

State Board of Accounts

New Legislation

2025 Annual Clerks Conference



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PAUL D. JOYCE, CPA STATE EXAMINER

Indiana's State Examiner and the agency head for the State Board of Accounts, Paul Joyce coordinates and manages the post-audits and examinations of over 4,000 state and local governmental entities in Indiana.

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What will *not* be Covered

Election Related Legislation:

HB 1197; HB 1633; HB 1679; HB 1680

SB 10; SB 137; SB 199; SB 526



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HB 1134 Executive sessions

▪ IC 5-14-1.5-6.1 (effective 7-1-2025)

(b) Executive Sessions may be held only the following instances:

- (9) To discuss a job performance evaluation, employee specific compensation, or employment matters of individual employees.
- (16) To discuss either of the following:
 - (A) Employee health care options with respect to special exceptions for coverage.
 - (B) Employee handbook changes.



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HB 1134 Executive sessions

▪ IC 5-14-1.5-6.1 (effective 7-1-2025)

- (17) To review negotiations on the performance of publicly bid contracts when public knowledge regarding the review would cause a likelihood of increased costs.
- (18) To discuss soliciting proposals for the purpose of awarding contracts for goods or services, when:
 - (A) proprietary data, trade secrets, or other information is contained in the bidder's proposal relating to the bidder's unique methods of:
 - (i) conducting business; or
 - (ii) determining prices or premium rates to be charged for services under the terms of the proposal; and
 - (B) public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of the information described in clause (A).



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HB 1641 County Government Matters

▪ IC 5-14-1.5-6.1 (effective 7-1-2025)

- More executive session language!
- (16) To have communications with an attorney that are subject to the attorney client privilege.



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HB 1641 County Government Matters

▪ IC 36-2-2.9-15 (effective 7-1-2025)

A county employee may not take action on a county contract unless permitted by a county ordinance. This section does not apply to a county officer.

NOTE - statute defines "county officer" (IC 36-2-2.9-3)

- Assessor, Auditor, Coroner, Recorder, Sheriff, Surveyor, Treasurer, Clerk of the Court, and County Fiscal Body



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HB 1509 Disclosure of Appointing Authority

▪ IC 5-14-9-6 (effective 7-1-2025)

Any board meeting notice or agenda must provide the following information regarding each appointed officer serving on the board:

- (1) The officer's name.
- (2) The appointing authority.
- (3) The beginning and expiration date of the officer's term of appointment.



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HB 1509 Disclosure of Appointing Authority

- IC 5-14-9-7 (effective 7-1-2025)

The information under section 6 of this chapter regarding a board's appointed officers shall be:

(1) published on:

(A) the board's website, if any; or

(B) the appointing authority's website, if any; or

(2) published on the Internet through the computer gateway administered by the office of technology established by IC 4-13.1-2-1, if the board or appointing authority does not have a website.



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HB 1679 Various Elections Matters

- IC 3-5-4-15 (effective 7-1-2025)

(b) Except as provided in subsection (c), a county, city, town, township, or school shall provide to an employee of a local government office who requests leave to serve:

(1) on primary election day or general election day; and

(2) as a precinct election officer;

a paid day of leave to serve as a precinct election officer



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SB 472**Cybersecurity**

▪ IC 4-13.1-4-5 (effective 7-1-2025)

(b) States in part: “Not later than December 31, 2027, each public entity **shall** adopt the following:...

(2) A cybersecurity policy as follows:

(A) If the public entity is a political subdivision or state educational institution, the **public entity shall adopt a cybersecurity policy** based on standards and guidelines developed under subsection (a)(1)(A).



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SB 472**Cybersecurity**

▪ IC 4-13.1-4-5 (effective 7-1-2025)

(a) The office shall:

(1) develop:

(A) standards and guidelines regarding cybersecurity for use by political subdivisions and state educational institutions; and

(B) a uniform cybersecurity policy for use by state agencies; and...”



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SB 472**Cybersecurity**

- IC 4-13.1-4-5 (effective 7-1-2025)

(c) The . . . policy adopted . . . must:

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

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

(B) engage in illegal activity; or

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

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



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SB 142**Eviction Issues**

- IC 32-31-11-3(a) (effective 7-1-2025)

- If an eviction action is dismissed or judgment is otherwise ultimately in favor of the tenant, the court **shall, on its own motion**, order the clerk of the court not to disclose or permit disclosure of any records in the case.

- The prior version of the statute only rendered the records non-disclosable on the tenant's motion. The new version of the statute creates a situation where the records will automatically become non-disclosable.



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SB 142**Eviction Issues**

▪ IC 32-31-11-3(b) (effective 7-1-2025)

- In an eviction action, if judgment is entered against the tenant and:
 1. a money judgment related to the eviction was entered against the tenant and the tenant has satisfied the judgment; or
 2. no money judgment related to the eviction was entered against the tenant and seven years have passed since the judgment;
 upon motion of the tenant, the court shall order the clerk of the court not to disclose or permit disclosure of any records in the case. The court shall order the clerk to redact or permanently seal the court's own records related to the eviction hearing.



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SB 1088**Various Probate Matters**

▪ IC 29-1-7-7(f) (effective 7-1-2025)

- During probate, if a creditor is not served within one month after the first publication of notice, then the creditor may still be served by a subsequent notice. The creditor then has only two months from the date of service (or nine months from the date of death) to file a claim with the clerk against the estate.
- The language for the subsequent notice is contained in the statute, under subsection (l).



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Thank You

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