply to the bureau in a manner and form prescribed by the bureau to display on the vehicle a license plate that is different from the license plate that is displayed on the vehicle at the time of application. The bureau shall issue the different license plate and an amended certificate of registration after the person pays the following:

- (1) Any fees required under IC 9-18.5 to obtain the different license plate.
 - (2) If the application is not part of the person's registration or renewal process, an additional plate change fee of nine dollars and fifty cents (\$9.50).
- (b) The fee described in subsection (a)(2) shall be distributed as follows:
- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
 - (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (3) One dollar (\$1) to the crossroads 2000 fund.
 - (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
 - (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (6) Five dollars (\$5) to the commission fund.

SECTION 180. IC 9-18.1-12-2, AS AMENDED BY P.L.256-2017, SECTION 129, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) A person may apply to the bureau for a temporary registration permit for a vehicle. The bureau shall issue the person a temporary registration permit after the person does the following:

- (1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under IC 9-25.
 - (2) Pays a fee of eighteen dollars (\$18). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Five dollars (\$5) to the commission fund.
 - (E) Any remaining amount to the motor vehicle highway account.
- (b) A temporary registration permit is valid for a period of thirty (30) days from the date of issuance and authorizes the use of the vehicle on a highway if any of the following conditions exist:
- (1) The person has purchased or otherwise obtained the vehicle in Indiana and will be titling or registering the vehicle in another state or foreign country.
 - (2) The person is an Indiana resident and is intending to move to another state and the current vehicle registration or temporary permit will expire before the person moves.
 - (3) The person is an Indiana resident and the vehicle registration in another state has expired and the person has applied under IC 9-17 for a title for the vehicle.
 - (4) The person owns and operates the vehicle and the person:
 - (A) does not operate the vehicle as a lessor; and
 - (B) moves the empty vehicle from one (1) lessee-carrier to another.
 - (5) The person owns a vehicle for which emissions testing is required and the vehicle will require further mechanical repairs in order to comply with the emissions testing requirements.
- (c) A temporary registration permit shall be displayed on a vehicle in a manner determined by the bureau.

SECTION 181. IC 9-18.1-12-3, AS AMENDED BY P.L.256-2017, SECTION 130, IS AMENDED



TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) A person that owns a vehicle may apply to the bureau for a temporary delivery permit to operate the vehicle without obtaining a certificate of title or registration for the vehicle as set forth in subsection (b). The bureau shall issue the person a temporary delivery permit after the person does the following:

- (1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under this article in the form required by the bureau.
- (2) Pays a fee of eighteen dollars (\$18). The fee shall be distributed as follows:
 - (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Five dollars (\$5) to the commission fund.
 - (E) Any remaining amount to the motor vehicle highway account.

(b) A temporary delivery permit issued under subsection (a) is valid for a period of ninety-six (96) hours beginning with the time of issuance and authorizes the person or the person's agent or employee to operate the vehicle upon a highway for the purpose of delivering, or having delivered, the vehicle to any of the following locations:

- (1) A place of storage, including the person's residence or place of business.
- (2) An inspection station for purposes of emissions testing under IC 13-17-5-5.1(b).
- (3) A license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article.

(c) A person that uses a temporary permit:

- (1) for a period greater than ninety-six (96) hours; or
- (2) for a purpose not specified in subsection (b);

commits a Class C infraction.

SECTION 182. IC 9-18.1-12-4, AS AMENDED BY P.L.128-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18.1-6.

(b) A transport operator may, instead of registering each motor vehicle transported or disposable trailer used, make a verified application upon a form prescribed by the bureau and furnished by the bureau for a general distinctive registration number for:

- (1) all motor vehicles transported by the transport operator and used and operated for the purposes provided; or
- (2) all disposable trailers used and operated for the purpose of transporting sectionalized buildings.

(c) The application must contain the following:

- (1) A brief description of:
 - (A) each style or type of motor vehicle transported; or
 - (B) the type of disposable trailer used to transport the sectionalized building.
- (2) The name and address, including the county of residence, of the transport operator.
- (3) For an application to use a disposable trailer, a statement that the disposable trailer will be disassembled after a single use.
- (4) Any other information the bureau requires.

(d) The bureau, upon receiving:

- (1) an application for a transport operator license plate; and
- (2) the fee under subsection (j);

HEA 1001 — CC 1



shall issue to the person that submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the bureau of the fee under subsection (l) for each pair of additional license plates.

(e) A license plate or sign other than those furnished and approved by the bureau may not be used.

(f) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting:

- (1) vehicles in transit; or
- (2) sectionalized buildings.

A person may haul other vehicles or parts of vehicles in transit in the same combination.

(g) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(h) A license plate issued under this section shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(i) The bureau may not issue transport operator license plates to a transport operator that has been convicted of violating this section until the bureau is satisfied that the transport operator is able to comply with the requirements of this section.

(j) The fee for one (1) set of license plates for each transport operator is one hundred thirty-nine dollars and twenty-five cents (\$139.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Five dollars (\$5) to the crossroads 2000 fund.
- (3) Nine dollars (\$9) to the commission fund.
- (4) Thirty dollars (\$30) to the highway, road and street fund.
- (5) Ninety-five dollars (\$95) to the motor vehicle highway account.

(k) The fee for the first two (2) sets of license plates for each transport operator is one hundred fifty-eight dollars and twenty-five cents (\$158.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Fifteen dollars (\$15) to the crossroads 2000 fund.
- (3) Eighteen dollars (\$18) to the commission fund.
- (4) Thirty dollars (\$30) to the highway, road and street fund.
- (5) Ninety-five dollars (\$95) to the motor vehicle highway account.

(l) The fee for each additional set of license plates for a transport operator is thirty-four dollars and twenty-five cents (\$34.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund**.
- (2) Nine dollars (\$9) to the commission fund.
- (3) Ten dollars (\$10) to the crossroads 2000 fund.
- (4) Fifteen dollars (\$15) to the motor vehicle highway account.

SECTION 183. IC 9-18.1-14-7, AS AMENDED BY P.L.256-2017, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) If a certificate of registration or decal issued for an off-road vehicle or a snowmobile that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the off-road vehicle or snowmobile may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is lost or stolen, the owner shall provide notice of the loss or theft to a law enforcement agency with jurisdiction over:

HEA 1001 — CC 1



- (1) the site of the loss or theft; or
- (2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of an off-road vehicle or a snowmobile after the owner:

- (1) pays a fee of nine dollars and fifty cents (\$9.50); and
- (2) provides notice as required under subsection (a), if applicable.

(c) The fee imposed under subsection (b) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) One dollar (\$1) to the crossroads 2000 fund.
- (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Five dollars (\$5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

SECTION 184. IC 9-18.1-14-8, AS AMENDED BY P.L.256-2017, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) A person that owns an off-road vehicle or a snowmobile that is registered under this chapter may apply to the bureau to change the ownership of the off-road vehicle or snowmobile:

- (1) by adding at least one (1) other person as a joint owner; or
- (2) if the person is a joint owner of the off-road vehicle or snowmobile, by transferring the person's ownership interest in the off-road vehicle or snowmobile to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

- (1) Complies with IC 9-17.
- (2) Pays a fee of nine dollars and fifty cents (\$9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the off-road vehicle or snowmobile. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents (\$9.50).

(d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (3) One dollar (\$1) to the crossroads 2000 fund.
- (4) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (5) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (6) Five dollars (\$5) to the commission fund.

SECTION 185. IC 9-18.5-4-5, AS AMENDED BY P.L.256-2017, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A vehicle for which a license plate is issued under section 1 of this chapter is exempt from the applicable registration fee for the vehicle under IC 9-18 (before its expiration), IC 9-29-5 (before its repeal), or IC 9-18.1-5.

(b) A vehicle described in subsection (a) is subject to a service charge as follows:

- (1) For a license plate issued before January 1, 2017, five dollars and seventy-five cents (\$5.75). The



service charge shall be distributed as follows:

- (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund.**
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Three dollars and seventy-five cents (\$3.75) to the commission fund.
- (2) For a license plate issued after December 31, 2016, five dollars (\$5). The service charge shall be distributed as follows:
- (A) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund.**
 - (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Three dollars (\$3) to the commission fund.

SECTION 186. IC 9-18.5-9-6, AS AMENDED BY P.L.256-2017, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The fee for a license plate issued under this chapter is eight dollars (\$8).

- (b) A fee collected under subsection (a) shall be distributed as follows:
- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund.**
 - (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (3) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (4) Five dollars (\$5) to the commission fund.
 - (5) Any remaining amount to the motor vehicle highway account.

SECTION 187. IC 9-24-6.1-4, AS AMENDED BY P.L.256-2017, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The fee for a commercial driver's license issued before January 1, 2017, is thirty-six dollars (\$36). The fee shall be distributed as follows:

- (1) One dollar and fifty cents (\$1.50) to the state motor vehicle technology fund.
 - (2) Fifteen dollars (\$15) to the motor vehicle highway account.
 - (3) Five dollars (\$5) to the integrated public safety communications fund.
 - (4) Fourteen dollars and fifty cents (\$14.50) to the commission fund.
- (b) The fee for a commercial driver's license issued after December 31, 2016, is thirty-five dollars (\$35). The fee shall be distributed as follows:
- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~: **construction fund.**
 - (2) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (3) Two dollars (\$2) to the crossroads 2000 fund.
 - (4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (5) Four dollars and seventy-five cents (\$4.75) to the commission fund.
 - (6) Any remaining amount to the motor vehicle highway account.

(c) The fee for a commercial learner's permit is seventeen dollars (\$17). The fee shall be distributed as follows:

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (2) Two dollars (\$2) to the crossroads 2000 fund.
- (3) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (4) To the commission fund as follows:
 - (A) For a commercial learner's permit issued before January 1, 2017, twelve dollars and seventy-five cents (\$12.75).
 - (B) For a commercial learner's permit issued after December 31, 2016, five dollars (\$5).



(5) To the motor vehicle highway account as follows:

(A) For a commercial learner's permit issued before January 1, 2017, fifty cents (\$0.50).

(B) For a commercial learner's permit issued after December 31, 2016, eight dollars and twenty-five cents (\$8.25).

(d) The payment of a fee imposed under this section does not relieve the holder of a commercial driver's license or commercial learner's permit of responsibility for the following fees, as applicable:

(1) The fee to issue an amended or a replacement license or permit under IC 9-24-14-1.

(2) A fee to add or remove an endorsement to a license or permit under subsection (e) or IC 9-24-8.5-3.

(3) The administrative penalty for the delinquent renewal of a license under IC 9-24-12-13.

(e) The fee to add or remove an endorsement, other than a motorcycle endorsement, to a commercial driver's license or commercial learner's permit is nineteen dollars (\$19). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) One dollar and twenty-five cents (\$1.25) to the motor vehicle highway account.

(3) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(4) Sixteen dollars (\$16) to the commission fund.

SECTION 188. IC 9-31-3-2, AS AMENDED BY P.L.257-2017, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) A motorboat does not have to be registered and numbered under this chapter if any of the following conditions are met:

(1) The motorboat is legally registered in another state and:

(A) the motorboat has not been within Indiana for more than sixty (60) consecutive days;

(B) the owner of the motorboat has paid:

(i) the excise tax required under IC 6-6-11;

(ii) the fees required under IC 6-6-11-13; and

(iii) a two dollar (\$2) fee to the bureau; or

(C) the motorboat is moored on the Indiana part of Lake Michigan for not more than one hundred eighty (180) consecutive days.

(2) The motorboat is from a country other than the United States temporarily using the waters of Indiana.

(3) The motorboat is a ship's lifeboat.

(4) The motorboat belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:

(A) That the registration and numbering of motorboats of that class will not materially aid in their identification.

(B) That an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs.

(C) That the motorboat would also be exempt from numbering if the motorboat were subject to the federal law.

(b) The following are prima facie evidence that a motorboat will be operated on the waters of Indiana for more than sixty (60) consecutive days and is not exempt from registration under subsection (a)(1)(A):

(1) The rental or lease for more than sixty (60) consecutive days of a mooring facility that is located on the waters of Indiana for the motorboat.

(2) The purchase of a mooring facility that is located on the waters of Indiana for the motorboat.



(3) Any other contractual agreement that allows the use of a mooring facility that is located on the waters of Indiana for:

- (A) the motorboat; and
- (B) more than sixty (60) consecutive days.

(c) A fee imposed under subsection (a)(1)(B)(iii) shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state ~~police building account~~. **construction fund.**
- (2) One dollar and seventy-five cents (\$1.75) to the commission fund.

SECTION 189. IC 9-32-16-1, AS AMENDED BY P.L.174-2016, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) This chapter shall be administered by the secretary.

(b) The secretary:

- (1) shall employ employees, including a director, investigators, or attorneys, necessary for the administration of this article; and
- (2) shall fix the compensation of the employees with the approval of the budget agency.

(c) It is unlawful for the director or an officer, employee, or designee of the secretary to use for personal benefit or the benefit of others records or other information obtained by or filed with the dealer services division under this article that are confidential. This article does not authorize the director or an officer, employee, or designee of the secretary to disclose the record or information, except in accordance with this chapter.

(d) This article does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise.

(e) The secretary may develop and implement dealer's and motor vehicle purchaser's education initiatives to inform dealers and the public about the offer or sale of motor vehicles, with particular emphasis on the prevention and detection of fraud involving motor vehicle sales. In developing and implementing these initiatives, the secretary may collaborate with public and nonprofit organizations with an interest in consumer education. The secretary may accept a grant or donation from a person that is not affiliated with the dealer industry or from a nonprofit organization, regardless of whether the organization is affiliated with the dealer industry, to develop and implement consumer education initiatives. This subsection does not authorize the secretary to require participation or monetary contributions of a registrant in an education program.

(f) Fees and funds accruing from the administration of this article:

- (1) described in IC 9-32-7-1(d) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer compliance account established by IC 9-32-7-1(a);
- (2) described in IC 9-32-7-2(b) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer enforcement account established by IC 9-32-7-2(a);
- (3) that are designated for deposit in the motor vehicle highway account shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the motor vehicle highway account under IC 8-14-1;
- (4) described in IC 9-32-7-3(3) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited with the state police department, and these fees and funds are continuously appropriated to the department for its use in enforcing odometer laws;
- (5) described in IC 9-32-7-3(4) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited with the attorney general, and these fees and funds are



continuously appropriated to the attorney general for use in enforcing odometer laws; and
(6) that are designated for deposit in the state ~~police building account~~ **construction fund** shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the state ~~police building account~~ **construction fund**.

Expenses incurred in the administration of this article shall be paid from the state general fund upon appropriation being made for the expenses in the manner provided by law for the making of those appropriations. However, grants and donations under subsection (e), costs of investigations, and civil penalties recovered under this chapter shall be deposited by the treasurer of state in the dealer enforcement account established by IC 9-32-7-2. The funds in the dealer compliance account established by IC 9-32-7-1 must be available, with the approval of the budget agency, to augment and supplement the funds appropriated for the enforcement and administration of this article.

(g) In connection with the administration and enforcement of this article, the attorney general shall render all necessary assistance to the director upon the request of the director. To that end, the attorney general shall employ legal and other professional services as are necessary to adequately and fully perform the service under the direction of the director as the demands of the division require. Expenses incurred by the attorney general for the purposes stated under this subsection are chargeable against and shall be paid out of funds appropriated to the attorney general for the administration of the attorney general's office. The attorney general may authorize the director and the director's designee to represent the director and the division in any proceeding involving enforcement or defense of this article.

(h) The secretary, director, and employees of the division are not liable in an individual capacity, except to the state, for an act done or omitted in connection with the performance of their duties under this article.

(i) The director and each attorney or investigator designated by the secretary:

- (1) are police officers of the state;
- (2) have all the powers and duties of police officers in conducting investigations for violations of this article, or in serving any process, notice, or order issued by an officer, authority, or court in connection with the enforcement of this article; and
- (3) comprise the enforcement department of the division.

The division is a criminal justice agency for purposes of IC 5-2-4 and IC 10-13-3.

(j) The provisions of this article delegating and granting power to the secretary, division, and director shall be liberally construed to the end that:

- (1) the practice or commission of fraud may be prohibited and prevented; and
- (2) disclosure of sufficient and reliable information in order to afford reasonable opportunity for the exercise of independent judgment of the persons involved may be assured.

(k) Copies of any statements and documents filed in the office of the secretary and of any records of the secretary certified by the director are admissible in any prosecution, action, suit, or proceeding based on, arising out of, or under this article to the same effect as the original of the statement, document, or record would be if actually produced.

SECTION 190. IC 10-13-3-40 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 40: If the amount of money that is deposited in the state general fund during a state fiscal year from handgun license fees (as described in IC 35-47-2-4) exceeds one million one hundred thousand dollars (\$1,100,000), the excess is appropriated from the state general fund to the department. An appropriation under this section is subject to allotment by the budget agency.~~

SECTION 191. IC 12-12.7-2-6, AS AMENDED BY P.L.210-2015, SECTION 28, IS AMENDED TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The division shall do the following:

- (1) Carry out the general administration and supervision of programs and activities receiving assistance under this chapter, monitor programs and activities implemented by the state, regardless of whether the programs and activities are receiving assistance under this chapter, and ensure that the state complies with 20 U.S.C. 1431 through 1444 in implementing this chapter.
- (2) Identify and coordinate all available resources from federal, state, local, and private sources, and use all applicable resources to the full extent of the resources.
- (3) Develop procedures to ensure that early intervention services are provided to infants and toddlers with disabilities and their families in a timely manner pending the resolution of disputes among public agencies and providers.
- (4) Resolve disputes within an agency or between agencies.
- (5) Enter into formal interagency agreements that define the financial responsibility of each agency for paying for early intervention services consistent with Indiana law and procedures for resolving disputes, including all additional components necessary to ensure meaningful cooperation and coordination.
- (6) Develop and implement utilization review procedures for services provided under this chapter.
- (7) Adopt rules under IC 4-22-2 to establish a cost participation schedule for purposes of section 17 of this chapter.**

(b) The state shall designate an individual or entity responsible for assigning financial responsibility among appropriate agencies under this chapter.

SECTION 192. IC 12-12.7-2-17, AS AMENDED BY P.L.229-2011, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) As used in this section, "per unit of treatment" means an increment of fifteen (15) minutes for services provided to an individual.

(b) A family shall participate in the cost of programs and services provided under this chapter to the extent allowed by federal law according to ~~the following~~ **a cost participation schedule established by the division. The cost participation schedule must be based on the federal income poverty level and set forth a copayment per unit of treatment and a maximum monthly cost share amount.**

Percentage of Federal Income Poverty Level		Copayment Per Unit of Treatment	Maximum Monthly Cost Share
At Least	But Not More Than		
0%	250%	\$ 0	\$ 0
251%	350%	\$ 0.75	\$ 48
351%	450%	\$ 1.50	\$ 96
451%	550%	\$ 3.75	\$ 40
551%	650%	\$ 6.25	\$ 400
651%	750%	\$ 13	\$ 800
751%	850%	\$ 19	\$ 1,200
851%		\$ 25	\$ 1,600

(c) A cost participation plan used by the division for families to participate in the cost of the programs and services provided under this chapter:

- (1) must:
 - (A) be based on income and ability to pay;



(B) provide for a review of a family's cost participation amount:

(i) annually; and

(ii) within thirty (30) days after the family reports a reduction in income; and

(C) allow the division to waive a required copayment if other medical expenses or personal care needs expenses for any member of the family reduce the level of income the family has available to pay copayments under this section;

(2) may allow a family to voluntarily contribute payments that exceed the family's required cost participation amount;

(3) must require the family to allow the division access to all health care coverage information that the family has concerning the infant or toddler who is to receive services;

(4) must require families to consent to the division billing third party payors for early intervention services provided;

(5) may allow the division to waive the billing to third party payors if the family is able to demonstrate financial or personal hardship on the part of the family member; and

(6) must require the division to waive the family's monthly copayments in any month for those services for which it receives payment from the family's health insurance coverage.

(d) Funds received through a cost participation plan under this section must be used to fund programs described in section 18 of this chapter.

SECTION 193. IC 12-15-1-16, AS AMENDED BY P.L.35-2016, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 16. (a) Each:

(1) school corporation; or

(2) school corporation's employed, licensed, or qualified provider;

must enroll in a program to use federal funds under the Medicaid program (IC 12-15-1 et seq.) with the intent to share the costs of services that are reimbursable under the Medicaid program and that are provided to eligible children by the school corporation. However, a school corporation or a school corporation's employed, licensed, or qualified provider is not required to file any claims or participate in the program developed under this section.

(b) The secretary and the department of education may develop policies and adopt rules to administer the program developed under this section.

(c) ~~Three percent (3%) of the federal reimbursement for paid claims that are submitted by the school corporation under the program required under this section must be:~~

~~(1) distributed to the state general fund for administration of the program; and~~

~~(2) used for consulting to encourage participation in the program.~~

~~The remainder of~~ The federal reimbursement for services provided under this section must be distributed to the school corporation. The state shall retain the nonfederal share of the reimbursement for Medicaid services provided under this section.

(d) The office of Medicaid policy and planning, with the approval of the budget agency and after consultation with the department of education, shall establish procedures for the timely distribution of federal reimbursement due to the school corporations. The distribution procedures may provide for offsetting reductions to distributions of state tuition support or other state funds to school corporations in the amount of the nonfederal reimbursements required to be retained by the state under subsection (c).

SECTION 194. IC 12-15-5-17, AS ADDED BY P.L.224-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17. (a) This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program



described in IC 12-15-43.

(b) The office may not include a Medicaid recipient who is eligible to:

- (1) participate in the Medicare program (42 U.S.C. 1395 et seq.) and
- (2) receive nursing facility services;

in a risk based managed care program or capitated managed care program.

(c) This section expires ~~December 31, 2019~~: **June 30, 2020**.

SECTION 195. IC 12-15-16-7, AS AMENDED BY P.L.2-2014, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) **Except as provided in sections 7.5 and 7.7 of this chapter**, this section applies to Medicaid disproportionate share payments for the state fiscal year beginning:

- (1) July 1, 2012, if hospital fees authorized under P.L.229-2011, SECTION 281 or authorized to be transferred and used for payments are used as state share dollars for the payments; and
- (2) July 1, 2013, and for each state fiscal year after, for which hospital fees authorized under IC 16-21-10 are used as state share dollars for the payments.

(b) As used in this section, "hospital assessment fee committee" refers to the committee established by IC 16-21-10-7.

(c) As used in this section, "hospital specific limit" refers to the hospital specific limit provided under 42 U.S.C. 1396r-4(g).

(d) As used in this section, "municipal hospital payment amount" means, concerning a hospital established and operated under IC 16-22-2 or IC 16-23, an amount equal to the lesser of:

- (1) the hospital specific limit for the hospital for the state fiscal year; or
- (2) the hospital's net 2009 supplemental payment amount.

(e) As used in this section, "nongovernmental hospital" refers to a hospital that is licensed under IC 16-21-2, that is not a unit of state or local government, and is not owned or operated by a unit of state or local government.

(f) As used in this section, "SECTION 281 hospital assessment fee committee" refers to the hospital assessment fee committee established by P.L.229-2011, SECTION 281, subsection (e).

(g) The following providers are eligible for Medicaid disproportionate share payments under this section:

- (1) A hospital or psychiatric institution described in Attachment 4.19-A, Section III, page 6.1(a) of the Medicaid state plan in effect July 1, 2011.
- (2) A hospital that satisfies the following for the state fiscal year for which Medicaid disproportionate share payments are made under this section:

(A) A nongovernmental hospital that:

- (i) has a Medicaid inpatient utilization rate for the state fiscal year that is at least equal to the mean Medicaid inpatient utilization rate as calculated for purposes of determining Medicaid disproportionate share eligibility, but does not equal or exceed one (1) standard deviation above the mean Medicaid inpatient utilization rate; and
- (ii) satisfies the obstetric service provisions of 42 U.S.C. 1396r-4(d).

(B) A hospital established and operated under IC 16-22-2 or IC 16-23 that:

- (i) has a Medicaid inpatient utilization rate for the state fiscal year greater than one percent (1%); and
- (ii) satisfies the obstetric service provisions of 42 U.S.C. 1396r-4(d).

(3) A nongovernmental hospital that satisfies the following for the state fiscal year for which



Medicaid disproportionate share payments are made under this section:

(A) The hospital has a Medicaid inpatient utilization rate for the state fiscal year that is less than the mean Medicaid inpatient utilization rate, as calculated for purposes of determining Medicaid disproportionate share eligibility, but is at least greater than one percent (1%).

(B) The hospital satisfies the obstetric service provisions of 42 U.S.C. 1396r-4(d).

(h) This subsection applies to a payment of Medicaid disproportionate share payments, if any, to hospitals described in subsection (g)(2) and (g)(3). For Medicaid disproportionate share payments for the state fiscal year beginning July 1, 2012, the office, subject to approval by the SECTION 281 hospital assessment fee committee, may develop and implement a Medicaid state plan amendment that provides Medicaid disproportionate share payments for the hospitals described in:

(1) subsection (g)(2), as long as each hospital and psychiatric institution described in subsection (g)(1) has received a Medicaid disproportionate share payment for the state fiscal year in an amount equal to either:

(A) the hospital specific limit; or

(B) the municipal hospital payment amount;

for the hospital or psychiatric institution for the state fiscal year; and

(2) subsection (g)(3), as long as each hospital described in subsection (g)(2) has received a Medicaid disproportionate share payment for the state fiscal year in an amount equal to the hospital specific limit for the hospital for the state fiscal year.

(i) This subsection applies to a payment of Medicaid disproportionate share payments, if any, to hospitals described in subsection (g)(2) and (g)(3). For Medicaid disproportionate share payments for the state fiscal year beginning July 1, 2013, and each state fiscal year thereafter under this section, the office, subject to the approval by the hospital assessment fee committee, may develop and implement a Medicaid state plan amendment that:

(1) renews, for state fiscal year beginning July 1, 2013, and each state fiscal year thereafter under this section, the Medicaid disproportionate share provisions of Attachment 4.19-A, Section III, page 6.1(a) of the Medicaid state plan in effect on July 1, 2011;

(2) provides Medicaid disproportionate share payments for the hospitals described in subsection (g)(2), as long as each hospital and psychiatric institution described in subsection (g)(1) has received a Medicaid disproportionate share payment for the state fiscal year in an amount equal to the:

(A) hospital specific limit; or

(B) municipal hospital payment amount;

for the hospital or psychiatric institution for the state fiscal year; and

(3) provides Medicaid disproportionate share payments for the hospitals described in subsection (g)(3), as long as each hospital described in subsection (g)(2) has received a Medicaid disproportionate share payment for the state fiscal year in an amount equal to the hospital specific limit of the hospital for the state fiscal year.

(j) This subsection does not apply to Medicaid disproportionate share payments made to hospitals described in subsection (g)(2)(B) under Attachment 4.19-A, Section III, page 6.1(a) of the Medicaid state plan in effect on July 1, 2011, or any renewal. Nothing in this section:

(1) requires that the hospitals described in subsection (g)(2) or (g)(3) receive Medicaid disproportionate share payments for a state fiscal year;

(2) requires that the hospitals described in subsection (g)(2) or (g)(3) receive Medicaid disproportionate share payments for a state fiscal year in an amount equal to the respective hospital



specific limits for the state fiscal year; or

(3) prescribes how Medicaid disproportionate share payments are to be distributed among the hospitals described in:

(A) subsection (g)(2); or

(B) subsection (g)(3).

(k) Nothing in this section prohibits the use of unexpended federal Medicaid disproportionate share allotments for a state fiscal year under a program authorized by the SECTION 281 hospital assessment fee committee or the hospital assessment fee committee, as long as each hospital listed in subsection (g)(1), (g)(2), and (g)(3) has received Medicaid disproportionate share payments for the state fiscal year equal to the hospital specific limit for the hospital for the state fiscal year.

SECTION 196. IC 12-15-16-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. (a) As used in this section, "CMS" refers to the federal Centers for Medicare and Medicaid Services.**

(b) As used in this section, "default plan" refers to a plan for distributing Medicaid disproportionate share payments for the state fiscal year beginning July 1, 2019, that meets the requirements set forth in subsection (i).

(c) As used in this section, "disproportionate share payment plan" refers to a plan for distributing disproportionate share payments for the state fiscal year beginning July 1, 2019, and that meets the requirements set forth in subsection (h).

(d) As used in this section, "federal DSH allotment" refers to the allotment of federal disproportionate share funds calculated for the state under 42 U.S.C. 1386r-4.

(e) As used in this section, "hospital assessment fee committee" refers to the committee established by IC 16-21-10-7.

(f) As used in this section, "reduced federal DSH allotment" refers to a federal DSH allotment for the state for the federal fiscal year beginning October 1, 2019, that, by operation of 42 U.S.C. 1396r-4(f)(7), is less than the federal DSH allotment for the state for the federal fiscal year beginning October 1, 2018.

(g) As used in this section, "terminating event" refers to federal legislation (including an amendment to 42 U.S.C. 1396r-4), a regulation or sub-regulatory policy or directive issued by CMS, or a judicial ruling, that is enacted or issued on or before March 30, 2020, that:

(1) cancels, or postpones to a subsequent federal fiscal year, a reduced federal DSH allotment; and

(2) does not cause the state to incur a reduced federal DSH allotment.

(h) Subject to subsection (i), the hospital assessment fee committee shall develop a disproportionate share payment plan and submit the disproportionate share payment plan to the office. The following apply to the disproportionate share payment plan developed under this subsection:

(1) The disproportionate share payment plan must:

(A) specify the amount or amounts of disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 and private mental health institutions licensed under IC 12-25 for the state fiscal year beginning July 1, 2019; or

(B) specify the formula to be used by the office for purposes of determining the amount or amounts of disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 and private mental health institutions licensed under IC 12-25 for



the state fiscal year beginning July 1, 2019.

(2) In developing the disproportionate share payment plan, the hospital assessment fee committee is not required to:

(A) follow paragraphs 1 through 7 of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019; or

(B) provide for disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 or private mental health institutions licensed under IC 12-25 that, for purposes of the state fiscal year beginning July 1, 2019, do not meet the definition of a "disproportionate share hospital" as set forth in Section II(E) of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019.

(3) In developing the disproportionate share payment plan, the hospital assessment fee committee shall take into consideration the percentage of a hospital's patients whose health care coverage is provided by a governmental health care program.

(i) If the hospital assessment fee committee is unable to develop a disproportionate share payment plan, the hospital assessment fee committee shall submit the default plan to the office. The following apply to the default plan:

(1) The disproportionate share payment that would otherwise be paid to an acute care hospital that qualifies as:

(A) a municipal disproportionate share provider under Step Two; or

(B) a disproportionate share provider under Step Four;

of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019, shall be reduced by a percentage described in subdivision (3).

(2) The disproportionate share payment that would otherwise be paid to an acute care hospital that qualifies under Step Three of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019, shall be reduced by a percentage that is equal to fifty percent (50%) of the percentage decrease between the federal DSH allotment for the federal fiscal years:

(A) beginning October 1, 2018; and

(B) beginning October 1, 2019;

except that in no case may the percentage reduction for a hospital be greater than eleven and one-half percent (11.5%).

(3) The percentage reduction in disproportionate share payments described in subdivision (1) shall be a single percentage that is applied uniformly to all hospitals to which subdivision (1) applies. The percentage of the reduction in disproportionate share payments described in subdivision (1) shall be the percentage determined by the hospital assessment fee committee to cause the total disproportionate share payments made under subdivisions (1) and (2) to maximize the expenditure of, without exceeding, the reduced federal DSH allotment.

If agreed to by the hospital assessment fee committee, the default plan may also include other terms and conditions that the committee determines to be necessary for the proper implementation and administration of the default plan.

(j) Before October 1, 2019, the office shall file with CMS and, if approved by CMS, the office shall implement, a proposed Medicaid state plan amendment that is based upon either the disproportionate share payment plan developed by the hospital assessment fee committee or the default plan submitted by the hospital assessment fee committee, if applicable, subject to the



following:

(1) The proposed Medicaid state plan amendment referred to in this subsection shall be drafted by the office so as to make clear that the state plan amendment applies only for the state fiscal year beginning July 1, 2019.

(2) The proposed Medicaid state plan amendment referred to in this subsection shall include language that, in the event a terminating event occurs after the Medicaid state plan amendment is approved by the CMS but before March 30, 2020, would operate to cause the state plan amendment to be immediately and automatically void and without effect, and to cause Subsection A of Section III of Attachment 4.19-A of the state's Medicaid state plan, in effect on January 1, 2019, to be immediately and automatically reinstated and effective.

(3) Subdivisions (1) and (2) do not prevent the office from submitting a subsequent Medicaid state plan amendment for approval by CMS after CMS's approval of the state plan amendment referenced in subdivision (1) and that applies to a state fiscal year beginning after June 30, 2020, and that amends or replaces the provisions of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019.

(k) Before filing the proposed Medicaid state plan amendment with CMS, the proposed Medicaid state plan amendment referenced in subsection (j) shall be submitted by the office to the hospital assessment fee committee for the committee's approval.

(l) The hospital assessment fee committee shall coordinate with the office so that the disproportionate share payment plan, or the default plan, if applicable, is prepared and submitted to the office under subsection (h) or (i), if applicable, and the committee's approval of the proposed state plan amendment under subsection (k), is obtained in sufficient time so as to enable the office to file the proposed Medicaid state plan amendment with CMS before October 1, 2019.

(m) The office shall regularly update the hospital assessment fee committee regarding the status of the proposed Medicaid state plan amendment. All questions, proposals, directives, requirements, and other communications received by the office from CMS concerning the proposed Medicaid state plan amendment shall be provided to the committee within a reasonable time after receipt by the office. Upon request by the hospital assessment fee committee or the office, the office and the hospital assessment fee committee shall meet to confer concerning the proposed state plan amendment.

(n) If:

(1) a terminating event occurs before the office submits the proposed Medicaid state plan amendment to CMS under subsection (j), the hospital assessment fee committee and the office shall cease their work on the disproportionate share payment plan, or the default plan if applicable, and the proposed Medicaid state plan amendment, and the office shall not submit the proposed state plan amendment to CMS; or

(2) a terminating event occurs after the office submits the proposed Medicaid state plan amendment to CMS under subsection (h), but before CMS approves a state plan amendment that implements the disproportionate share payment plan, or the default plan if applicable, the office shall immediately notify CMS of the office's intent to withdraw the proposed Medicaid state plan amendment and otherwise act so as to accomplish the immediate withdrawal of the proposed Medicaid state plan amendment.

(o) In the event a provision of this section conflicts with another provision of this article, the provisions of this section shall control.



(p) This section expires July 1, 2020.

SECTION 197. IC 12-15-16-7.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.7. (a) As used in this section, "CMS" refers to the federal Centers for Medicare and Medicaid Services.**

(b) As used in this section, "default plan" refers to a plan for distributing Medicaid disproportionate share payments for the state fiscal year beginning July 1, 2020, and, at the discretion of the hospital assessment fee committee, for any state fiscal year beginning after July 1, 2020, and meets the requirements set forth in subsection (i).

(c) As used in this section, "disproportionate share payment plan" refers to a plan for distributing disproportionate share payments for the state fiscal year beginning July 1, 2020, and at the discretion of the hospital assessment fee committee, for any state fiscal year beginning after July 1, 2020, and that meets the requirements set forth in subsection (h).

(d) As used in this section, "federal DSH allotment" refers to the allotment of federal disproportionate share funds calculated for the state under 42 U.S.C. 1386r-4.

(e) As used in this section, "hospital assessment fee committee" refers to the committee established by IC 16-21-10-7.

(f) As used in this section, "reduced federal DSH allotment" refers to a federal DSH allotment for the state for the federal fiscal year beginning October 1, 2020, that, by operation of 42 U.S.C. 1396r-4(f)(7), is less than the federal DSH allotment for the state for the federal fiscal year beginning October 1, 2018.

(g) As used in this section, "terminating event" refers to federal legislation (including an amendment to 42 U.S.C. 1396r-4), a regulation or sub-regulatory policy or directive issued by CMS, or a judicial ruling, that is enacted or issued on or before March 30, 2021, that:

(1) cancels, or postpones to a subsequent federal fiscal year, a reduced federal DSH allotment; and

(2) does not cause the state to incur a reduced federal DSH allotment.

(h) Subject to subsection (i), the hospital assessment fee committee shall develop a disproportionate share payment plan and submit the disproportionate share payment plan to the office. The following apply to the disproportionate share payment plan developed under this subsection:

(1) The disproportionate share payment plan must:

(A) specify the amount or amounts of disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 and private mental health institutions licensed under IC 12-25 for the state fiscal year beginning on or after July 1, 2020; or

(B) specify the formula to be used by the office for purposes of determining the amount or amounts of disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 and private mental health institutions licensed under IC 12-25 for the state fiscal year beginning on or after July 1, 2020.

(2) In developing the disproportionate share payment plan, the hospital assessment fee committee is not required to:

(A) follow paragraphs 1 through 7 of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019;

(B) provide for disproportionate share payment adjustments to be paid to acute care hospitals licensed under IC 16-21-2 or private mental health institutions licensed under



IC 12-25 that, for purposes of the state fiscal year beginning on or after July 1, 2020, do not meet the definition of a "disproportionate share hospital" as set forth in Section II(E) of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019; or (C) follow the provisions set forth in section 7.5 of this chapter.

(3) In developing the disproportionate share payment plan, the hospital assessment fee committee shall take into consideration the percentage of a hospital's patients whose health care coverage is provided by a governmental health care program.

(i) If the hospital assessment fee committee is unable to develop a disproportionate share payment plan, the hospital assessment fee committee shall submit the default plan to the office. The following apply to the default plan:

(1) The disproportionate share payments that would otherwise be paid to an acute care hospital under Step Two, Step 3, or Step Four of Subsection A of Section III of Attachment 4.19-A of the Indiana Medicaid state plan in effect on January 1, 2019, without the reduction provided for in section 7.5 of this chapter, shall be reduced by a single percentage that is applied uniformly to all hospitals described in this subdivision.

(2) The percentage of the reduction in disproportionate share payments under subdivision (1) shall be the percentage determined by the hospital assessment fee committee to cause the total disproportionate share payments made to maximize the expenditure of, without exceeding, the reduced federal DSH allotment.

If agreed to by the hospital assessment fee committee, the default plan may also include other terms and conditions that the committee determines to be necessary for the proper implementation and administration of the default plan.

(j) After the office submits the state plan amendment described in section 7.5 of this chapter, but before October 1, 2020, the office shall file with CMS and, if approved by CMS, the office shall implement, a proposed Medicaid state plan amendment that is based upon either the disproportionate share payment plan developed by the hospital assessment fee committee or the default plan submitted by the hospital assessment fee committee, subject to the following:

(1) The proposed Medicaid state plan amendment referred to in this subsection shall include language that, in the event a terminating event occurs after the Medicaid state plan amendment is approved by the CMS but before March 30, 2021, would operate to cause the state plan amendment to be immediately and automatically void and without effect, and to cause Subsection A of Section III of Attachment 4.19-A of the state's Medicaid state plan, in effect on January 1, 2019, to be immediately and automatically reinstated and effective.

(2) Subdivision (1) does not prevent the office from submitting a subsequent Medicaid state plan amendment for approval by CMS after CMS's approval of the state plan amendment referenced in subdivision (1) and that applies to a state fiscal year beginning on or after July 1, 2021, and that amends or replaces the state plan amendment described in this subsection.

(k) Before filing the proposed Medicaid state plan amendment with CMS, the proposed Medicaid state plan amendment referenced in subsection (j) shall be submitted by the office to the hospital assessment fee committee for the committee's approval.

(l) The hospital assessment fee committee shall coordinate with the office so that the disproportionate share payment plan, or the default plan, if applicable, is prepared and submitted to the office under subsection (h) or (i), if applicable, and the committee's approval of the proposed state plan amendment under subsection (k), is obtained in sufficient time so as to enable the office



to file the proposed Medicaid state plan amendment with CMS before October 1, 2020.

(m) The office shall regularly update the hospital assessment fee committee regarding the status of the proposed Medicaid state plan amendment. All questions, proposals, directives, requirements, and other communications received by the office from CMS concerning the proposed Medicaid state plan amendment shall be provided to the committee within a reasonable time after receipt by the office. Upon request by the hospital assessment fee committee or the office, the office and the hospital assessment fee committee shall meet to confer concerning the proposed state plan amendment.

(n) If:

(1) a terminating event occurs before the office submits the proposed Medicaid state plan amendment to CMS under subsection (j), the hospital assessment fee committee and the office shall cease their work on the disproportionate share payment plan, or the default plan if applicable, and the proposed Medicaid state plan amendment, and the office shall not submit the proposed state plan amendment to CMS; or

(2) a terminating event occurs after the office submits the proposed Medicaid state plan amendment to CMS under subsection (h), but before CMS approves a state plan amendment that implements the disproportionate share payment plan, or the default plan if applicable, the office shall immediately notify CMS of the office's intent to withdraw the proposed Medicaid state plan amendment and otherwise act so as to accomplish the immediate withdrawal of the proposed Medicaid state plan amendment.

(o) In the event a provision of this section conflicts with another provision of this article, the provisions of this section shall control.

SECTION 198. IC 12-15-44.5-6, AS ADDED BY P.L.213-2015, SECTION 136, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018 (RETROACTIVE)]: Sec. 6. (a) For:

(1) the state fiscal year beginning July 1, 2016, through the state fiscal year beginning July 1, 2019, fees totaling eleven million five hundred thousand dollars (\$11,500,000) from incremental fees collected under IC 16-21-10-13.3 shall be deposited annually into the phase out trust fund established under section 7 of this chapter; and

(2) the state fiscal years beginning July 1, 2020, and thereafter, the hospital assessment fee committee (IC 16-21-10), after consulting with the office and the Indiana Hospital Association, shall determine the amount of fees to be deposited into the phase out trust fund for the state fiscal year to augment the balance of the trust fund at a projected amount; subject to amounts that would be available under IC 12-15-44.2-17 and funds previously deposited into the phase out trust fund under this subsection that are necessary to cover the state share of the expenses described in IC 16-21-10-13.3(b)(1)(A) through IC 16-21-10-13.3(b)(1)(F) for a twelve (12) month period.

The phase out funds shall be deposited into the phase out trust fund established in section 7 of this chapter from the incremental fee collected under IC 16-21-10-13.3. For a state fiscal year beginning July 1, 2018, or thereafter, the office, after review by the state budget committee, may determine that no incremental fees collected under IC 16-21-10-13.3 are required to be deposited into the phase out trust fund established under section 7 of this chapter.

(b) If the plan is to be terminated for any reason, the office shall:

(1) if required, provide notice of termination of the plan to the United States Department of Health and Human Services and begin the process of phasing out the plan; or

(2) if notice and a phase out plan is not required under federal law, notify the hospital assessment



fee committee (IC 16-21-10) of the office's intent to terminate the plan and the plan shall be phased out under a procedure approved by the hospital assessment fee committee.

The office may not submit any phase out plan to the United States Department of Health and Human Services or accept any phase out plan proposed by the Department of Health and Human Services without the prior approval of the hospital assessment fee committee.

(c) Before submitting:

- (1) an extension of; or
- (2) a material amendment to;

the plan to the United States Department of Health and Human Services, the office shall inform the Indiana Hospital Association of the extension or material amendment to the plan.

SECTION 199. IC 12-17.2-2-3, AS AMENDED BY P.L.145-2006, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The division of family resources child care fund is established for the purpose of providing training and facilitating compliance with and enforcement of this article. The fund shall be administered by the division.

(b) The fund consists of the fees and civil penalties collected under this article.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund is continuously appropriated to carry out the purposes of this article.

SECTION 200. IC 12-17.2-7.2-13.5, AS ADDED BY P.L.184-2017, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13.5. (a) The prekindergarten pilot program fund is established to:

- (1) provide grants to eligible children for qualified early education services under this chapter;
- (2) carry out the longitudinal study described in section 12 of this chapter;
- (3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter; and
- (4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5.

(b) The fund consists of:

- (1) money appropriated to the fund by the general assembly; and
- (2) grants or gifts to the fund.

(c) The fund shall be administered by the office.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund: **is continuously appropriated for the purposes provided under this article.**

(f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

SECTION 201. IC 12-20-29 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 29. Township Assistance Online Pilot Program

Sec. 1. (a) The department of local government finance township assistance online pilot program is established.



(b) The purpose of the pilot program is to:

- (1) develop an electronic platform that will allow for ease of access and efficient application for township assistance by township residents;**
- (2) automate the application process for township assistance; and**
- (3) create a system to collect and report data regarding township assistance relevant to the administration of township assistance.**

(c) The department of local government finance may make the electronic application platform available to townships that agree to participate in the pilot program.

(d) The department of local government finance may charge a fee for the use of the electronic application platform to cover costs associated with ongoing operation and maintenance of the system.

Sec. 2. Subject to approval by the budget agency, the department of local government finance may enter into or execute any agreement or contract necessary to carry out the efficient operation of the pilot program.

Sec. 3. (a) As used in this section, "fund" means the department of local government finance township assistance online pilot program fund established by subsection (b).

(b) The department of local government finance township assistance online pilot program fund is established.

(c) The fund shall be used to assist in implementing and administering the pilot program.

(d) The fund consists of one (1) or more of the following:

- (1) Appropriations made by the general assembly.**
- (2) Donations made to the fund.**
- (3) Any fees collected under section 1 of this chapter.**

(e) The fund shall be administered by the department of local government finance.

(f) The expenses of administering the pilot program and the fund shall be paid from the fund.

(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid from the fund.

(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 4. The department of local government finance may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 202. IC 16-21-10-7, AS AMENDED BY P.L.213-2015, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The hospital assessment fee committee is established. The committee consists of the following four (4) voting members:

- (1) The secretary of family and social services appointed under IC 12-8-1.5-2 or the secretary's designee, who shall serve as the chair of the committee.**
- (2) The budget director or the budget director's designee.**
- (3) Two (2) individuals appointed by the governor from a list of at least four (4) individuals submitted by the Indiana Hospital Association.**

The committee members described in subdivision (3) serve at the pleasure of the governor. If a vacancy occurs among the members appointed under subdivision (3), the governor shall appoint a replacement committee member from a list of at least two (2) individuals submitted by the Indiana Hospital Association.

(b) The committee shall review any Medicaid state plan amendments, waiver requests, or revisions



to any Medicaid state plan amendments or waiver requests, to implement or continue the implementation of this chapter for the purpose of establishing favorable review of the amendments, requests, and revisions by the United States Department of Health and Human Services. **The committee shall also develop a disproportionate share payment plan or submit to the office the default plan, if applicable, as set forth in IC 12-15-16-7.5 and IC 12-15-16-7.7.**

(c) The committee shall meet at the call of the chair. The members serve without compensation.

(d) A quorum consists of at least three (3) members. An affirmative vote of at least three (3) members of the committee is necessary to approve Medicaid state plan amendments, waiver requests, revisions to the Medicaid state plan or waiver requests, and the approvals and other determinations required of the committee under IC 12-15-44.5 and section 13.3 of this chapter.

(e) The following apply to the approvals and any other determinations required by the committee under IC 12-15-44.5 and section 13.3 of this chapter:

(1) The committee shall be guided and subject to the intent of the general assembly in the passage of IC 12-15-44.5 and section 13.3 of this chapter.

(2) The chair of the committee shall report any approval and other determination by the committee to the budget committee.

(3) If, in taking action, the committee's vote is tied, the committee shall follow the following procedure:

(A) The chair of the committee shall notify the chairman of the budget committee of the tied vote and provide a summary of that matter that was the subject of the vote.

(B) The chairman of the budget committee shall provide each committee member who voted an opportunity to appear before the budget committee to present information and materials to the budget committee concerning the matter that was the subject of the tied vote.

(C) Following a presentation of the information and the materials described in clause (B), the budget committee may make recommendations to the committee concerning the matter that was the subject of the tied vote.

SECTION 203. IC 16-21-10-21, AS AMENDED BY P.L.217-2017, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 21. This chapter expires June 30, ~~2019~~ **2021**.

SECTION 204. IC 16-28-15-14, AS AMENDED BY P.L.217-2017, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 14. This chapter expires June 30, ~~2019~~ **2021**.

SECTION 205. IC 16-35-8-10, AS AMENDED BY P.L.149-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) The parent or guardian of a child may at any time apply to the state department for funding through the hearing aid assistance program.

(b) Upon receipt of an application made under subsection (a), if the state department determines that the child is eligible under section 9(b) of this chapter, the state department may, **subject to subsection (c)**, pay from the fund an amount **per hearing aid** not to exceed ~~two thousand dollars (\$2,000)~~ **a maximum amount per hearing aid determined by the state department**.

(c) **The state department shall issue guidelines establishing a cost participation standard for the amount of a parent's or guardian's expected contribution toward the purchase of a hearing aid for which assistance is granted under this chapter. The state department shall post the guidelines on the state department's Internet web site.**

SECTION 206. IC 16-35-8-12, AS ADDED BY P.L.119-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The state department shall give funding priority to applications under this chapter for eligible children who are less than fourteen (14) years of



age.

(b) The funding priority described in subsection (a) has the highest priority. However, the state department may issue guidelines establishing additional funding priorities to give to applications that are submitted under this chapter. If the state department issues guidelines under this subsection, the state department shall post the guidelines on the state department's Internet web site.

SECTION 207. IC 20-18-2-18.5, AS AMENDED BY P.L.217-2017, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 18.5. "Spring count" refers to the informational spring count of eligible pupils under IC 20-43-4.

SECTION 208. IC 20-20-13-17, AS AMENDED BY P.L.217-2017, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 17. The total technology plan grant amount to a qualifying school corporation is the amount determined by the department multiplied by the school corporation's ~~fall~~ **spring** count of students under IC 20-43-4 in the school year ending in the current calendar year. The amount is one hundred dollars (\$100). However, for the purposes of determining the current ADM of a school corporation, students who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted as students having legal settlement in the transferee corporation and not having legal settlement in the transferor corporation.

SECTION 209. IC 20-24-7-13, AS AMENDED BY SEA 567-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) After June 30, 2019, a virtual charter school may only apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not considered a statewide authorizer.

(b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to: ~~the sum of:~~

(~~i~~) ~~the product of:~~

(~~A~~) ~~the number of students included in the virtual charter school's current ADM; multiplied by~~

(~~B~~) ~~the result of:~~

(~~i~~) ~~ninety percent (90%) of~~

(1) ~~the quotient of:~~

(~~A~~) ~~the school's foundation amount basic tuition support determined under IC 20-43-3-8; IC 20-43-6-3(c); divided by~~

(~~B~~) (~~ii~~) ~~twelve (12); plus~~

(2) ~~the total of any:~~

(~~A~~) ~~special education grants under IC 20-43-7;~~

(~~B~~) ~~career and technical education grants under IC 20-43-8; and~~

(~~C~~) ~~honor grants under IC 20-43-10; and~~

(~~D~~) ~~complexity grants under IC 20-43-13;~~

to which the virtual charter school is entitled for the month.

For each state fiscal year, a virtual charter ~~school is entitled to receive~~ **school's** special education grants under IC 20-43-7 **shall be** calculated in the same manner as special education grants are calculated for other school corporations.

(c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual



charter schools authorized by the authorizer that include the following:

(1) Minimum requirements for the mandatory annual onboarding process and orientation required under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:

(A) the student engagement and attendance requirements or policies of the virtual charter school; and

(B) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4.

(2) Requirements relating to tracking and monitoring student participation and attendance.

(3) Ongoing student engagement and counseling policy requirements.

(4) Employee policy requirements, including professional development requirements.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of student-teacher meetings conducted in person or by video conference.

(4) Any other information determined by the department.

The department shall provide this information annually to the state board of ~~education~~ and the legislative council in an electronic format under IC 5-14-6.

(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the school's student engagement policy may not reenroll in that same virtual charter school for the school year in which the student is withdrawn.

(j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsections (h) and (i).

SECTION 210. IC 20-24-7-13.5, AS AMENDED BY P.L.217-2017, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 13.5. (a) This section applies to the following charter schools:

(1) The Excel Centers for Adult Learners.

(2) The Christel House DORS centers.

(3) The Gary Middle College charter schools.

(b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a) is entitled to receive funding from the state in an amount equal to the product of:



- (1) the charter school's number of students who are Indiana residents (expressed as full-time equivalents); multiplied by
- (2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.
- (c) However, in the case of the charter school described in subsection (a)(3), the funding under this section applies only for those students who are twenty-two (22) years of age and older. In addition, the total number of students (expressed as full-time equivalents) of all adult learners in charter schools covered by this section may not exceed the following:
- (1) For the 2016-2017 state fiscal year:
 - (A) For the Christel House Academy DOR center, four hundred forty (440) adult learner students.
 - (B) For the Gary Middle College charter school, one hundred fifty (150) adult learner students.
 - (C) For the Excel Centers for Adult Learners, five thousand five (5,005) adult learner students.
 - (2) For the 2017-2018 state fiscal year:
 - (A) For the Christel House DORS centers, six hundred seventy-five (675) adult learner students.
 - (B) For the Gary Middle College charter schools, two hundred (200) adult learner students.
 - (C) For the Excel Centers for Adult Learners, four thousand two hundred fifty (4,250) adult learner students.
 - (3) (1) For the 2018-2019 state fiscal year:
 - (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.
 - (B) For the Gary Middle College charter schools, two hundred (200) adult learner students.
 - (C) For the Excel Centers for Adult Learners, four thousand seven hundred (4,700) adult learner students.
 - (2) For the 2019-2020 state fiscal year:
 - (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.
 - (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.
 - (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner students.
 - (3) For the 2020-2021 state fiscal year:
 - (A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.
 - (B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.
 - (C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner students.
- (d) A charter school described in subsection (a) is entitled to receive federal special education funding.
- (e) The state funding under this section shall be paid each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each state fiscal year shall equal the amount required under this section. However, if the appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced proportionately.
- (f) A charter school that receives funding as provided in this section must report the following information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative



council, on a schedule specified by the state board:

- (1) The number of adult learners enrolled in the charter school during the preceding year.
- (2) The demographics of the adult learners enrolled in the charter school during the preceding year (in a format requested by the state board).
- (3) The graduation rates of the adult learners enrolled in the charter school during the preceding year.
- (4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2) years after graduation. A charter school must include information concerning students' job placement outcomes, information concerning students' matriculation into higher education, and any other information concerning outcomes required by the state board.

(g) This section expires June 30, ~~2019~~ **2021**.

SECTION 211. IC 20-24-13-6, AS ADDED BY P.L.213-2015, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 6. The annual grant amount for a school for a state fiscal year is:

- (1) ~~five hundred~~ **seven hundred fifty** dollars (~~\$500~~); (**\$750**);
multiplied by
- (2) the number of eligible pupils who are counted in the current ADM of the school.

SECTION 212. IC 20-25.7-5-2, AS AMENDED BY P.L.86-2018, SECTION 174, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 2. (a) The board may enter into an agreement with an organizer to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. Notwithstanding IC 20-26-7-1, a participating innovation network charter school may be established within a vacant school building.

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

- (1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.
- (2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.
- (3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

- (1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;
- (2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding



to be distributed to the school corporation unless subsection (e) applies; and
(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years.

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, ~~2019~~ **2021**.

SECTION 213. IC 20-26-11-11.5, AS ADDED BY P.L.129-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 11.5. (a) The following definitions apply to this section:

- (1) "ADM" means average daily membership (as defined in IC 20-18-2-2).
- (2) "Facility" means a secure private facility described in IC 31-9-2-115(a)(1).
- (3) "School corporation" means the Indiana school or charter school that is receiving state tuition support for the student at the time of the student's admission to the facility.
- (4) "Student" means an individual who:
 - (A) is more than five (5) years of age and less than twenty-three (23) years of age;
 - (B) has been admitted to a facility; and
 - (C) was enrolled in a school corporation during the school year immediately preceding the student's admission to the facility.

(b) This section applies to a student if:

- (1) the student is placed in a facility under the written order of a physician licensed under IC 25-22.5;
- (2) the written order of the physician licensed under IC 25-22.5 is based on medical necessity, as determined by a physician licensed under IC 25-22.5; and
- (3) the student receives educational services provided by the facility.

(c) A facility shall provide written notice to the school corporation not later than five (5) business days (excluding weekends and holidays) after a student described in subsection (b) is admitted to the facility.

The written notice must include the following:

- (1) The student's name, address, and date of birth.
- (2) The date on which the student was admitted to the facility.
- (3) A copy of the physician's written order.
- (4) A statement that the student has opted out of attending school under IC 20-26-11-8.
- (5) A statement that the facility will provide all educational services to the student during the student's admission in the facility.

(d) The school corporation shall pay the facility a daily per diem as determined under subsection (e) for the educational services provided by the facility to the student during the student's admission in the facility. The school corporation may not be required to pay for any educational services provided to the student by the facility exceeding one hundred eighty (180) instructional days or an amount exceeding the student's proportionate share of state distributions paid to the school corporation, as determined under subsection (e).

(e) A school corporation shall pay to the facility an amount, prorated according to the number of



instructional days for which the student receives the educational services, equal to:

(1) the student's proportionate share (as compared to the school corporation's total ADM) of basic tuition support (as determined under ~~IC 20-43-6-3(b)~~ **IC 20-43-6-3**) distributions that are made to the school corporation for the school year; and

(2) any special education grants received by the school corporation for the student under IC 20-43-7.

Upon request of a facility, the department shall verify the amounts described in this subsection for a student admitted to the facility.

(f) A school corporation responsible for making a per diem payment under this section shall pay the facility not later than sixty (60) days after receiving an invoice from the facility. The school corporation and the facility are entitled to the same remedies for disagreements over amounts or nonpayment of an amount due as are provided under the laws governing transfer tuition.

(g) For each student admitted to a facility, the facility shall provide the following in accordance with rules adopted by the state board:

(1) An educational opportunity, including special education and related services, that is comparable to that of a student attending a school in the school corporation.

(2) A level of educational services from the facility that is comparable to that of a student attending a school in the school corporation.

(3) Unless otherwise provided in a student's individualized education program (as defined in IC 20-18-2-9), educational services that include at least the following:

(A) An instructional day that meets the requirements of IC 20-30-2-2.

(B) A school year with at least one hundred eighty (180) student instructional days as provided under IC 20-30-2-3.

(C) Educationally appropriate textbooks and other materials.

(D) Educational services provided by licensed teachers.

(h) The state board shall adopt a rule that addresses the responsibilities of the school corporation and the facility with regard to a student with an individualized education program.

(i) This section does not limit a student's right to attend a school as provided in IC 20-26-11-8.

(j) The state board shall adopt rules under IC 4-22-2 as necessary to implement this section.

(k) The state board may adopt emergency rules in the manner provided in IC 4-22-2-37.1 to implement this section.

SECTION 214. IC 20-43-1-1, AS AMENDED BY P.L.217-2017, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 1. This article expires June 30, ~~2019~~ **2021**.

SECTION 215. IC 20-43-1-6, AS AMENDED BY P.L.217-2017, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 6. "ADM" refers to ~~the following~~:

~~(1) Except as provided in subdivision (2), the average daily membership determined under IC 20-43-4.~~

~~(2) For the School City of East Chicago school corporation, the average daily membership determined under IC 20-43-4-10. This subdivision expires June 30, 2018.~~

SECTION 216. IC 20-43-1-7, AS AMENDED BY P.L.217-2017, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 7. "ADM of the previous year" means: ~~the previous year adjusted ADM count~~:

(1) for previous state fiscal years ending before July 1, 2019, the fall count of ADM;

(2) for previous state fiscal years ending after June 30, 2019, the average of the previous year's fall and spring adjusted ADM counts.



SECTION 217. IC 20-43-1-10, AS AMENDED BY P.L.217-2017, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 10. "Current ADM" means the: ~~count of ADM taken under IC 20-43-4.~~

- (1) spring count of ADM for distributions in the months of January through June of the calendar year in which the spring count is taken; and**
- (2) fall count of ADM for distributions in the months of July through December of the calendar year in which the fall count is taken.**

SECTION 218. IC 20-43-2-2, AS AMENDED BY P.L.135-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 2. (a) The maximum state distribution for a state fiscal year for all school corporations for the purposes described in section 3 of this chapter is the amount appropriated by the general assembly for those purposes for that state fiscal year.

(b) If the budget director, after review by the budget committee, makes a determination that the amount of the distribution for a state fiscal year for all school corporations for the purposes described in section 3 of this chapter exceeds the amount appropriated for these purposes for the state fiscal year, the budget agency shall transfer money from the state tuition reserve account to the state general fund to cover the difference. However, the maximum amount that may be transferred to the state general fund for the state fiscal year may not exceed:

- ~~(1) twenty-five million dollars (\$25,000,000) for the state fiscal year beginning July 1, 2017; and~~
- ~~(2) (1) seventy-five million dollars (\$75,000,000) for the state fiscal year beginning July 1, 2018; and~~
- (2) twenty-five million dollars (\$25,000,000) for a state fiscal year beginning July 1, 2019, or thereafter.**

(c) Any amounts transferred under this section shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to make or restore the distributions for the purposes described in section 3 of this chapter.

(d) Transfers under this section are in addition to any transfers made from the state tuition reserve account under IC 4-12-1-15.7 or any other law.

(e) To the extent that the amount appropriated plus the amount transferred is less than the amount that would be distributed under this article, the total amount to be distributed for the purposes described in section 3 of this chapter to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the purposes described in section 3 of this chapter.

SECTION 219. IC 20-43-2-3, AS AMENDED BY P.L.135-2018, SECTION 3, AND AS AMENDED BY P.L.192-2018, SECTION 47, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 3. ~~If the total amount to be distributed:~~ *In determining the total amount to be distributed for purposes of section 2 of this chapter, distributions:*

- (1) as basic tuition support;
- (2) for honors *diploma* designation awards;
- ~~(3) for complexity grants;~~
- ~~(4) (3) for special education grants;~~
- ~~(5) (4) for career and technical education grants;~~
- ~~(6) (5) for choice scholarships; and~~
- ~~(7) (6) for Mitch Daniels early graduation scholarships;~~



are to be considered for a particular state fiscal year. exceeds the amounts appropriated by the general assembly for those purposes for the state fiscal year; the total amount to be distributed for those purposes to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess-

SECTION 220. IC 20-43-2-7.5, AS AMENDED BY P.L.217-2017, SECTION 118, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 7.5. (a) Before July 1 of each year, the budget agency, with the assistance of the department, shall estimate the amount of the distributions that will be made for choice scholarships for the following state fiscal year.

(b) In a state fiscal year beginning after June 30, 2016, the budget agency may transfer money from the state tuition reserve account to the state general fund if the budget director, after review by the budget committee, makes a determination that the amount of the distribution for that state fiscal year for basic tuition support has been reduced under section 3 of this chapter because the amount of the distributions for choice scholarships for the state fiscal year exceeds the latest estimate prepared by the legislative services agency and provided to members of the general assembly before May 1 of the most recent odd-numbered year concerning the amount of the distributions for choice scholarships for the state fiscal year beginning July 1 of the particular state fiscal year. The maximum amount that may be transferred to the state general fund under this subsection for the state fiscal year may not exceed the lesser of:

- (1) the amount of the reduction in basic tuition support distributions described in this subsection; or
- (2) twenty-five million dollars (\$25,000,000).

Any amounts transferred under this subsection shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to restore the distributions for basic tuition support that are reduced under section 3 of this chapter.

(c) Transfers under this section are in addition to any transfers made from the state tuition reserve account under IC 4-12-1-15.7 or any other law.

~~(d) This section expires June 30, 2019.~~

SECTION 221. IC 20-43-3-8, AS ADDED BY P.L.217-2017, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 8. A school corporation's foundation amount is the following:

- ~~(1) Five thousand two hundred seventy-three dollars (\$5,273) for the state fiscal year beginning July 1, 2017.~~
- ~~(2) Five thousand three hundred fifty-two dollars (\$5,352) for the state fiscal year beginning July 1, 2018.~~

(1) Five thousand five hundred forty-eight dollars (\$5,548) for the state fiscal year beginning July 1, 2019.

(2) Five thousand seven hundred three dollars (\$5,703) for the state fiscal year beginning July 1, 2020.

SECTION 222. IC 20-43-4-3, AS AMENDED BY P.L.217-2017, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 3. (a) Subject to subsection (b), the state board shall make an ADM count of the eligible pupils enrolled in each school corporation two (2) times each school year, with one (1) count date occurring in each of the following periods:

- (1) The fall count of ADM shall be made on a day during September fixed by the state board.
- (2) The ~~informational~~ spring count of ADM shall be made on a day during February fixed by the state board.



(b) However, if extreme patterns of:

- (1) student in-migration;
- (2) illness;
- (3) natural disaster; or
- (4) other unusual conditions in a particular school corporation's enrollment;

on either a count day fixed by the state board or the subsequent adjustment date cause the enrollment to be unrepresentative of the school corporation's enrollment, the state board may designate another day for determining the school corporation's enrollment.

SECTION 223. IC 20-43-4-5, AS AMENDED BY P.L.135-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 5. **(a)** In determining ADM, each kindergarten pupil who is at least five (5) years of age on ~~August 1 of a school year~~ **the date set forth in subsection (b)** shall be counted as:

- (1) one (1) pupil, if the pupil is enrolled in a full-day kindergarten program; or
- (2) one-half (1/2) pupil, if the pupil is enrolled in a half-day kindergarten program.

If a school corporation commences kindergarten in a school year, the ADM of the current and prior calendar years shall be adjusted to reflect the enrollment of the kindergarten pupils. A kindergarten pupil who is not at least five (5) years of age on ~~August 1 of a school year~~ **the date set forth in subsection (b)** may not be counted.

(b) The date referred to in subsection (a) is as follows:

- (1) For the state fiscal year beginning July 1, 2018, August 1 of the school year.**
- (2) For the state fiscal year beginning July 1, 2019, September 1 of the school year.**
- (3) For a state fiscal year beginning on or after July 1, 2020, October 1 of the school year.**

SECTION 224. IC 20-43-4-9, AS AMENDED BY P.L.217-2017, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 9. (a) Subject to subsections (b) and (c), this subsection applies to the calculation of state tuition support distributions that are based on the current ADM of a school corporation. The **fall** count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions **made in the first six (6) months of the current state fiscal year, and the spring count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the second six (6) months of the state fiscal year.**

(b) This subsection applies to a school corporation that does not provide the estimates required by section 2(b) of this chapter before the deadline. For monthly state tuition support distributions made before the count of ADM is finalized, the department shall determine the distribution amount for such a school corporation for a state fiscal year of the biennium, using data that were used by the general assembly in determining the state tuition support appropriation for the budget act for that state fiscal year. The department may adjust the data used under this subsection for errors.

(c) If the state board adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of state tuition support resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency.

SECTION 225. IC 20-43-6-3, AS AMENDED BY P.L.217-2017, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 3. (a) A school corporation's basic tuition support for a state fiscal year is the amount determined under the applicable provision of this section.



(b) This subsection applies to a school corporation that does not have any students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the result using the following formula:

STEP ONE: Multiply the foundation amount multiplied by the school corporation's current ADM. for the year:

STEP TWO: Multiply the school corporation's complexity index by:

(A) for the state fiscal year beginning July 1, 2019, three thousand six hundred fifty dollars (\$3,650); and

(B) for the state fiscal year beginning July 1, 2020, three thousand six hundred seventy-five dollars (\$3,675).

STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

STEP FOUR: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017 compared to the school corporation's complexity index for the current school year. For such a school corporation determine the result of:

(A) the school corporation's current ADM; multiplied by

(B) one hundred twenty-eight dollars (\$128).

STEP FIVE: Determine the result of:

(A) the STEP ONE amount; plus

(B) the STEP THREE amount; plus

(C) the STEP FOUR amount, if applicable.

(c) This subsection applies to a school corporation that has students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the result using the following formula:

STEP ONE: Determine the total number of students in the school corporation's current ADM for the year for whom, of the instructional services that the students receive from the school corporation, at least fifty percent (50%) is virtual instruction.

STEP TWO: Determine the result of the school corporation's current ADM for the year minus the STEP ONE amount.

STEP THREE: Determine the result of:

(A) the foundation amount; multiplied by

(B) the STEP TWO amount.

STEP FOUR: Determine the result of:

(A) the STEP ONE amount; multiplied by

(B) eighty-five percent (85%) of the foundation amount.

STEP FIVE: Multiply the school corporation's complexity index by:

(A) for the state fiscal year beginning July 1, 2019, three thousand six hundred fifty dollars (\$3,650); and

(B) for the state fiscal year beginning July 1, 2020, three thousand six hundred seventy-five dollars (\$3,675).



STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM.
STEP SEVEN: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017 compared to the school corporation's complexity index for the current school year. For such a school corporation determine the result of:

- (A) the school corporation's current ADM; multiplied by**
- (B) one hundred twenty-eight dollars (\$128).**

STEP EIGHT: Determine the result of:

- (A) the STEP THREE amount; plus**
- (B) the STEP FOUR amount; plus**
- (C) the STEP SIX amount; plus**
- (D) the STEP SEVEN amount, if applicable.**

(e) This subsection applies to students of a virtual charter school: A virtual charter school's basic tuition support for a state fiscal year for those students is the amount determined under IC 20-24-7-13.

SECTION 226. IC 20-43-7-6, AS AMENDED BY P.L.217-2017, SECTION 130, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 6. A school corporation's special education grant for a state fiscal year is equal to the sum of the following:

- (1) The nonduplicated count of pupils in programs for severe disabilities multiplied by ~~the following:~~
 - ~~(A) Eight thousand nine hundred seventy-six dollars (\$8,976) for the state fiscal year beginning July 1, 2017.~~
 - ~~(B) nine thousand one hundred fifty-six dollars (\$9,156). for the state fiscal year beginning July 1, 2018.~~
- (2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by two thousand three hundred dollars (\$2,300).
- (3) The duplicated count of pupils in programs for communication disorders multiplied by five hundred dollars (\$500).
- (4) The cumulative count of pupils in homebound programs multiplied by five hundred dollars (\$500).
- (5) The nonduplicated count of pupils in special preschool education programs multiplied by ~~two thousand seven hundred fifty dollars (\$2,750).~~ **the following:**
 - (A) Two thousand eight hundred seventy-five dollars (\$2,875) for the state fiscal year beginning July 1, 2019.**
 - (B) Three thousand dollars (\$3,000) for the state fiscal year beginning July 1, 2020.**

SECTION 227. IC 20-43-8-7.5, AS ADDED BY P.L.230-2017, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 7.5. (a) ~~Not later than December 1, 2017, and each December 1 thereafter;~~ The department of workforce development shall designate each career and technical education program as:

- (1) an apprenticeship program;
- (2) a cooperative education program;
- (3) a work based learning program;
- (4) a high value program;
- (5) a moderate value program;



- (6) a less than moderate value program;
- (7) an introductory program; or
- (8) a foundational career and technical education course.

The designation of career and technical education programs by the department of workforce development under this section must be reviewed and approved by the state board as provided in this section.

(b) Not later than December 1, 2019, and each December 1 thereafter, the department of workforce development shall designate each career and technical education program as:

- (1) an apprenticeship program;**
- (2) a work based learning program;**
- (3) a high value level 1 program;**
- (4) a high value level 2 program;**
- (5) a moderate value level 1 program;**
- (6) a moderate value level 2 program;**
- (7) a less than moderate value level 1 program;**
- (8) a less than moderate value level 2 program;**
- (9) a planning for college and career course; or**
- (10) an introductory program.**

The designation of career and technical education programs by the department of workforce development under this section must be reviewed and approved by the state board as provided in this section.

~~(b)~~ (c) If a new career and technical education program is created by rule, the department of workforce development shall determine the category in which the program is designated under subsection (a) **or (b)**. A career and technical education program must be approved by the department of workforce development in order for a school corporation to be eligible to receive a grant amount for the career and technical education program under section 15 of this chapter.

~~(c)~~ (d) Not later than ~~December 1, 2017, and each December 1 thereafter,~~ **of each year**, the department of workforce development shall provide a report to the state board that includes the following information:

- (1) A list of the career and technical education courses for the next school year that are designated by the department of workforce development under this section.
- (2) The labor market demand used to designate each career and technical education program under this section.
- (3) The average wage level used to designate each career and technical education program under this section.
- (4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.
- (5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under this section.

~~(d)~~ (e) Not later than ~~January 1, 2018, and each January 1 thereafter,~~ **of each year**, the state board shall review and approve the report provided by the department of workforce development under subsection ~~(c)~~ (d) at a public meeting to ensure that the list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later than ~~January 1, 2018, and each January 1 thereafter,~~ **of each year**, the state board shall send its determination to the department of workforce development. Upon receipt of the state board's determination, the department of workforce development shall provide the approved report to the department.



(f) The department of workforce development shall publish the approved report under subsection (e) on the department of workforce development's Internet web site, including the following:

- (1) The list of career and technical education programs that are designated by the department of workforce development under this section.
- (2) The labor market demand used to designate each career and technical education program under this section.
- (3) The average wage level used to designate each career and technical education program under this section.
- (4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.
- (5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under this section.

In addition, the department shall notify all school corporations of the state board's approval of the report under subsection (e) and provide a link within the notice to the approved report published on the department of workforce development's Internet web site under this subsection.

SECTION 228. IC 20-43-8-13, AS ADDED BY P.L.230-2017, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 13. (a) ~~This section applies to a state fiscal year beginning after June 30, 2018.~~

(a) A school corporation shall count each pupil enrolled in a program designated under section 7.5 of this chapter for the purposes of determining a school corporation's career and technical education enrollment grant under section 15 of this chapter. Each school corporation shall report its pupil enrollment count under this section to the department.

(b) A pupil may be counted in more than one (1) of the career and technical education programs if the pupil is enrolled in more than one (1) of the career and technical education programs at the time pupil enrollment is determined.

(c) If the department adjusts a count of ADM after a distribution is made under this chapter, the adjusted count retroactively applies to the grant amounts distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of grant amounts resulting from an adjusted count of ADM on a schedule determined by the department and approved by the budget agency.

(d) The distribution of the grant amounts under this chapter shall be made each state fiscal year under a schedule set by the budget agency and approved by the governor.

(e) Each school corporation that receives a grant under this chapter shall report to the department, in a manner prescribed by the department, the pupil count and the per pupil cost to the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation's enrollment count under subsection (b).

(e) The department shall report the pupil count for each career and technical education program in which the school corporation includes pupils in the school corporation's enrollment count under subsection (b). The department shall estimate the per pupil cost of each program and report the average per pupil expenditure for each school corporation in the state fiscal year beginning July 1, 2016, and in the state fiscal year beginning July 1, 2017, and the projected statewide average per pupil expenditure for the state fiscal year beginning July 1, 2018. The department shall post the school corporation's pupil count and per pupil costs reported to the department under this subsection on the department's Internet web site.



SECTION 229. IC 20-43-8-14, AS ADDED BY P.L.230-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 14. ~~(a)~~ **This section applies after June 30, 2018:**

~~(b)~~ **(a)** Not later than November 1 of each odd-numbered year, the department of workforce development shall update wage threshold data used to categorize career and technical education programs under section 7.5 of this chapter for use in the two (2) subsequent school years.

~~(c)~~ **(b)** The department of workforce development may not update wage threshold data as provided in subsection ~~(b)~~ **(a)** more often than once each biennium.

SECTION 230. IC 20-43-8-15, AS AMENDED BY P.L.86-2018, SECTION 184, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 15. ~~(a)~~ **This section applies to state fiscal years beginning after June 30, 2018:**

~~(b)~~ **(a) This subsection applies to the state fiscal year beginning July 1, 2019.** A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3)



credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars (\$1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars (\$600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars (\$300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars (\$500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars (\$150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars (\$130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars (\$130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year.

SECTION 231. IC 20-43-10-3.5, AS AMENDED BY P.L.86-2018, SECTION 185, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 3.5. (a) As used in this section, "school" means a school corporation, charter school, and a virtual charter school.

(b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers:



- (1) employed in the classroom by the school; or
 - (2) directly providing virtual education;
- were rated as effective or as highly effective, using the most recently completed teacher ratings.
- (c) A school may not receive a teacher appreciation grant under this section unless:
- (1) the school has in the state fiscal year in which the teacher appreciation grants are made under this section:
 - (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and
 - (B) submitted the policy to the department for approval; and
 - (2) the department has approved the policy.

The department shall specify the date by which a policy described in subdivision (1) must be submitted to the department.

(d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter school is equal to:

- (1) ~~thirty~~ **thirty-seven dollars and fifty-cents (\$30); (\$37.50)**; multiplied by
- (2) the school's current ADM.

However, the grant amount for a virtual charter school may not exceed the statewide average grant amount.

(e) The following apply to the distribution of teacher appreciation grants:

- (1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as teacher appreciation grants to all schools if a reduction were not made under this section.
- (2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year is less than the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

(f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be distributed to the school before December 5 of that state fiscal year.

(g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher appreciation grants:

- (1) The governing body shall differentiate between a teacher rated as a highly effective teacher and a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than the amount of a stipend awarded to a teacher rated as an effective teacher.
- (2) The governing body of a school may differentiate between school buildings.
- (3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but is discussable, and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%)



of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining, but is discussable.

(h) A teacher appreciation grant received by a school shall be allocated among and used only to pay cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly effective and employed by the school as of December 1. **A school may allocate up to twenty percent (20%) of the grant received by the school to provide a supplemental award to teachers with less than five (5) years of service who are rated as effective or as highly effective. The supplemental award is in addition to the award made from the part of the grant that is allocated to all eligible teachers.**

(i) The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program.

(j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within twenty (20) business days of the date the department distributes the teacher appreciation grant to the school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(k) The department, after review by the budget committee, may waive the December 5 deadline under subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline are in the public interest.

(l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, as necessary to implement this section.

(m) This section expires June 30, ~~2019~~: **2021**.

SECTION 232. IC 20-43-13-3 IS REPEALED [EFFECTIVE JUNE 29, 2019]. ~~Sec. 3: The total amount to be distributed under this chapter to a school corporation or charter school for a state fiscal year is the amount determined using the following formula:~~

STEP ONE: Determine the product of:

(A) the school corporation's complexity index determined under section 4 of this chapter; multiplied by

(B) three thousand five hundred thirty-nine dollars (\$3,539);

STEP TWO: Determine the product of:

(A) the STEP ONE result; multiplied by

(B) the school corporation's current ADM;

STEP THREE: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017 compared to the school corporation's complexity index for the current school year. Determine the result of:

(A) the STEP TWO amount; plus



(B) the result of:

- (i) the school corporation's current ADM; multiplied by
- (ii) one hundred twenty-eight dollars (\$128);

SECTION 233. IC 20-43-13-4, AS AMENDED BY P.L.217-2017, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 4. (a) **Except as provided in subsection (c)**, the complexity index is the percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

- (1) ~~2017~~; **2019**; or
- (2) the first year of operation of the school corporation.

(b) For a conversion charter school, the percentage determined under this **STEP section** is the percentage of the sponsor school corporation.

(c) **If a school corporation's complexity index is less than the school corporation's complexity index for the preceding state fiscal year, the school corporation's complexity index for the state fiscal year is the greater of:**

- (1) the school corporation's complexity index for the state fiscal year; or
- (2) the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(d) **For a participating innovation network charter school, the percentage determined under this section is the greater of the percentage for the:**

- (1) participating innovation network charter school; or
- (2) school corporation with which the participating innovation network charter school has contracted.

SECTION 234. IC 20-51-4-4, AS AMENDED BY P.L.106-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: Sec. 4. (a) The amount an eligible choice scholarship student is entitled to receive under this chapter for a school year is equal to the following:

(1) The least of the following:

(A) The sum of the tuition, transfer tuition, and fees required for enrollment or attendance of the eligible choice scholarship student at the eligible school selected by the eligible choice scholarship student for a school year that the eligible choice scholarship student (or the parent of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible school.

(B) An amount equal to:

(i) ninety percent (90%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of not more than the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program; ~~and~~

(ii) seventy percent (70%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of, in the case of an individual not described in section 2.5 of this chapter or item (i), not more than one hundred twenty-five percent (125%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program; and

~~(ii)~~ **(iii) fifty percent (50%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual**



income of, in the case of an individual not described in section 2.5 of this chapter **or item (i) or (ii)**, not more than one hundred fifty percent (150%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program or, in the case of an individual described in section 2.5 of this chapter, not more than two hundred percent (200%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program.

(2) In addition, if the eligible choice scholarship student has been identified as eligible for special education services under IC 20-35 and the eligible school provides the necessary special education or related services to the eligible choice scholarship student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation. However, if an eligible choice scholarship student changes schools during the school year after the December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship amounts paid to the eligible choice scholarship student for the remainder of the school year after the eligible choice scholarship student enrolls in the different eligible school shall not include amounts that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation.

(b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the eligible student applies for the choice scholarship under ~~section 7(c)(2)~~ **section 7(e)** of this chapter shall be reduced on a prorated basis in the manner prescribed in section 6 of this chapter.

SECTION 235. IC 20-51-4-7, AS AMENDED BY P.L.217-2017, SECTION 140, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The department shall administer this chapter.

(b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.

(c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.

(d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.

(e) Each year, the department shall accept applications for choice scholarship students from:

(1) March 1 through September 1 for the upcoming school year; and

(2) November 1 through January 15 for the spring semester of the current school year.

(f) This chapter may not be construed in a manner that would impose additional requirements for approving an application for an eligible school placed in a "null" or "no letter grade" category established under IC 20-31-8-3(b).

(g) The department shall adopt rules under IC 4-22-2 to implement this chapter.

(h) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.

SECTION 236. IC 21-13-9-5, AS AMENDED BY P.L.217-2017, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The commission, in coordination with the Marian University College of Osteopathic Medicine, shall select from among the qualified students who will receive a scholarship under this chapter. The commission may not create or use a waiting list for scholarships under this chapter.

(b) The amount of the scholarship that may be awarded to a qualified student for a particular school



year shall be determined by the commission, in coordination with the Marian University College of Osteopathic Medicine, and may not exceed the following:

- (1) If the scholarship is awarded in the first class year, a maximum of ~~ten~~ **fifteen** thousand dollars (~~\$10,000~~) (**\$15,000**) per year for four (4) class years.
 - (2) If the scholarship is awarded in the second class year:
 - (A) a maximum of seven thousand five hundred dollars (\$7,500) for the first class year; and
 - (B) a maximum of ten thousand dollars (\$10,000) per year for the second through fourth class years.
 - (3) If the scholarship is awarded in the third class year:
 - (A) a maximum of five thousand dollars (\$5,000) for the first class year;
 - (B) a maximum of seven thousand five hundred dollars (\$7,500) for the second class year; and
 - (C) a maximum of ten thousand dollars (\$10,000) per year for the third and fourth class years.
 - (4) If the scholarship is awarded in the fourth class year:
 - (A) a maximum of two thousand five hundred dollars (\$2,500) for the first class year;
 - (B) a maximum of five thousand dollars (\$5,000) for the second class year;
 - (C) a maximum of seven thousand five hundred dollars (\$7,500) for the third class year; and
 - (D) a maximum of ten thousand dollars (\$10,000) for the fourth class year.
- (c) A qualified student may not qualify for a scholarship for more than four (4) school years.

SECTION 237. IC 21-38-3-13, AS ADDED BY P.L.138-2012, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. A state educational institution that provides or sponsors a post-employment benefit (as defined in IC 5-10-16-5) shall submit to the ~~office of management and budget~~ **Indiana public retirement system established by IC 5-10.5-2-1** not later than November 1 each year an OPEB (as defined in IC 5-10-16-4) report for the state educational institution. Each state educational institution shall provide information required under GASB Statements ~~43 74~~ **45 75** and any other information requested by the ~~OMB~~ **Indiana public retirement system** or the budget committee.

SECTION 238. IC 31-26-5-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) Beginning October 1, 2019, the department shall use a per diem model to reimburse community based providers for providing family preservation services.**

(b) The department shall develop, and update as needed, procedures to determine an appropriate per diem rate under subsection (a).

SECTION 239. IC 31-33-8-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 16. After an investigation by the department that a child is a child in need of services, but before petitioning the juvenile court for a dispositional decree or implementing a program of informal adjustment, the department may enter into a voluntary service referral agreement with the child's parent, guardian, or custodian. Under the terms of the agreement, the parent, guardian, or custodian shall successfully participate in and complete any family or rehabilitative services recommended by the department. If a person who enters into an agreement under this subsection fails to substantially carry out the terms of the agreement the department shall terminate the agreement. The department shall provide notice to the juvenile court of any voluntary service referral agreement entered into under this subsection.**

SECTION 240. IC 33-38-9.5-2, AS AMENDED BY P.L.65-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The justice reinvestment advisory



council is established. The advisory council consists of the following members:

- (1) The executive director of the Indiana public defender council or the executive director's designee.
- (2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.
- (3) The director of the division of mental health and addiction or the director's designee.
- (4) The president of the Indiana Sheriffs' Association or the president's designee.
- (5) The commissioner of the Indiana department of correction or the commissioner's designee.
- (6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.
- (7) The executive director of the Indiana criminal justice institute or the executive director's designee.
- (8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.
- (9) The president of the Probation Officers Professional Association of Indiana or the president's designee.

(10) The budget director or the budget director's designee.

(b) The chief administrative officer of the office of judicial administration shall serve as chairperson of the advisory council.

(c) The purpose of the advisory council is to conduct a state level review and evaluation of:

- (1) local corrections programs, including community corrections, county jails, and probation services; and
- (2) the processes used by the department of correction and the division of mental health and addiction in awarding grants.

(d) The advisory council may make a recommendation to the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

- (1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);
- (2) review grant applications;
- (3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;



- (4) review grants awarded by the department of correction and the division of mental health and addiction; and
- (5) suggest areas and programs in which the award of future grants might be beneficial.
- (j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.
- (k) Any entity that receives funds:
 - (1) recommended by the advisory council; and
 - (2) appropriated by the department of correction;
 for the purpose of providing additional treatment or supervision services shall provide the information described in subsection (l) to the department of correction to aid in the compilation of the report described in subsection (j).
- (l) The department of correction shall provide the advisory council with the following information:
 - (1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection (k).
 - (2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.
 - (3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.
 - (4) The percentage of participants, categorized by level of most serious offense, who:
 - (A) completed a funded treatment program, service, or level of supervision; and
 - (B) were subsequently committed to the department of correction;
 within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.
 - (5) The percentage of participants, categorized by level of most serious offense, who were:
 - (A) discharged from a funded treatment program, service, or level of supervision; and
 - (B) subsequently committed to the department of correction;
 within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.
 - (6) The total number of participants who completed a funded treatment program, service, or level of supervision.
 - (7) The total number of participants who:
 - (A) completed a funded treatment program, service, or level of supervision; and
 - (B) were legally employed.
 - (8) Any other information relevant to the funding of the entity as described in subsection (k).

SECTION 241. IC 34-13-3-20, AS AMENDED BY P.L.148-2017, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20. (a) A political subdivision may purchase insurance to cover the liability of itself or its employees, including a member of a board, a committee, a commission, an authority, or another instrumentality of a governmental entity. Any liability insurance so purchased shall be purchased by invitation to and negotiation with providers of insurance and may be purchased with other types of insurance. If such a policy is purchased, the terms of the policy govern the rights and obligations of the political subdivision and the insurer with respect to the investigation, settlement, and defense of claims or suits brought against the political subdivision or its employees covered by the policy. However, the insurer may not enter into a settlement for an amount that exceeds the insurance coverage without the approval of the mayor, if the claim or suit is against a city, or the



governing body of any other political subdivision, if the claim or suit is against such political subdivision.

(b) The state may purchase insurance to cover the cyber liability of itself or its employees, including a member of a board, a committee, a commission, an authority, or another instrumentality of the state. Any liability insurance so purchased shall be purchased by invitation to and negotiation with providers of insurance and may be purchased with other types of insurance. If such a policy is purchased, the terms of the policy govern the rights and obligations of the state and the insurer with respect to the investigation, settlement, and defense of claims or suits brought against the state or state employees covered by the policy. However, the insurer may not enter into a settlement for an amount that exceeds the insurance coverage without the approval of the governor.

(c) The state may not purchase insurance to cover the liability of the state or its employees. This subsection does not prohibit any of the following:

- (1) The requiring of contractors to carry insurance.
- (2) The purchase of insurance to cover losses occurring on real property owned by:
 - (A) the Indiana public retirement system; or
 - (B) a public pension and retirement fund administered by the Indiana public retirement system.
- (3) The purchase of insurance by a separate body corporate and politic to cover the liability of itself or its employees.
- (4) The purchase of casualty and liability insurance for foster parents (as defined in IC 27-1-30-4) on a group basis.
- (5) A purchase of cyber liability insurance under subsection (b).
- (6) The purchase of insurance required by the federal government in connection with the use of federal land for the state's wireless public safety voice and data communications system.**

SECTION 242. IC 35-52-6-78.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 78.5. IC 6-9-29.5-3 defines a crime concerning taxes.**

SECTION 243. IC 36-1-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. "Federally recognized Indian tribe" means an Indian tribe named on the list of Indian tribes recognized by the United States Secretary of the Interior published under 25 U.S.C. 5131.**

SECTION 244. IC 36-1-7-1, AS AMENDED BY P.L.38-2014, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. This chapter applies to the following:

- (1) The state.
- (2) All political subdivisions.
- (3) All state agencies.
- (4) Any of the following created by state law:
 - (A) Public instrumentalities.
 - (B) Public corporate bodies.
- (5) Another state to the extent authorized by the law of that state.
- (6) Political subdivisions of states other than Indiana, to the extent authorized by laws of the other states.
- (7) Agencies of the federal government, to the extent authorized by federal laws.
- (8) Indiana charter schools.
- (9) A federally recognized Indian tribe, to the extent authorized by the law of the tribe.**

SECTION 245. IC 36-1-24-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO



READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 20. This section is intended as notice to an owner as defined in section 2 of this chapter. An owner of short term rental property who makes a short term rental in which payments for the room, lodging, or other accommodation are not made through a marketplace facilitator (as defined by IC 6-2.5-1-21.9) may be liable for collecting and remitting the following taxes on consideration received by the owner for the short term rental:**

(1) State gross retail tax imposed under IC 6-2.5-4-4.

(2) Innkeeper's tax imposed under IC 6-9.

SECTION 246. IC 36-7.5-3-5, AS AMENDED BY P.L.197-2016, SECTION 140, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) There is established a grant program to provide state matching grants for construction projects extending the Chicago, South Shore, and South Bend Railway.

(b) To participate in the grant program, the development authority must prepare an update to the comprehensive strategic development plan prepared under section 4 of this chapter. The update must include detailed information concerning the following:

(1) The proposed projects to be undertaken by the development authority to extend the Chicago, South Shore, and South Bend Railway using grants made under this section.

(2) The commitments being made by the development authority and political subdivisions in exchange for receiving grants under this section.

(3) The following information for each project included under subdivision (1):

(A) The location of each project.

(B) A timeline and budget, including milestones that the development authority commits to achieving by the time specified.

(C) The expected return on investment.

(D) Any projected or expected federal and local matching funds.

(c) To receive a matching grant under this section, the development authority must adopt an authorizing resolution and submit the updated plan along with a grant application to the Indiana finance authority for approval, after review by the budget committee.

(d) A grant may not be approved under this section unless the Indiana finance authority finds ~~all of the following~~:

~~(1) The development authority commits to matching the biennial appropriations provided from the state general fund to the northwest Indiana regional development authority commuter rail construction fund for the term of the grant project. The funds used to match these biennial appropriations must be funds received by the development authority under IC 36-7.5-4-1 and IC 36-7.5-4-2.~~

~~(2) The that the development authority can demonstrate an annual return on investment that, within twenty (20) years after the first grant is made for the projects, is at least twice the annualized amount of the grant requested. The return on investment must be measured by the annual amount of incremental state fiscal year increases to state gross retail and use taxes and state income taxes that are projected to be collected as a direct result of the projects, as determined by the Indiana finance authority. Projections to determine the return on investment must be provided in detail by the development authority and shall be evaluated by the office of management and budget.~~

(e) If projects that will be financed are approved under this section, the Indiana finance authority may, after review by the budget committee, approve a grant, comprised of a series of annual grants ~~not to exceed thirty (30) years~~, that is consistent with the financing requirements for the approved projects. If



the Indiana finance authority approves and makes a grant under this section, the general assembly covenants that it will not:

- (1) repeal or amend this section in a manner that would adversely affect owners of outstanding bonds, or payment of any lease rentals, secured by grants made under this section; or
- (2) in any way impair the rights of owners of bonds of the development authority, or the owners of bonds secured by lease rentals, secured by grants made under this section.

The budget agency shall allot the appropriation for the duration of the grants that are needed to complete the approved projects.

(f) If the Indiana finance authority approves and makes a grant under this section, the development authority shall in July of each year through 2045 submit an annual progress report to the Indiana finance authority.

(g) The following must be deposited each year in the northwest Indiana regional development authority commuter rail construction fund established by section 6 of this chapter:

- (1) Money that is granted to the development authority by the state under this section during the year.
- (2) Money that is committed by the development authority under this section for the year.
- (3) Money that is committed by a political subdivision to economic development purposes under IC 6-3.6-6.
- (4) In the case of a political subdivision in Porter County, the money that is committed by the political subdivision to economic development purposes under IC 6-3.6-6 from the local income tax shall be paid from tax revenue that is in excess of the first three million five hundred thousand dollars (\$3,500,000) that is required to be transferred under IC 6-3.6-11-6(d)(2). Any remaining tax revenue that:

(A) is in excess of the first three million five hundred thousand dollars (\$3,500,000) each year that is required to be transferred under IC 6-3.6-11-6(d)(2); and

(B) is not committed by a political subdivision under this subdivision;
shall be used as required by IC 6-3.6-11-6(d)(3).

SECTION 247. IC 36-7.5-4-2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2019 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) Except as provided in subsections (b) and (d), the fiscal officer of each city and county described in IC 36-7.5-2-3(b) shall each transfer three million five hundred thousand dollars (\$3,500,000) each year to the development authority for deposit in the development authority revenue fund established under section 1 of this chapter. However, if a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) ceases to be a member of the development authority and two (2) or more municipalities in the county have become members of the development authority as authorized by IC 36-7.5-2-3(i), the transfer of the local income tax revenue that is dedicated to economic development purposes that is required to be transferred under IC 6-3.6-11-6 is the contribution of the municipalities in the county that have become members of the development authority.

(b) This subsection applies only if:

- (1) the fiscal body of the county described in IC 36-7.5-2-3(e) has adopted an ordinance under IC 36-7.5-2-3(e) providing that the county is joining the development authority;
- (2) the fiscal body of the city described in IC 36-7.5-2-3(e) has adopted an ordinance under IC 36-7.5-2-3(e) providing that the city is joining the development authority; and



(3) the county described in IC 36-7.5-2-3(e) is an eligible county participating in the development authority.

The fiscal officer of the county described in IC 36-7.5-2-3(e) shall transfer two million six hundred twenty-five thousand dollars (\$2,625,000) each year to the development authority for deposit in the development authority revenue fund established under section 1 of this chapter. The fiscal officer of the city described in IC 36-7.5-2-3(e) shall transfer eight hundred seventy-five thousand dollars (\$875,000) each year to the development authority for deposit in the development authority revenue fund established under section 1 of this chapter.

(c) This subsection does not apply to Lake County, Hammond, Gary, or East Chicago. The following apply to the remaining transfers required by subsections (a) and (b):

(1) Except for transfers of money described in subdivision (4)(D), the transfers shall be made without appropriation by the city or county fiscal body or approval by any other entity.

(2) Except as provided in subdivision (3), each fiscal officer shall transfer eight hundred seventy-five thousand dollars (\$875,000) to the development authority revenue fund before the last business day of January, April, July, and October of each year. Food and beverage tax revenue deposited in the fund under IC 6-9-36-8 is in addition to the transfers required by this section.

(3) The fiscal officer of the county described in IC 36-7.5-2-3(e) shall transfer six hundred fifty-six thousand two hundred fifty dollars (\$656,250) to the development authority revenue fund before the last business day of January, April, July, and October of each year. The county is not required to make any payments or transfers to the development authority covering any time before January 1, 2017. The fiscal officer of a city described in IC 36-7.5-2-3(e) shall transfer two hundred eighteen thousand seven hundred fifty dollars (\$218,750) to the development authority revenue fund before the last business day of January, April, July, and October of each year. The city is not required to make any payments or transfers to the development authority covering any time before January 1, 2017.

(4) The transfers shall be made from one (1) or more of the following:

(A) Riverboat admissions tax revenue received by the city or county, riverboat wagering tax revenue received by the city or county, or riverboat incentive payments received from a riverboat licensee by the city or county.

(B) Any local income tax revenue that is dedicated to economic development purposes under IC 6-3.6-6 and received under IC 6-3.6-9 by the city or county.

(C) Any other local revenue other than property tax revenue received by the city or county.

(D) In the case of a county described in IC 36-7.5-2-3(e) or a city described in IC 36-7.5-2-3(e), any money from the major moves construction fund that is distributed to the county or city under IC 8-14-16.

(d) This subsection applies only to Lake County, Hammond, Gary, and East Chicago. The obligations of each city and the county under subsection (a) are satisfied by the distributions made by the auditor of state on behalf of each unit under ~~IC 4-33-12-6(d)~~ **IC 4-33-12-8** and ~~IC 4-33-13-5(j)~~ **IC 4-33-13-5(i)**. However, if the total amount distributed under IC 4-33 on behalf of a unit with respect to a particular state fiscal year is less than the amount required by subsection (a), the fiscal officer of the unit shall transfer the amount of the shortfall to the authority from any source of revenue available to the unit other than property taxes. The auditor of state shall certify the amount of any shortfall to the fiscal officer of the unit after making the distribution required by ~~IC 4-33-13-5(j)~~ **IC 4-33-13-5(i)** on behalf of the unit with respect to a particular state fiscal year.



- (e) A transfer made on behalf of a county, city, or town under this section after December 31, 2018:
- (1) is considered to be a payment for services provided to residents by a rail project as those services are rendered; and
 - (2) does not impair any pledge of revenues under this article because a pledge by the development authority of transferred revenue under this section to the payment of bonds, leases, or obligations under this article or IC 5-1.3:
 - (A) constitutes the obligations of the northwest Indiana regional development authority; and
 - (B) does not constitute an indebtedness of a county, city, or town described in this section or of the state within the meaning or application of any constitutional or statutory provision or limitation.
- (f) Neither the transfer of revenue as provided in this section nor the pledge of revenue transferred under this section is an impairment of contract within the meaning or application of any constitutional provision or limitation because of the following:
- (1) The statutes governing local taxes, including the transferred revenue, have been the subject of legislation annually since 1973, and during that time the statutes have been revised, amended, expanded, limited, and recodified dozens of times.
 - (2) Owners of bonds, leases, or other obligations to which local tax revenues have been pledged recognize that the regulation of local taxes has been extensive and consistent.
 - (3) All bonds, leases, or other obligations, due to their essential contractual nature, are subject to relevant state and federal law that is enacted after the date of a contract.
 - (4) The state of Indiana has a legitimate interest in assisting the development authority in financing rail projects.
- (g) All proceedings had and actions described in this section are valid pledges under IC 5-1-14-4 as of the date of those proceedings or actions and are hereby legalized and declared valid if taken before March 15, 2018.

SECTION 248. [EFFECTIVE JULY 1, 2019] (a) The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bonds issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Indiana University	
Bicentennial Repair and Rehabilitation Plan	\$62,000,000
Purdue University	
West Lafayette Campus	
Engineering and Polytechnic Gateway Building	60,000,000
College of Veterinary Medicine Teaching Hospital	73,000,000
Ball State University	
STEM and Health Professions Facilities Phase III	59,900,000
University of Southern Indiana	
Health Professions Classroom Renovation	

HEA 1001 — CC 1



and Expansion	48,000,000
Ivy Tech Community College	
 Columbus Campus Main Building	
 Replacement	29,890,000
Indiana State University	
 Academic Facility Renovation Phase Two -	
 Dreiser Hall	18,400,000

(b) Of the authorizations for projects in subsection (a), the maximum amount eligible for fee replacement is the authorized amount.

SECTION 249. P.L.217-2017, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2019]: SECTION 164. (a) The definitions of "vacation leave", "sick leave", and other types of leave used on July 1, 2010, by the department apply to this SECTION.

(b) As used in this SECTION, "department" refers to the state personnel department established by IC 4-15-2.2-13.

(c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under subsection (d).

(d) The personnel committee of the legislative council for the legislative branch of state government or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION 10 (before its expiration), including provisions adopted by:

- (1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;
- (2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher of the Indiana Register on October 16, 2006, to govern the pilot program; or
- (3) the auditor of state to administer the pilot program.

(e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the legislative council or the Indiana supreme court, or both, may adopt procedures to implement and administer the pilot program, including provisions established or reestablished under subsection (d).

(f) The auditor of state shall provide for the administration of the pilot program.

(g) This SECTION expires June 30, ~~2019~~ **2021**.

SECTION 250. [EFFECTIVE UPON PASSAGE] **(a) The governor shall appoint a task force to study the Indiana law enforcement academy. The task force shall study the following:**

- (1) The current and future role of the Indiana law enforcement academy in serving the training needs of law enforcement agencies in Indiana.**
- (2) The current and future funding needs for the operation of the Indiana law enforcement academy, including recommendations on sources of funding for long term operational viability.**
- (3) Alternative means of certifying and delivering basic law enforcement training across Indiana, including entering into partnerships with institutions of higher education.**
- (4) Whether it is appropriate for local law enforcement agencies to pay fees for Indiana law enforcement academy training services and, if so, what the appropriate fee amounts should be.**
- (5) A short term and long term capital plan for the Indiana law enforcement academy training campus if the task force finds that the Indiana law enforcement academy is the appropriate model for accommodating training needs in the future.**



(6) Any other topics concerning the Indiana law enforcement academy determined by the task force.

(b) The governor may appoint any individual to serve on the task force.

(c) The task force shall submit a final report containing its findings and recommendations to the legislative council and the budget committee not later than November 1, 2019. The report to the legislative council must be in an electronic format under IC 5-14-6.

(d) This SECTION expires January 1, 2020.

SECTION 251. [EFFECTIVE UPON PASSAGE] (a) There is appropriated from the toll road lease amendment proceeds fund established by IC 8-14-14.2-1 (as added by this act) two hundred thirty-nine million four hundred thousand dollars (\$239,400,000) for the state fiscal year beginning July 1, 2018, and ending June 30, 2019, to be used for the purposes of the toll road lease amendment proceeds fund set forth in IC 8-14-14.2-1(c) (as added by this act).

(b) This SECTION expires July 1, 2020.

SECTION 252. [EFFECTIVE UPON PASSAGE] (a) For the state fiscal year beginning July 1, 2018, and ending June 30, 2019, three hundred twenty-five thousand dollars (\$325,000) is appropriated from the state general fund to the Indiana department of gaming research created by IC 4-33-18-2.

(b) This SECTION expires June 30, 2019.

SECTION 253. [EFFECTIVE UPON PASSAGE] (a) On July 1, 2020, the auditor of state shall transfer ten million dollars (\$10,000,000) from the agency settlement fund (IC 4-12-16-2) to the state general fund.

(b) This SECTION expires June 30, 2021.

SECTION 254. [EFFECTIVE JULY 1, 2018 (RETROACTIVE)] (a) Notwithstanding P.L.217-2017, the appropriations from the state board of accounts dedicated fund for the state board of accounts for the state fiscal year beginning July 1, 2018, may be augmented from the state board of accounts dedicated fund.

(b) This SECTION expires June 30, 2019.

SECTION 255. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 4-13-2-19 or any other law, any part of an appropriation made for the legislative council and the legislative services agency in a state fiscal year beginning after June 30, 2018, and ending before July 1, 2020, that is unexpended and unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general revenue fund but remains available for expenditure during either state fiscal year in the biennium beginning July 1, 2019, and ending June 30, 2021. The unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of the legislative services agency, for the total operating expenses of the legislative council or the legislative services agency, or both.

(b) This SECTION expires June 30, 2021.

SECTION 256. [EFFECTIVE UPON PASSAGE] (a) The division of disability and rehabilitative services established by IC 12-9-1-1 shall adopt emergency rules in the manner provided under IC 4-22-2-37.1 to establish a cost participation schedule for purposes of IC 12-12.7-2-17 to take effect July 1, 2019.

(b) This SECTION expires July 1, 2019.

SECTION 257. [EFFECTIVE UPON PASSAGE] (a) For the state fiscal year beginning July 1,



2018, and ending June 30, 2019, one hundred fifty million dollars (\$150,000,000) is appropriated from the state general fund to the 1996 account described in IC 5-10.4-2-2(a)(2) of the Indiana public retirement system established by IC 5-10.5-2.

(b) Upon the allotment of the appropriation made by this SECTION, the board of trustees of the Indiana public retirement system established by IC 5-10.5-2 shall reduce the employer contribution rate as of July 1, 2019, for the 1996 account described in IC 5-10.4-2-2(a)(2) to the sum of:

- (1) the normal cost for the 1996 account described in IC 5-10.4-2-2(a)(2); plus
- (2) the surcharge required by IC 5-10.2-12-3(a)(2)(B);

but not to a contribution rate that is less than the actuarially determined contribution rate plus the subdivision (2) amount.

(c) Notwithstanding subsection (b), the board may review and establish the employer contribution rate as necessary.

(d) After July 1, 2019, and before October 1, 2019, the governing body of each school corporation shall determine at a public meeting the following:

- (1) The dollar amount of the reduction in the school corporation's employer contribution rate under subsection (b).
- (2) The actions the governing body of the school corporation intends to take with the amount described in subdivision (1).

(e) This SECTION expires June 30, 2020.

SECTION 258. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "retail transaction" has the meaning set forth in IC 6-2.5-1-2(a).

(b) The provisions of this act apply only to retail transactions occurring after June 30, 2019.

(c) A retail transaction is considered to have occurred after June 30, 2019, to the extent that delivery of the property or services constituting selling at retail is made after that date to the purchaser (or to the place of delivery designated by the purchaser). However, a transaction shall be considered to have occurred before July 1, 2019, to the extent that the agreement of the parties to the transaction was entered into before July 1, 2019, and payment for the property or services furnished in the transaction is made before July 1, 2019, notwithstanding the delivery of the property or services after June 30, 2019.

(d) This SECTION expires July 1, 2022.

SECTION 259. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund established by IC 5-10.4-2-1.

(b) Not later than October 1, 2019, the fund shall pay the amount determined under subsection (d) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled on or before December 1, 2018, and who is entitled to receive a monthly benefit on July 1, 2019. The amount is not an increase in the pension portion of the monthly benefit.

(c) After June 30, 2020, and not later than October 1, 2020, the fund shall pay the amount determined under subsection (d) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled on or before December 1, 2019, and who is entitled to receive a monthly benefit on July 1, 2020. The amount is not an increase in the pension portion of the monthly benefit.

(d) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) or (c) is determined as follows:



If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450

(e) The creditable service used to determine the amount paid to a member (or to a survivor or beneficiary of a member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4, except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(f) If two (2) or more survivors or beneficiaries of a member are entitled to an amount paid under this SECTION, the amount shall be allocated to the survivors or beneficiaries in shares using the same percentages as the percentages determined under IC 5-10.2-3-7.5 or IC 5-10.4-4-10 to pay the monthly benefit to the survivors or beneficiaries.

(g) The fund may not use employer contributions to make the payments required under subsection (b) or (c), as applicable, unless, and only to the extent that, the amounts necessary to make the payments required under subsection (b) or (c), as applicable, exceed the amounts appropriated in the state budget for the biennium beginning July 1, 2019, for the purposes described in subsection (b) or (c), as applicable.

(h) This SECTION expires January 1, 2021.

SECTION 260. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "fund" refers to the public employees' retirement fund established by IC 5-10.3-2-1.

(b) Not later than October 1, 2019, the fund shall pay the amount determined under subsection (d) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled on or before December 1, 2018, and who is entitled to receive a monthly benefit on July 1, 2019. The amount is not an increase in the pension portion of the monthly benefit.

(c) After June 30, 2020, and not later than October 1, 2020, the fund shall pay the amount determined under subsection (d) to a member of the fund (or to a survivor or beneficiary of a member) who retired or was disabled on or before December 1, 2019, and who is entitled to receive a monthly benefit on July 1, 2020. The amount is not an increase in the pension portion of the monthly benefit.

(d) The amount paid under this SECTION to a member of the fund (or to a survivor or beneficiary of a member) who meets the requirements of subsection (b) or (c) is determined as follows:

If a Member's Creditable Service Is:	The Amount Is:
At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450



(e) The creditable service used to determine the amount paid to a member (or to a survivor or beneficiary of a member) under this SECTION is the creditable service that was used to compute the member's retirement benefit under IC 5-10.2-4-4, except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(f) If two (2) or more survivors or beneficiaries of a member are entitled to an amount paid under this SECTION, the amount shall be allocated to the survivors or beneficiaries in shares using the same percentages as the percentages determined under IC 5-10.2-3-7.5 or IC 5-10.3-8-15 to pay the monthly benefit to the survivors or beneficiaries.

(g) The fund may not use employer contributions to make the payments required under subsection (b) or (c), as applicable, unless, and only to the extent that, the amounts necessary to make the payments required under subsection (b) or (c), as applicable, exceed the amounts appropriated in the state budget for the biennium beginning July 1, 2019, for the purposes described in subsection (b) or (c), as applicable.

(h) This SECTION expires January 1, 2021.

SECTION 261. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "participant" has the meaning set forth in IC 5-10-5.5-1.

(b) As used in this SECTION, "plan" refers to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan created by IC 5-10-5.5-2.

(c) Not later than October 1, 2019, the board of trustees of the Indiana public retirement system established by IC 5-10.5-3-1 shall pay the amount determined under subsection (e) to a plan participant (or to a survivor or beneficiary of a plan participant) who retired or was disabled on or before December 1, 2018, and who is entitled to receive a monthly benefit on July 1, 2019. The amount is not an increase in the annual retirement allowance.

(d) After June 30, 2020, and not later than October 1, 2020, the board of trustees of the Indiana public retirement system established by IC 5-10.5-3-1 shall pay the amount determined under subsection (e) to a plan participant (or to a survivor or beneficiary of a plan participant) who retired or was disabled on or before December 1, 2019, and who is entitled to receive a monthly benefit on July 1, 2020. The amount is not an increase in the annual retirement allowance.

(e) The amount paid under this SECTION to a plan participant (or to a survivor or beneficiary of a plan participant) who meets the requirements of subsection (c) or (d) is determined as follows:

If a Plan Participant's Creditable The Amount Is:

Service Is:

At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$150
At least 10 years, but less than 20 years	\$275
At least 20 years, but less than 30 years	\$375
At least 30 years	\$450

(f) The creditable service used to determine the amount paid to a plan participant (or to a survivor or beneficiary of a plan participant) under this SECTION is the creditable service that was used to compute the plan participant's retirement allowance under IC 5-10-5.5-10 and IC 5-10-5.5-12, except that partial years of creditable service may not be used to determine the amount paid under this SECTION.

(g) If two (2) or more survivors or beneficiaries of a plan participant are entitled to an amount



paid under this SECTION, the amount shall be allocated to the survivors or beneficiaries in shares using the same percentages as the percentages determined under IC 5-10-5.5-16 to pay the monthly benefit to the survivors or beneficiaries.

(h) The board of trustees of the Indiana public retirement system established by IC 5-10.5-3-1 may not use employer contributions to make the payments required under subsection (c) or (d), as applicable, unless, and only to the extent that, the amounts required to make the payments under subsection (c) or (d), as applicable, exceed the appropriations in the state budget for the biennium beginning July 1, 2019, for the purposes described in subsection (c) or (d), as applicable.

(i) This SECTION expires January 1, 2021.

SECTION 262. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.

(b) As used in this SECTION, "trust fund" has the meaning set forth in IC 10-12-1-11.

(c) Not later than October 1, 2019, the trustee shall pay from the trust fund to each employee beneficiary of the state police pre-1987 benefit system covered by IC 10-12-3 who:

- (1) retired or was disabled before July 2, 2018; and
- (2) is entitled to receive a monthly benefit as of September 1, 2019;

an amount equal to one percent (1%) of the maximum basic annual pension amount payable to a retired state police employee in the grade of trooper who has completed twenty (20) years of service as of July 1, 2019, as calculated under IC 10-12-3-7.

(d) After September 1, 2020, and not later than October 1, 2020, the trustee shall pay from the trust fund to each employee beneficiary of the state police pre-1987 benefit system covered by IC 10-12-3 who:

- (1) retired or was disabled before July 2, 2019; and
- (2) is entitled to receive a monthly benefit as of September 1, 2020;

an amount equal to one percent (1%) of the maximum basic annual pension amount payable to a retired state police employee in the grade of trooper who has completed twenty (20) years of service as of July 1, 2020, as calculated under IC 10-12-3-7.

(e) The amounts paid under this SECTION are not an increase in the monthly pension amount of an employee beneficiary.

(f) The trustee may not use employer contributions to make the payments required under subsection (c) or (d), as applicable, unless, and only to the extent that, the amounts required to make the payments under subsection (c) or (d), as applicable, exceed the appropriations in the state budget for the biennium beginning July 1, 2019, for the purposes described in subsection (c) or (d), as applicable.

(g) This SECTION expires January 1, 2021.

SECTION 263. [EFFECTIVE JULY 1, 2019] (a) As used in this SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.

(b) As used in this SECTION, "trust fund" has the meaning set forth in IC 10-12-1-11.

(c) Not later than October 1, 2019, the trustee shall pay from the trust fund to each employee beneficiary of the state police 1987 benefit system covered by IC 10-12-4 who:

- (1) retired or was disabled after June 30, 1987, and before July 2, 2018; and
- (2) is entitled to receive a monthly benefit as of September 1, 2019;

an amount equal to one percent (1%) of the maximum basic annual pension amount payable to a retired state police employee in the grade of trooper who has completed twenty-five (25) years of



service as of July 1, 2019, as calculated under IC 10-12-4-7.

(d) After September 1, 2020, and not later than October 1, 2020, the trustee shall pay from the trust fund to each employee beneficiary of the state police 1987 benefit system covered by IC 10-12-4 who:

(1) retired or was disabled after June 30, 1987, and before July 2, 2019; and

(2) is entitled to receive a monthly benefit as of September 1, 2020;

an amount equal to one percent (1%) of the maximum basic annual pension amount payable to a retired state police employee in the grade of trooper who has completed twenty-five (25) years of service as of July 1, 2020, as calculated under IC 10-12-4-7.

(e) The amount paid under this SECTION is not an increase in the monthly pension amount of an employee beneficiary.

(f) The trustee may not use employer contributions to make the payments required under subsection (c) or (d), as applicable, unless, and only to the extent that, the amounts required to make the payments under subsection (c) or (d), as applicable, exceed the appropriations in the state budget for the biennium beginning July 1, 2019, for the purposes described in subsection (c) or (d), as applicable.

(g) This SECTION expires January 1, 2021.

SECTION 264. [EFFECTIVE JULY 1, 2019] (a) The legislative council is urged to assign to an appropriate interim study committee, for study during the 2019 interim of the general assembly, the study of the complexity index used under IC 20-43-13 for providing funding to students enrolled in kindergarten through grade twelve (12).

(b) If the legislative council makes the assignment described in subsection (a), the committee shall:

(1) prepare a written report setting forth the results of the study; and

(2) submit the written report to the legislative council in an electronic format under IC 5-14-6; not later than October 31, 2019.

(c) This SECTION expires December 31, 2019.

SECTION 265. [EFFECTIVE UPON PASSAGE] (a) The auditor of state shall transfer any balance in the regional cities development fund (IC 5-28-38) on June 30, 2019, to the state general fund on June 30, 2019.

(b) This SECTION expires June 30, 2020.

SECTION 266. [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)] (a) IC 6-3.1-4-8, as added by this act, applies to taxable years beginning after December 31, 2018.

(b) This SECTION expires June 30, 2021.

SECTION 267. [EFFECTIVE JULY 1, 2019] (a) Any balance in the state police building account established by IC 9-14-14-4, as repealed by this act, shall be transferred to, and any revenue that would otherwise be deposited in the account on or after June 30, 2019, shall be deposited in, the state construction fund (IC 7.1-4-8-1).

(b) This SECTION expires June 30, 2020.

SECTION 268. [EFFECTIVE JULY 1, 2019] (a) Any balance in the fund known as the excess handgun fund established under IC 10-13-3-40, as repealed by this act, shall be transferred to the state general fund on June 30, 2021.

(b) This SECTION expires July 1, 2021.

SECTION 269. An emergency is declared for this act.

