
HOUSE BILL No. 1167

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1; IC 6-3.5-6-18.5; IC 12; IC 16-33-3-10; IC 16-33-4-17; IC 16-35-3; IC 16-35-4; IC 20-8.1-3-36; IC 20-8.1-6.1; IC 31-19-26-1; IC 31-40-1.

Synopsis: Transfer of county welfare costs to state. Eliminates property tax levies for public welfare, except for property tax levies needed to repay loans and bonds issued to fund expenditures made before January 1, 1999, and levies imposed to support county homes. Transfers responsibility for funding welfare services to the state. Provides that each county office of family and children is part of the division of family and children. Eliminates welfare reporting related to the county auditor. Establishes the human services committee to prepare any legislation needed to implement the transfer of responsibilities from the counties to the state.

Effective: July 1, 1998; January 1, 1999; March 1, 2001.

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January 8, 1998, read first time and referred to Committee on Ways and Means.

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Second Regular Session 110th General Assembly (1998)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1167



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

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

1 SECTION 1. IC 6-1.1-18-3, AS AMENDED BY P.L.25-1995,
2 SECTION 27 (CURRENT VERSION), IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 3. (a) Except as
4 provided in subsection (b), the sum of all tax rates for all political
5 subdivisions imposed on tangible property within a political
6 subdivision may not exceed:

- 7 (1) one dollar and twenty-five cents (\$1.25) on each one hundred
- 8 dollars (\$100) of assessed valuation in territory outside the
- 9 corporate limits of a city or town; or
- 10 (2) two dollars (\$2) on each one hundred dollars (\$100) of
- 11 assessed valuation in territory inside the corporate limits of a city
- 12 or town.

13 (b) The proper officers of a political subdivision shall fix tax rates
14 which are sufficient to provide funds for the purposes itemized in this
15 subsection. The portion of a tax rate fixed by a political subdivision
16 shall not be considered in computing the tax rate limits prescribed in
17 subsection (a) if that portion is to be used for one (1) of the following



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1 purposes:

- 2 (1) To pay the principal or interest on a funding, refunding, or
 3 judgment funding obligation of the political subdivision.
 4 (2) To pay the principal or interest on an outstanding obligation
 5 issued by the political subdivision if notice of the sale of the
 6 obligation was published before March 9, 1937.
 7 (3) To pay the principal or interest upon:
 8 (A) an obligation issued by the political subdivision to meet an
 9 emergency which results from a flood, fire, pestilence, war, or
 10 any other major disaster; or
 11 (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
 12 IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county
 13 to acquire necessary equipment or facilities for municipal or
 14 county government.
 15 (4) To pay the principal or interest upon an obligation issued in
 16 the manner provided in IC 6-1.1-20-3 (before its repeal) or
 17 IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.
 18 (5) To pay a judgment rendered against the political subdivision.
 19 ~~(6) To meet the requirements of the county welfare fund; the~~
 20 ~~county welfare administration fund; for public welfare services;~~
 21 ~~or the family and children's fund for child services (as defined in~~
 22 ~~IC 12-19-7-1).~~
 23 ~~(7) To meet the requirements of the county hospital care for the~~
 24 ~~indigent fund.~~
 25 (c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a
 26 county board of tax adjustment, a county auditor, or the state board of
 27 tax commissioners may review the portion of a tax rate described in
 28 subsection (b) only to determine if it exceeds the portion actually
 29 needed to provide for one (1) of the purposes itemized in that
 30 subsection.
 31 SECTION 2. IC 6-1.1-18-3, AS AMENDED BY P.L.6-1997,
 32 SECTION 82 (DELAYED VERSION), IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE MARCH 1, 2001]: Sec. 3. (a) Except as
 34 provided in subsection (b), the sum of all tax rates for all political
 35 subdivisions imposed on tangible property within a political
 36 subdivision may not exceed:
 37 (1) forty-one and sixty-seven hundredths cents (\$0.4167) on each
 38 one hundred dollars (\$100) of assessed valuation in territory
 39 outside the corporate limits of a city or town; or
 40 (2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each
 41 one hundred dollars (\$100) of assessed valuation in territory
 42 inside the corporate limits of a city or town.

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1 (b) The proper officers of a political subdivision shall fix tax rates
 2 which are sufficient to provide funds for the purposes itemized in this
 3 subsection. The portion of a tax rate fixed by a political subdivision
 4 shall not be considered in computing the tax rate limits prescribed in
 5 subsection (a) if that portion is to be used for one (1) of the following
 6 purposes:

7 (1) To pay the principal or interest on a funding, refunding, or
 8 judgment funding obligation of the political subdivision.

9 (2) To pay the principal or interest on an outstanding obligation
 10 issued by the political subdivision if notice of the sale of the
 11 obligation was published before March 9, 1937.

12 (3) To pay the principal or interest upon:

13 (A) an obligation issued by the political subdivision to meet an
 14 emergency which results from a flood, fire, pestilence, war, or
 15 any other major disaster; or

16 (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
 17 IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county
 18 to acquire necessary equipment or facilities for municipal or
 19 county government.

20 (4) To pay the principal or interest upon an obligation issued in
 21 the manner provided in IC 6-1.1-20-3 (before its repeal) or
 22 IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

23 (5) To pay a judgment rendered against the political subdivision.

24 ~~(6) To meet the requirements of the county welfare fund; the~~
 25 ~~county welfare administration fund; for public welfare services;~~
 26 ~~or the family and children's fund for child services (as defined in~~
 27 ~~IC 12-19-7-1).~~

28 ~~(7) To meet the requirements of the county hospital care for the~~
 29 ~~indigent fund.~~

30 (c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a
 31 county board of tax adjustment, a county auditor, or the state board of
 32 tax commissioners may review the portion of a tax rate described in
 33 subsection (b) only to determine if it exceeds the portion actually
 34 needed to provide for one (1) of the purposes itemized in that
 35 subsection.

36 SECTION 3. IC 6-1.1-18.5-9.7, AS AMENDED BY P.L.52-1996,
 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 1999]: Sec. 9.7. (a) The ad valorem property tax levy
 39 limits imposed by section 3 of this chapter do not apply to ad valorem
 40 property taxes imposed under any of the following:

41 (1) IC 12-16, except IC 12-16-1.

42 (2) IC 12-19-3-3 through IC 12-19-3-7.

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1 ~~(3) IC 12-19-4.~~

2 ~~(4) IC 12-19-5.~~

3 ~~(5) IC 12-19-7.~~

4 ~~(6) IC 12-20-24.~~

5 (b) For purposes of computing the ad valorem property tax levy
6 limits imposed under section 3 of this chapter, a county's or township's
7 ad valorem property tax levy for a particular calendar year does not
8 include that part of the levy imposed under ~~the citations listed in~~
9 ~~subsection (a): IC 12-20-24.~~

10 (c) Section 8(b) of this chapter does not apply to bonded
11 indebtedness that **was issued to cover obligations incurred before**
12 **January 1, 1998, and that** will be repaid through property taxes
13 imposed under IC 12-19.

14 SECTION 4. IC 6-1.1-21-2, AS AMENDED BY P.L.253-1997(ss),
15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JANUARY 1, 1999]: Sec. 2. As used in this chapter:

17 (a) "Taxpayer" means a person who is liable for taxes on property
18 assessed under this article.

19 (b) "Taxes" means taxes payable in respect to property assessed
20 under this article. The term does not include special assessments,
21 penalties, or interest, but does include any special charges which a
22 county treasurer combines with all other taxes in the preparation and
23 delivery of the tax statements required under IC 6-1.1-22-8(a).

24 (c) "Department" means the department of state revenue.

25 (d) "Auditor's abstract" means the annual report prepared by each
26 county auditor which under IC 6-1.1-22-5, is to be filed on or before
27 March 1 of each year with the auditor of state.

28 (e) "Mobile home assessments" means the assessments of mobile
29 homes made under IC 6-1.1-7.

30 (f) "Postabstract adjustments" means adjustments in taxes made
31 subsequent to the filing of an auditor's abstract which change
32 assessments therein or add assessments of omitted property affecting
33 taxes for such assessment year.

34 (g) "Total county tax levy" means the sum of:

35 (1) the remainder of:

36 (A) the aggregate levy of all taxes for all taxing units in a
37 county which are to be paid in the county for a stated
38 assessment year as reflected by the auditor's abstract for the
39 assessment year, adjusted, however, for any postabstract
40 adjustments which change the amount of the aggregate levy;
41 minus

42 (B) the sum of any increases in property tax levies of taxing

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1 units of the county that result from appeals described in:

2 (i) IC 6-1.1-18.5-13(5) and IC 6-1.1-18.5-13(6) filed after
3 December 31, 1982; plus

4 (ii) the sum of any increases in property tax levies of taxing
5 units of the county that result from any other appeals
6 described in IC 6-1.1-18.5-13 filed after December 31,
7 1983; plus

8 (iii) ~~IC 6-1.1-18.6-3 (children in need of services and
9 delinquent children who are wards of the county);~~ minus

10 (C) the total amount of property taxes imposed for the stated
11 assessment year by the taxing units of the county under the
12 authority of ~~IC 12-1-11.5 (repealed)~~, IC 12-2-4.5 (repealed)
13 ~~IC 12-19-5~~ or IC 12-20-24; minus

14 (D) the total amount of property taxes to be paid during the
15 stated assessment year that will be used to pay for interest or
16 principal due on debt that:

17 (i) is entered into after December 31, 1983;

18 (ii) is not debt that is issued under IC 5-1-5 to refund debt
19 incurred before January 1, 1984; and

20 (iii) does not constitute debt entered into for the purpose of
21 building, repairing, or altering school buildings for which
22 the requirements of IC 20-5-52 were satisfied prior to
23 January 1, 1984; minus

24 (E) the amount of property taxes imposed in the county for the
25 stated assessment year under the authority of IC 21-2-6 or any
26 citation listed in IC 6-1.1-18.5-9.8 for a cumulative building
27 fund whose property tax rate was initially established or
28 reestablished for a stated assessment year that succeeds the
29 1983 stated assessment year; minus

30 (F) the remainder of:

31 (i) the total property taxes imposed in the county for the
32 stated assessment year under authority of IC 21-2-6 or any
33 citation listed in IC 6-1.1-18.5-9.8 for a cumulative building
34 fund whose property tax rate was not initially established or
35 reestablished for a stated assessment year that succeeds the
36 1983 stated assessment year; minus

37 (ii) the total property taxes imposed in the county for the
38 1984 stated assessment year under the authority of IC 21-2-6
39 or any citation listed in IC 6-1.1-18.5-9.8 for a cumulative
40 building fund whose property tax rate was not initially
41 established or reestablished for a stated assessment year that
42 succeeds the 1983 stated assessment year; minus

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- 1 (G) the amount of property taxes imposed in the county for the
 2 stated assessment year under:
- 3 (i) IC 21-2-15 for a capital projects fund; plus
 - 4 (ii) IC 6-1.1-19-10 for a racial balance fund; plus
 - 5 (iii) IC 20-14-13 for a library capital projects fund; plus
 - 6 (iv) IC 20-5-17.5-3 for an art association fund; plus
 - 7 (v) IC 21-2-17 for a special education preschool fund; plus
 - 8 (vi) an appeal filed under IC 6-1.1-19-5.1 for an increase in
 - 9 a school corporation's maximum permissible general fund
 - 10 levy for certain transfer tuition costs; plus
 - 11 (vii) an appeal filed under IC 6-1.1-19-5.4 for an increase in
 - 12 a school corporation's maximum permissible general fund
 - 13 levy for transportation operating costs; minus
- 14 (H) the amount of property taxes imposed by a school
 15 corporation that is attributable to the passage, after 1983, of a
 16 referendum for an excessive tax levy under IC 6-1.1-19,
 17 including any increases in these property taxes that are
 18 attributable to the adjustment set forth in ~~IC 6-1.1-19-1.5(a)~~
 19 **IC 6-1.1-19-1.5(b)** STEP ONE or any other law; minus
- 20 (I) for each township in the county, the lesser of:
- 21 (i) the sum of the amount determined in IC 6-1.1-18.5-19(a)
 - 22 STEP THREE or IC 6-1.1-18.5-19(b) STEP THREE,
 - 23 whichever is applicable, plus the part, if any, of the
 - 24 township's ad valorem property tax levy for calendar year
 - 25 1989 that represents increases in that levy that resulted from
 - 26 an appeal described in IC 6-1.1-18.5-13(5) filed after
 - 27 December 31, 1982; or
 - 28 (ii) the amount of property taxes imposed in the township for
 - 29 the stated assessment year under the authority of
 - 30 IC 36-8-13-4; minus
- 31 (J) for each participating unit in a fire protection territory
 32 established under IC 36-8-19-1, the amount of property taxes
 33 levied by each participating unit under IC 36-8-19-8 and
 34 IC 36-8-19-8.5 less the maximum levy limit for each of the
 35 participating units that would have otherwise been available
 36 for fire protection services under IC 6-1.1-18.5-3 and
 37 IC 6-1.1-18.5-19 for that same year; minus
- 38 (K) for each county, the sum of:
- 39 (i) the amount of property taxes imposed in the county for
 - 40 the repayment of loans under IC 12-19-5-6 (**repealed**) that
 - 41 is included in the amount determined under IC 12-19-7-4(a)
 - 42 STEP SEVEN (**repealed January 1, 1999**) for property

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1 taxes payable in 1995; or for property taxes payable in each
 2 year after 1995; the amount determined under
 3 IC 12-19-7-4(b); and

4 (ii) the amount of property taxes imposed in the county
 5 attributable to appeals granted under IC 6-1.1-18.6-3 that is
 6 included in the amount determined under IC 12-19-7-4(a)
 7 STEP SEVEN for property taxes payable in 1995; or the
 8 amount determined under IC 12-19-7-4(b) for property taxes
 9 payable in each year after 1995; plus

10 (2) all taxes to be paid in the county in respect to mobile home
 11 assessments currently assessed for the year in which the taxes
 12 stated in the abstract are to be paid; plus

13 (3) the amounts, if any, of county adjusted gross income taxes that
 14 were applied by the taxing units in the county as property tax
 15 replacement credits to reduce the individual levies of the taxing
 16 units for the assessment year, as provided in IC 6-3.5-1.1; plus

17 (4) the amounts, if any, by which the maximum permissible ad
 18 valorem property tax levies of the taxing units of the county were
 19 reduced under IC 6-1.1-18.5-3(b) STEP EIGHT for the stated
 20 assessment year; plus

21 (5) the difference between:

22 (A) the amount determined in IC 6-1.1-18.5-3(e) STEP FOUR;
 23 minus

24 (B) the amount the civil taxing units' levies were increased
 25 because of the reduction in the civil taxing units' base year
 26 certified shares under IC 6-1.1-18.5-3(e).

27 (h) "December settlement sheet" means the certificate of settlement
 28 filed by the county auditor with the auditor of state, as required under
 29 IC 6-1.1-27-3.

30 (i) "Tax duplicate" means the roll of property taxes which each
 31 county auditor is required to prepare on or before March 1 of each year
 32 under IC 6-1.1-22-3.

33 SECTION 5. IC 6-1.1-29-9, AS AMENDED BY P.L.36-1994,
 34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 1999]: Sec. 9. (a) A county council may adopt an
 36 ordinance to abolish the county board of tax adjustment. This ordinance
 37 must be adopted by July 1 and may not be rescinded in the year it is
 38 adopted. Notwithstanding IC 6-1.1-17, IC 6-1.1-18, IC 6-1.1-19,
 39 ~~IC 12-19-3, IC 12-19-7~~, IC 21-2-14, IC 36-8-6, IC 36-8-7, IC 36-8-7.5,
 40 IC 36-8-11, IC 36-9-3, IC 36-9-4, and IC 36-9-13, if such an ordinance
 41 is adopted, this section governs the treatment of tax rates, tax levies,
 42 and budgets that would otherwise be reviewed by a county board of tax



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1 adjustment under IC 6-1.1-17.

2 (b) The time requirements set forth in IC 6-1.1-17 govern all filings
3 and notices.

4 (c) A tax rate, tax levy, or budget that otherwise would be reviewed
5 by the county board of tax adjustment is considered and must be treated
6 for all purposes as if the county board of tax adjustment approved the
7 tax rate, tax levy, or budget. This includes the notice of tax rates that is
8 required under IC 6-1.1-17-12.

9 SECTION 6. IC 6-3.5-6-18.5, AS AMENDED BY P.L.98-1995,
10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JANUARY 1, 1999]: Sec. 18.5. (a) This section applies to a county
12 containing a consolidated city.

13 (b) Notwithstanding section 18(e) of this chapter, the distributive
14 shares that each civil taxing unit in a county containing a consolidated
15 city is entitled to receive during a month equals the following:

16 (1) For the calendar year beginning January 1, 1995, calculate the
17 total amount of revenues that are to be distributed as distributive
18 shares during that month multiplied by the following factor:

19	Center Township	.0251
20	Decatur Township	.00217
21	Franklin Township	.0023
22	Lawrence Township	.01177
23	Perry Township	.01130
24	Pike Township	.01865
25	Warren Township	.01359
26	Washington Township	.01346
27	Wayne Township	.01307
28	Lawrence-City	.00858
29	Beech Grove	.00845
30	Southport	.00025
31	Speedway	.00722
32	Indianapolis/Marion County	.86409

33 (2) Notwithstanding subdivision (1), for the calendar year
34 beginning January 1, 1995, the distributive shares for each civil
35 taxing unit in a county containing a consolidated city shall be not
36 less than the following:

37	Center Township	\$1,898,145
38	Decatur Township	\$ 164,103
39	Franklin Township	\$ 173,934
40	Lawrence Township	\$ 890,086
41	Perry Township	\$ 854,544
42	Pike Township	\$1,410,375



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1	Warren Township	\$1,027,721
2	Washington Township	\$1,017,890
3	Wayne Township	\$ 988,397
4	Lawrence-City	\$ 648,848
5	Beech Grove	\$ 639,017
6	Southport	\$ 18,906
7	Speedway	\$ 546,000
8	(3) For each year after 1995, calculate the total amount of	
9	revenues that are to be distributed as distributive shares during	
10	that month as follows:	
11	STEP ONE: Determine the total amount of revenues that	
12	were distributed as distributive shares during that month in	
13	calendar year 1995.	
14	STEP TWO: Determine the total amount of revenue that the	
15	department has certified as distributive shares for that	
16	month under section 17 of this chapter for the calendar year.	
17	STEP THREE: Subtract the STEP ONE result from the	
18	STEP TWO result.	
19	STEP FOUR: If the STEP THREE result is less than or	
20	equal to zero (0), multiply the STEP TWO result by the	
21	ratio established under subdivision (1).	
22	STEP FIVE: Determine the ratio of:	
23	(A) the maximum permissible property tax levy under	
24	IC 6-1.1-18.5 and IC 6-1.1-18.6 for each civil taxing	
25	unit for the calendar year in which the month falls;	
26	divided by	
27	(B) the sum of the maximum permissible property tax	
28	levies under IC 6-1.1-18.5 and IC 6-1.1-18.6 for all	
29	civil taxing units of the county during the calendar year	
30	in which the month falls.	
31	STEP SIX: If the STEP THREE result is greater than zero	
32	(0), the STEP ONE amount shall be distributed by	
33	multiplying the STEP ONE amount by the ratio established	
34	under subdivision (1).	
35	STEP SEVEN: For each taxing unit determine the STEP	
36	FIVE ratio multiplied by the STEP TWO amount.	
37	STEP EIGHT: For each civil taxing unit determine the	
38	difference between the STEP SEVEN amount minus the	
39	product of the STEP ONE amount multiplied by the ratio	
40	established under subdivision (1). The STEP THREE	
41	excess shall be distributed as provided in STEP NINE only	
42	to the civil taxing units that have a STEP EIGHT difference	

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greater than or equal to zero (0).
STEP NINE: For the civil taxing units qualifying for a distribution under STEP EIGHT, each civil taxing unit's share equals the STEP THREE excess multiplied by the ratio of:

- (A) the maximum permissible property tax levy under IC 6-1.1-18.5 and ~~IC 6-1.1-18.6~~ for the qualifying civil taxing unit during the calendar year in which the month falls; divided by
- (B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5 and ~~IC 6-1.1-18.6~~ for all qualifying civil taxing units of the county during the calendar year in which the month falls.

SECTION 7. IC 12-7-2-45 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 45. "County office" refers to a county office of family and children **within the division of family and children.**

SECTION 8. IC 12-7-2-91, AS AMENDED BY P.L.91-1996, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 91. "Fund" means the following:

- (1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.
- ~~(2) For purposes of IC 12-13-8, the meaning set forth in IC 12-13-8-1.~~
- ~~(3) (2)~~ For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.
- ~~(4) (3)~~ For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.
- ~~(5) (4)~~ For purposes of IC 12-18-4, the meaning set forth in IC 12-18-4-1.
- ~~(6) (5)~~ For purposes of IC 12-18-5, the meaning set forth in IC 12-18-5-1.
- ~~(7) For purposes of IC 12-19-3, the meaning set forth in IC 12-19-3-1.~~
- ~~(8) For purposes of IC 12-19-4, the meaning set forth in IC 12-19-4-1.~~
- ~~(9) For purposes of IC 12-19-7, the meaning set forth in IC 12-19-7-2.~~
- ~~(10) (6)~~ For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.
- ~~(11) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.~~

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1 ~~(12)~~ (7) For purposes of IC 12-24-14, the meaning set forth in
 2 IC 12-24-14-1.
 3 ~~(13)~~ (8) For purposes of IC 12-30-7, the meaning set forth in
 4 IC 12-30-7-3.

5 SECTION 9. IC 12-7-2-95 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 95. (a)
 7 "Grant-in-aid", for purposes of the statutes listed in subsection (b),
 8 means any money paid by the federal government to the state ~~or any~~
 9 ~~money paid by the state to a county~~ for the purpose of defraying any of
 10 the expenses, claims, allowances, assistance, or obligations authorized
 11 by this title.

12 (b) This section applies to the following statutes:

- 13 (1) IC 12-13.
- 14 (2) IC 12-14.
- 15 (3) IC 12-15.
- 16 (4) IC 12-17-1.
- 17 (5) IC 12-17-2.
- 18 (6) IC 12-17-3.
- 19 (7) IC 12-17-9.
- 20 (8) IC 12-17-10.
- 21 (9) IC 12-17-11.
- 22 ~~(10) IC 12-19.~~

23 SECTION 10. IC 12-7-2-200 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 200. (a)
 25 "Warrant", for purposes of the statutes listed in subsection (b), means
 26 an instrument that is:

- 27 (1) the equivalent of a money payment; and
- 28 (2) immediately convertible into cash by the payee for the full
 29 face amount of the instrument.

30 (b) This section applies to the following statutes:

- 31 (1) IC 12-10-6.
- 32 (2) IC 12-13.
- 33 (3) IC 12-14.
- 34 (4) IC 12-15.
- 35 (5) IC 12-17-1.
- 36 (6) IC 12-17-9.
- 37 (7) IC 12-17-10.
- 38 (8) IC 12-17-11.
- 39 ~~(9) IC 12-19.~~

40 SECTION 11. IC 12-13-5-1, AS AMENDED BY P.L.1-1997,
 41 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 1999]: Sec. 1. The division shall administer or supervise

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1 the public welfare activities of the state. The division has the following
2 powers and duties:

3 (1) The administration of old age assistance, aid to dependent
4 children, and assistance to the needy blind and persons with
5 disabilities, excluding assistance to children with special health
6 care needs.

7 (2) The administration of the following:

8 (A) Any public child welfare service.

9 (B) The licensing and inspection under IC 12-17.2 and
10 IC 12-17.4.

11 (C) The care of dependent and neglected children in foster
12 family homes or institutions, especially children placed for
13 adoption or those born out of wedlock.

14 (D) The interstate placement of children.

15 (3) The provision of services to county governments, including
16 the following:

17 ~~(A) Organizing and supervising county offices for the~~
18 ~~effective administration of public welfare functions:~~

19 ~~(B)~~ (A) Compiling statistics and necessary information
20 concerning public welfare problems throughout Indiana.

21 ~~(C)~~ (B) Researching and encouraging research into crime,
22 delinquency, physical and mental disability, and the cause
23 of dependency.

24 (4) Prescribing the form of, printing, and supplying to the county
25 departments blanks for applications, reports, affidavits, and other
26 forms the division considers necessary and advisable.

27 (5) Cooperating with the federal Social Security Administration
28 and with any other agency of the federal government in any
29 reasonable manner necessary and in conformity with IC 12-13
30 through IC 12-19 to qualify for federal aid for assistance to
31 persons who are entitled to assistance under the federal Social
32 Security Act. The responsibilities include the following:

33 (A) Making reports in the form and containing the
34 information that the federal Social Security Administration
35 Board or any other agency of the federal government
36 requires.

37 (B) Complying with the requirements that a board or agency
38 finds necessary to assure the correctness and verification of
39 reports.

40 (6) Appointing from eligible lists established by the state
41 personnel board employees of the division necessary to
42 effectively carry out IC 12-13 through IC 12-19. The division

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1 may not appoint a person who is not a citizen of the United
 2 States and who has not been a resident of Indiana for at least one
 3 (1) year immediately preceding the person's appointment unless
 4 a qualified person cannot be found in Indiana for a position as a
 5 result of holding an open competitive examination.

6 (7) Assisting the office of Medicaid policy and planning in fixing
 7 fees to be paid to ophthalmologists and optometrists for the
 8 examination of applicants for and recipients of assistance as
 9 needy blind persons.

10 (8) When requested, assisting other departments, agencies,
 11 divisions, and institutions of the state and federal government in
 12 performing services consistent with this article.

13 (9) Acting as the agent of the federal government for the
 14 following:

15 (A) In welfare matters of mutual concern under IC 12-13
 16 through IC 12-19.

17 (B) In the administration of federal money granted to
 18 Indiana in aiding welfare functions of the state government.

19 (10) Administering additional public welfare functions vested in
 20 the division by law and providing for the progressive
 21 codification of the laws the division is required to administer.

22 ~~(11) Transferring to each county that is required to submit a~~
 23 ~~schedule under IC 12-19-1-9(d) an amount equal to the~~
 24 ~~scheduled amount of the county's lease and rental obligations as~~
 25 ~~provided in IC 12-19-1-9.~~

26 ~~(12) (11) Supervising day care centers and child placing~~
 27 ~~agencies.~~

28 ~~(13) (12) Supervising the licensing and inspection of all public~~
 29 ~~child caring agencies.~~

30 ~~(14) (13) Supervising the care of delinquent children and~~
 31 ~~children in need of services.~~

32 ~~(15) (14) Assisting juvenile courts as required by IC 31-30~~
 33 ~~through IC 31-40.~~

34 ~~(16) (15) Supervising the care of dependent children and~~
 35 ~~children placed for adoption.~~

36 ~~(17) (16) Compiling information and statistics concerning the~~
 37 ~~ethnicity and gender of a program or service recipient.~~

38 **(17) Operating each county office as an administrative unit**
 39 **within the division.**

40 SECTION 12. IC 12-13-5-3, AS AMENDED BY P.L.108-1996,
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 1999]: Sec. 3. The division may ~~do the following:~~



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1 (1) adopt rules under IC 4-22-2 and take action that is necessary
 2 or desirable to carry out IC 12-13 through IC 12-19 and that is
 3 not inconsistent with IC 12-13 through IC 12-19. Each county
 4 director shall keep copies of the rules on file available for
 5 inspection by any person interested.

6 (2) ~~Under a division rule, designate county offices to serve as~~
 7 ~~agents of the division in the performance of all public welfare~~
 8 ~~activities in the county.~~

9 SECTION 13. IC 12-13-5-5, AS AMENDED BY P.L.36-1994,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JANUARY 1, 1999]: Sec. 5. (a) Each county auditor shall keep records
 12 and make reports relating to the ~~county welfare fund, the family and~~
 13 ~~children's fund, and other~~ financial transactions as required under
 14 IC 12-13 through IC 12-19 and as required by the division.

15 (b) All records provided for in IC 12-13 through IC 12-19 shall be
 16 kept, prepared, and submitted in the form required by the division and
 17 the state board of accounts.

18 SECTION 14. IC 12-13-7-8 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 8. (a) The
 20 treasurer of state may receive money:

21 (1) received from a source other than the federal Social Security
 22 Act;

23 (2) ~~not received from taxes levied in the county;~~ and

24 (3) (2) that under IC 12-13 through IC 12-19 the division and
 25 county offices are authorized to collect, receive, and administer.

26 (b) The treasurer of state may pay the money received under
 27 subsection (a) into the proper fund or the proper account of the state
 28 general fund, provide for the proper custody of the money, and make
 29 disbursements upon the order of the division and upon warrant of the
 30 auditor of state.

31 SECTION 15. IC 12-13-7-17, AS AMENDED BY P.L.12-1996,
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JANUARY 1, 1999]: Sec. 17. The part of the care and maintenance of
 34 the inmates of the Plainfield Juvenile Correctional Facility and the
 35 Indianapolis Juvenile Correctional Facility that under law is to be
 36 charged back to the counties shall be paid from the county general
 37 fund. ~~and not the county welfare fund or the county family and~~
 38 ~~children's fund; unless otherwise provided by law.~~

39 SECTION 16. IC 12-13-9-2 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 2. The division
 41 shall ~~administer the state medical assistance to wards fund and shall~~
 42 ~~use money in the fund to~~ defray the expenses and obligations incurred

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1 by the division for medical assistance to wards and associated
 2 administrative costs.

3 SECTION 17. IC 12-14-1-2 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 2. An application
 5 for a dependent child under this article must be made to the county
 6 office ~~of~~ **in** the county where the dependent child resides.

7 SECTION 18. IC 12-14-2-5.4, AS ADDED BY P.L.46-1995,
 8 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 1999]: Sec. 5.4. (a) Subject to IC 12-8-1-12 and except
 10 as provided in subsection (d), the AFDC grant for a person who:
 11 (1) is eligible to receive assistance under section 5 of this
 12 chapter; and
 13 (2) becomes employed (including a person who is in a program
 14 established under IC 12-8-11);
 15 as calculated under subsection (b), must be diverted to subsidize child
 16 care costs.

17 (b) At:
 18 (1) the time of entry into employment; and
 19 (2) every subsequent change of status that affects the person's
 20 AFDC eligibility and assistance levels;
 21 the person's AFDC grant minus earnings and other countable income
 22 must be calculated to determine the amount of the grant to be diverted
 23 to subsidize child care costs.

24 (c) A person's AFDC grant must be diverted as described in
 25 subsection (a) until:
 26 (1) the person is no longer eligible for AFDC under section 5.1
 27 of this chapter; or
 28 (2) the person's monthly family income is equal to or exceeds
 29 one hundred percent (100%) of the monthly federal income
 30 poverty level;
 31 whichever occurs first.

32 (d) A person:
 33 (1) who becomes employed (including a person who is in a
 34 program established under IC 12-8-11); and
 35 (2) whose net income is equal to or more than the amount of
 36 need recognized under section 5 of this chapter;
 37 has the option to receive either guaranteed child care or a cash payment
 38 equal to the amount of the AFDC grant for which the person qualifies
 39 immediately before the person becomes employed.

40 (e) The option under subsection (d) is available until:
 41 (1) the person is no longer eligible for AFDC under section 5.1
 42 of this chapter; or

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1 (2) the person's monthly family income is equal to or exceeds
 2 one hundred percent (100%) of the monthly federal income
 3 poverty level;
 4 whichever occurs first.

5 ~~(f) An AFDC grant diverted under this section must be from the~~
 6 ~~same sources and in the same proportion as provided in IC 12-19-6.~~

7 ~~(g) (f)~~ The division may adopt rules under IC 4-22-2 to implement
 8 this section.

9 SECTION 19. IC 12-14-2-12 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 12. The county
 11 office shall notify the applicant ~~and the division~~ of the county office's
 12 decision concerning assistance in writing.

13 SECTION 20. IC 12-14-2-14 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 14. ~~Except in~~
 15 ~~counties that are automated under IC 12-14-9.5,~~ Assistance shall be
 16 paid monthly ~~to the recipient upon warrant of the county auditor from~~
 17 ~~the county welfare fund upon a verified schedule of the recipients and~~
 18 ~~the amount payable to each recipient prepared and verified by the~~
 19 ~~county director, in accordance with the awards made by the county~~
 20 ~~office. A schedule shall be filed in the form required by the division. by~~
 21 **the division.**

22 SECTION 21. IC 12-14-3-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 2. The county
 24 office shall prepare ~~four (4)~~ **three (3)** copies of the certificate.

25 SECTION 22. IC 12-14-3-4 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 4. The copies of
 27 the certificate shall be distributed as follows:

28 (1) One (1) copy retained by and filed in the office of the county
 29 office.

30 (2) One (1) copy filed with the **central office of the** division.

31 ~~(3) One (1) copy filed in the office of the county auditor.~~

32 ~~(4) (3)~~ One (1) copy given to the recipient.

33 SECTION 23. IC 12-14-4-2 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 2. If a move
 35 occurs, the county office **in the county** from which the recipient moves
 36 shall:

37 (1) give written notice; and

38 (2) immediately transfer all of the records relating to the
 39 recipient;

40 to the county office ~~of in~~ **in the county** to which the recipient has moved
 41 or been taken.

42 SECTION 24. IC 12-14-4-3 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 3. The county
 2 office ~~of~~ in the county to which a child has moved or been taken is
 3 responsible for determining the eligibility and the payment of
 4 assistance to the recipient.

5 SECTION 25. IC 12-14-9-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 1. ~~Except in~~
 7 ~~counties that are automated under IC 12-14-9.5, a county office shall~~
 8 ~~monthly present claims for state reimbursement under IC 12-14-1~~
 9 ~~through IC 12-14-9 to the division at the time and in the manner the~~
 10 ~~division requires. AFDC benefits assistance shall be paid monthly~~
 11 ~~to the recipient by warrant of the auditor of state from the state~~
 12 ~~general fund after receipt of a schedule of the recipients, the~~
 13 ~~amount payable to each recipient, and the purposes for the~~
 14 ~~payment. The schedule must be prepared and verified by the~~
 15 ~~director of the division or the director's designee according to the~~
 16 ~~awards made by the division. All schedules must be filed in the~~
 17 ~~form prescribed by the auditor of state. Payment shall be made~~
 18 ~~from the aid to dependent children account of the state general~~
 19 ~~fund.~~

20 SECTION 26. IC 12-14-13-5 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 5. The copies of
 22 the certificate shall be distributed as follows:

- 23 (1) One (1) copy retained by and filed in the **central office of**
 24 **the** division.
- 25 (2) One (1) copy filed with the **state auditor of state.**
- 26 (3) One (1) copy filed in the office of the county recorder.
- 27 (4) One (1) copy given to the recipient.

28 SECTION 27. IC 12-14-20-1 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 1. (a) The
 30 division may accept voluntary contributions from a person desiring to
 31 contribute to the support of a parent or other person who receives
 32 public assistance.

33 (b) The division shall deposit contributions made under this
 34 section in the state ~~welfare~~ **general fund or a trust fund, as**
 35 **appropriate.**

36 SECTION 28. IC 12-14-22-7 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 7. (a) A schedule
 38 of payments made to or for the benefit of each recipient under this
 39 article shall be filed by the ~~county office~~ **division** each month with the
 40 ~~county auditor and the~~ prosecuting attorney.

41 (b) The schedule shall be kept open to the public at all times for
 42 inspection, study, and securing data. The schedule must contain the

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1 names and addresses, in alphabetical order, of all recipients of benefits.
2 SECTION 29. IC 12-15-4-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 1. An application
4 or a request for Medicaid for an individual must be:
5 (1) made to the county office ~~of~~ **in** the county in which the
6 applicant resides; and
7 (2) in the manner required by the office.
8 SECTION 30. IC 12-15-15-8, AS AMENDED BY P.L.156-1995,
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JANUARY 1, 1999]: Sec. 8. (a) A per diem rate shall be added to each
11 hospital's base inpatient payment rate. The rate shall be computed for
12 each individual hospital using the following formula:
13 STEP ONE: Determine the quotient of:
14 (A) the total hospital care for the indigent program
15 payments for fiscal year 1992; divided by
16 (B) the total Indiana Medicaid patient days for the same
17 period.
18 (b) The total amount to be paid to hospitals during each fiscal year
19 under subsection (a) is thirty-five million dollars (\$35,000,000).
20 (c) The rate described in subsection (a) shall be updated annually
21 on July 1 by a ratio, the numerator of which is the total ~~tax levy~~
22 **amount appropriated from state tax revenues** for the hospital care
23 for the indigent program for the most recent fiscal year and the
24 denominator of which is the total ~~tax levy~~ **amount appropriated from**
25 **state tax revenues** for the hospital care for the indigent program for
26 the year preceding the most recent fiscal year.
27 (d) If a hospital entitled to payment under this section is not
28 accepting patients for inpatient and outpatient services at the time
29 payment is made, the payment due to the hospital shall be paid
30 proportionately to all other hospitals, if any, within the same city limits.
31 If no other hospitals are located within the same city limits, the
32 payment shall be paid proportionately to all other hospitals located in
33 the same county.
34 SECTION 31. IC 12-15-19-1, AS AMENDED BY P.L.24-1997,
35 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JANUARY 1, 1999]: Sec. 1. (a) For the state fiscal year ending June
37 30, 1997, each hospital licensed under IC 16-21 that qualifies as an
38 enhanced disproportionate share provider under IC 12-15-16-1(b) shall
39 receive additional enhanced disproportionate share adjustments, based
40 on utilization data for the hospital's cost reporting period ending during
41 calendar year 1991, subject to the hospital specific limit specified in
42 subsection (d), as follows:

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- 1 (1) For hospitals with a Medicaid inpatient utilization rate of
 2 fifteen percent (15%) or less and less than twenty-five thousand
 3 (25,000) total adult and pediatric days of Medicaid care:
 4 (A) one hundred sixty-three dollars (\$163) for each
 5 Medicaid inpatient day; and
 6 (B) one thousand one hundred eleven dollars (\$1,111) for
 7 each Medicaid discharge.
- 8 (2) For hospitals with a Medicaid inpatient utilization rate of
 9 greater than fifteen percent (15%) and less than twenty thousand
 10 (20,000) total adult and pediatric Medicaid days:
 11 (A) two hundred fifteen dollars (\$215) for each Medicaid
 12 inpatient day; and
 13 (B) one thousand one hundred thirty-two dollars (\$1,132)
 14 for each Medicaid discharge.
- 15 (3) For hospitals with a Medicaid inpatient utilization rate of
 16 greater than twenty percent (20%) and less than twenty-five
 17 thousand (25,000) total adult and pediatric Medicaid days:
 18 (A) two hundred forty-one dollars (\$241) for each Medicaid
 19 inpatient day; and
 20 (B) one thousand one hundred thirty-three dollars (\$1,133)
 21 for each Medicaid discharge.
- 22 (4) For hospitals with less than four thousand (4,000) Medicaid
 23 discharges and at least twenty-five thousand (25,000) total adult
 24 and pediatric Medicaid days:
 25 (A) two hundred forty-six dollars (\$246) for each Medicaid
 26 inpatient day; and
 27 (B) two thousand four hundred sixty-five dollars (\$2,465)
 28 for each Medicaid discharge.
- 29 (5) For hospitals with at least four thousand (4,000) Medicaid
 30 discharges and at least twenty-five thousand (25,000) total adult
 31 and pediatric Medicaid days:
 32 (A) five hundred twenty-five dollars (\$525) for each
 33 Medicaid inpatient day; and
 34 (B) three thousand seven hundred sixty-five dollars
 35 (\$3,765) for each Medicaid discharge.
- 36 However, the office may adjust the rates specified in this subsection
 37 only to the extent necessary to obtain approval from the federal
 38 government of the amendments to the Indiana Medicaid plan that are
 39 required to implement the rates specified in this subsection and may
 40 make additional payments as provided in subsection (c).
- 41 (b) For each state fiscal year ending on or after June 30, 1998, the
 42 office shall develop an enhanced disproportionate share payment

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1 methodology that ensures that each enhanced disproportionate share
 2 provider receives total disproportionate share payments that do not
 3 exceed its hospital specific limit specified in subsection (d). The
 4 methodology developed by the office shall ensure that hospitals
 5 operated by:

- 6 (1) the ~~governmental entities described in IC 12-15-18-5(a)~~
 7 **trustees of Indiana University; or**
 8 **(2) a municipal health and hospital corporation established**
 9 **under IC 16-22-8-6;**

10 receive, to the extent practicable, basic and enhanced disproportionate
 11 share payments equal to their hospital specific limits.

12 (c) The office shall include a provision in each amendment to the
 13 state plan regarding enhanced disproportionate share payments that the
 14 office submits to the federal Health Care Financing Administration
 15 that, as provided in 42 CFR 447.297(d)(3), allows the state to make
 16 additional enhanced disproportionate share expenditures after the end
 17 of each federal fiscal year that relate back to the prior federal fiscal
 18 year. Each eligible hospital may receive an additional enhanced
 19 disproportionate share adjustment, based on utilization data for the
 20 hospital's cost reporting period that ended during calendar year 1991,
 21 if:

- 22 (1) additional intergovernmental transfers are made as
 23 authorized under IC 12-15-18-5(c); and
 24 (2) the total disproportionate share payments to:
 25 (A) each individual hospital; and
 26 (B) all qualifying hospitals in the aggregate;
 27 do not exceed the limits provided by federal law and regulation.

28 (d) Total basic and enhanced disproportionate share payments to
 29 a hospital under this chapter and IC 12-15-16 shall not exceed the
 30 hospital specific limit provided under 42 U.S.C. 1396r-4(g). The
 31 hospital specific limit for a state fiscal year shall be determined by the
 32 office taking into account any data provided by each hospital for each
 33 hospital's most recent fiscal year (or in cases where a change in fiscal
 34 year causes the most recent fiscal period to be less than twelve (12)
 35 months, twelve (12) months of data ending at the end of the most
 36 recent fiscal year) as certified to the office by:

- 37 (1) an independent certified public accounting firm if the
 38 hospital is a hospital licensed under IC 16-21 that qualifies under
 39 IC 12-15-16-1(a)(3); or
 40 (2) the budget agency if the hospital is a state mental health
 41 institution listed under IC 12-24-1-3 that qualifies under either
 42 IC 12-15-16-1(a)(1) or IC 12-15-16-1(a)(2);

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1 in accordance with this subsection and federal laws, regulations, and
2 guidelines.

3 SECTION 32. IC 12-16-4-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 1. To receive
5 payment from the division for the costs incurred in providing care to an
6 indigent person, a hospital must file an application with the county
7 office ~~of~~ in the county in which the hospital is located.

8 SECTION 33. IC 12-16-7-2 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 2. ~~(a)~~ Except as
10 provided in section 5 of this chapter, claims for payment shall be
11 segregated by year using the patient's admission date.

12 ~~(b) Each year the division shall pay claims as provided in section~~
13 ~~4 of this chapter, without regard to the county of admission or that~~
14 ~~county's transfer to the state fund.~~

15 SECTION 34. IC 12-16-7-3 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 3. A payment
17 made to a hospital under the hospital care for the indigent program
18 must be on a warrant drawn on the state ~~hospital care for the indigent~~
19 ~~fund established by IC 12-16-14.~~ **general fund.**

20 SECTION 35. IC 12-16-7-4 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 4. (a) Each year
22 the division shall pay two-thirds (2/3) of each claim upon submission
23 and approval of the claim.

24 (b) If the amount of money in the state hospital care for the
25 indigent fund in a year is insufficient to pay two-thirds (2/3) of each
26 approved claim for patients admitted in that year, the state's ~~and a~~
27 ~~county's~~ liability to providers under the hospital care for the indigent
28 program for claims approved for patients admitted in that year is
29 limited to the sum of the following:

30 ~~(1) The amount transferred to the state hospital care for the~~
31 ~~indigent fund from county hospital care for the indigent funds in~~
32 ~~that year under IC 12-16-14.~~

33 ~~(2)~~ (1) Any contribution to the fund in that year.

34 ~~(3)~~ (2) Any amount that was appropriated to the state hospital
35 care for the indigent **fund program** for that year by the general
36 assembly.

37 ~~(4) Any amount that was carried over to the state hospital care~~
38 ~~for the indigent fund from a preceding year.~~

39 ~~(c) This section does not obligate the general assembly to~~
40 ~~appropriate money to the state hospital care for the indigent fund.~~

41 SECTION 36. IC 12-16-7-5 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 5. Before the end



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1 of each state fiscal year, the division shall, to the extent there is money
 2 ~~in appropriated to~~ the state hospital care for the indigent ~~fund;~~
 3 **program**, pay each provider under the hospital care for the indigent
 4 program a pro rata part of the one-third (1/3) balance on each approved
 5 claim for patients admitted during the preceding year.

6 SECTION 37. IC 12-17-1-7 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 7. An application
 8 for assistance for a destitute child under this chapter must be made to
 9 the county office ~~of in~~ the county in which the destitute child resides.
 10 The application must be in writing. The division shall prescribe the
 11 manner and the form upon which the application must be made.

12 SECTION 38. IC 12-17-1-10 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 10. (a) Upon the
 14 completion of an investigation under section 9 of this chapter, the
 15 county office shall do the following:

16 (1) Determine whether the child is eligible for assistance under
 17 this chapter and the division's rules.

18 (2) Determine the amount of the assistance and the date on
 19 which the assistance is to begin.

20 (3) Make an award, including any subsequent modification of
 21 the award, with which the county office shall comply until the
 22 award or modified award is vacated.

23 (4) Notify the applicant and the division of the county office's
 24 decision in writing.

25 (b) The county office shall provide assistance to the recipient at
 26 least monthly upon warrant of the county auditor. The assistance must
 27 be

28 ~~(1) made from the county welfare fund; and~~

29 ~~(2) based upon a verified schedule of the recipients.~~

30 (c) The director of the county office shall prepare and verify the
 31 amount payable to the recipient, in relation to the awards made by the
 32 county office. The division shall prescribe the form upon which the
 33 schedule under subsection ~~(b)(2)~~ **(b)** must be filed.

34 SECTION 39. IC 12-17-1-12 IS AMENDED TO READ AS
 35 FOLLOWS FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 12.

36 (a) If assistance is granted to a destitute child under this chapter, facts
 37 supporting the award of assistance, as prescribed by the division, must
 38 be entered on a certificate.

39 (b) The division shall prescribe the form for the certificate under
 40 subsection (a). The certificate must bear the impress of the division's
 41 seal.

42 (c) The county office shall prepare ~~four (4)~~ **three (3)** copies of the

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1 certificate under subsection (a). The county office shall distribute
2 copies of the certificate as follows:

3 (1) One (1) copy must be retained by the office of the county
4 office.

5 (2) One (1) copy must be filed with and retained by the **central**
6 **office of the** division.

7 ~~(3) One (1) copy must be filed with and retained by the office of~~
8 ~~the county auditor.~~

9 ~~(4)~~ (3) One (1) copy must be given to the recipient.

10 SECTION 40. IC 12-17-3-2, AS AMENDED BY P.L.36-1994,
11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JANUARY 1, 1999]: Sec. 2. (a) ~~This section does not apply to a county~~
13 ~~department's:~~

14 ~~(1) administrative expenses; or~~

15 ~~(2) expenses regarding facilities, supplies, and equipment.~~

16 (b) Necessary expenses incurred in the administration of the child
17 welfare services under section 1 of this chapter shall be paid out of the
18 **county welfare fund or the county family and children's state general**
19 **fund. (whichever is appropriate).**

20 SECTION 41. IC 12-17.4-3-3.5, AS AMENDED BY P.L.1-1997,
21 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JANUARY 1, 1999]: Sec. 3.5. (a) A county may establish a child
23 caring institution. The child caring institution may be operated by:

24 (1) the county; or

25 (2) a public or private agency under contract with the county;
26 and must be operated under the rules adopted by the director of the
27 division under IC 12-17.4.

28 (b) This section does not affect the following:

29 (1) ~~IC 31-31-1-1 or~~ IC 31-40, requiring the county fiscal body to
30 appropriate sufficient money to pay for services ordered by the
31 juvenile court.

32 (2) IC 31-31-8, authorizing the juvenile court to establish
33 detention and shelter care facilities.

34 (3) IC 12-13-5 and IC 12-19-1, requiring the division and the
35 county departments to provide care and treatment for delinquent
36 children and children in need of services.

37 SECTION 42. IC 12-19-1-1 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 1. A county office
39 of family and children is established in each county **as an office within**
40 **the division of family and children.**

41 SECTION 43. IC 12-19-1-9 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 9. (a) The

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1 division shall provide the necessary facilities to house the county
2 office.

3 (b) The division shall pay for the costs of the facilities, supplies,
4 and equipment needed by each county office. ~~including the transfer to~~
5 ~~the county that is required by IC 12-13-5.~~

6 (c) ~~Each county is responsible for the payment of the county's~~
7 ~~lease and rental obligations for office space used by the county office~~
8 ~~if:~~

9 (1) ~~the county entered into the lease or rental agreement before~~
10 ~~January 1, 1987; and~~

11 (2) ~~the lease or rental agreement requires the county to pay for~~
12 ~~office space that will be used by the county office.~~

13 (d) ~~Each county that has a rental or lease obligation described in~~
14 ~~subsection (c) shall provide to the division a lease or rental payment~~
15 ~~schedule showing the date and amount of each payment.~~

16 SECTION 44. IC 12-19-1-10, AS AMENDED BY P.L.74-1994,
17 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JANUARY 1, 1999]: Sec. 10. (a) ~~Subject to the rules adopted by the~~
19 ~~director of The division a county office shall administer the following~~
20 ~~through a county office:~~

21 (1) Assistance to dependent children in the homes of the
22 dependent children.

23 (2) Assistance and services to elderly persons.

24 (3) Assistance to persons with disabilities.

25 (4) Care and treatment of the following persons:

26 (A) Children in need of services.

27 (B) Dependent children.

28 (C) Children with disabilities.

29 (5) Licensing of foster family homes for the placement of
30 children in need of services.

31 (6) Supervision of the care and treatment of children in need of
32 services in foster family homes.

33 (7) Licensing of foster family homes for the placement of
34 delinquent children.

35 (8) Supervision of the care and treatment of delinquent children
36 in foster family homes.

37 (9) Provision of family preservation services.

38 (10) Any other welfare activities that are delegated to the county
39 office by the division under this chapter, including services
40 concerning assistance to the blind.

41 **(b) The division shall pay the expenses and obligations**
42 **incurred after December 31, 1998, to carry out responsibilities of**

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1 **the county office.**

2 SECTION 45. IC 12-19-1-13 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 13. (a) A county
4 office **or the division** may sue and be sued under the name of "The
5 County Office of Family and Children of _____ County".

6 (b) The county office has all other rights and powers and shall
7 perform all other duties necessary to administer this chapter.

8 (c) A suit brought against **the division that involves** a county
9 office may be filed in the following:

10 (1) The circuit court with jurisdiction in the county.

11 (2) A superior court or any other court of the county.

12 (d) A notice or summons in a suit brought against the **division**
13 **that involves** a county office must be served on the county director **or**
14 **the director of the division of family and children.** It is not required
15 to name the individual employees of the county office as either plaintiff
16 or defendant.

17 SECTION 46. IC 12-19-1-14 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 14. (a) A county
19 office may charge the following adoption fees:

20 (1) An adoption placement fee that may not exceed the actual
21 costs incurred by the county office for medical expenses of
22 children and mothers.

23 (2) A fee that does not exceed the time and travel costs incurred
24 by the county office for home study and investigation concerning
25 a contemplated adoption.

26 (b) Fees charged under this section shall be deposited in a separate
27 account in the ~~county~~ **state** welfare trust clearance fund established
28 under section 16 of this chapter. Money deposited under this subsection
29 ~~shall be expended by~~ **is annually appropriated to** the county office for
30 the following purposes: ~~without further appropriation:~~

31 (1) The care of children whose adoption is contemplated.

32 (2) The improvement of adoption services provided by the
33 county departments.

34 (c) The director of the division may adopt rules governing the
35 expenditure of money under this section.

36 (d) The division may provide written authorization allowing a
37 county office to reduce or waive charges authorized under this section
38 in hardship cases or for other good cause after investigation. The
39 division may adopt forms on which the written authorization is
40 provided.

41 SECTION 47. IC 12-19-1-16 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 16. (a) ~~This~~



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1 section does not apply to money received to reimburse the county
 2 welfare fund for expenditures made from the appropriations of the
 3 county office. **The state welfare trust clearance fund is established.**
 4 **The fund shall be administered by the division. Money in the fund**
 5 **at the end of a state fiscal year does not revert to the state general**
 6 **fund.**

7 (b) A county office may receive and administer money available
 8 to or for the benefit of a person receiving payments or services from the
 9 county office. The following applies to all money received under this
 10 section:

11 (1) The money shall be kept in a special fund known as the
 12 ~~county state~~ welfare trust clearance fund and may not be
 13 commingled with any other fund or with money received from
 14 taxation.

15 (2) The money may be expended by the county office in any
 16 manner consistent with the following:

17 (A) The purpose of the ~~county state~~ welfare trust clearance
 18 fund or with the intention of the donor of the money.

19 (B) Indiana law.

20 (C) **The policies of the division.**

21 SECTION 48. IC 12-19-1-18 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 18. (a) After
 23 petition to and with the approval of the judge of the circuit court, a
 24 ~~county office~~ **the division** may take the actions described in subsection
 25 (b) if:

26 (1) an applicant for public assistance is physically or mentally
 27 incapable of completing an application for assistance; or

28 (2) a recipient of public assistance:

29 (A) is incapable of managing the recipient's affairs; or

30 (B) refuses to:

31 (i) take care of the recipient's money properly; or

32 (ii) comply with the director of the division's rules and
 33 policies.

34 (b) If the conditions of subsection (a) are satisfied, the ~~county~~
 35 ~~office~~ **division** may designate a responsible person to do the following:

36 (1) Act for the applicant or recipient.

37 (2) Receive on behalf of the recipient the assistance the recipient
 38 is eligible to receive under any of the following:

39 (A) This chapter.

40 (B) IC 12-10-6.

41 (C) IC 12-14-1 through IC 12-14-9.

42 (D) IC 12-14-13 through IC 12-14-19.

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1 (E) IC 12-15.

2 (F) IC 12-17-1 through IC 12-17-3.

3 (G) IC 16-35-2.

4 (c) A fee for services provided under this section may be paid to
5 the responsible person in an amount not to exceed ten dollars (\$10)
6 each month. The fee may be allowed:

7 (1) in the monthly assistance award; or

8 (2) by vendor payment if the fee would cause the amount of
9 assistance to be increased beyond the maximum amount
10 permitted by statute.

11 SECTION 49. IC 12-19-1-21 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JANUARY 1, 1999]: **Sec. 21. (a) As used in this**
14 **chapter, "child services" means child welfare services specifically**
15 **provided for children who are:**

16 (1) **adjudicated to be:**

17 (A) **children in need of services; or**

18 (B) **delinquent children; or**

19 (2) **recipients of or are eligible for:**

20 (A) **informal adjustments;**

21 (B) **service referral agreements; and**

22 (C) **adoption assistance;**

23 **including the costs of using an institution or facility for providing**
24 **educational services as described in either IC 20-8.1-3-36 (if**
25 **applicable) or IC 20-8.1-6.1-8 (if applicable), all services required**
26 **to be paid by the division under IC 31-40-1, and all costs required**
27 **to be paid by the division under IC 20-8.1-6.1-7.**

28 (b) **The division shall pay the expenses and obligations**
29 **incurred after December 31, 1997, to deliver child services.**

30 SECTION 50. IC 12-19-1-22 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JANUARY 1, 1999]: **Sec. 22. (a) This section applies**
33 **notwithstanding the repeal of IC 12-19-3 through IC 12-19-7**
34 **(effective January 1, 1999).**

35 (b) **All bonds issued under IC 12-1-11 (before its repeal) or this**
36 **article before January 1, 1999, or under subsection (c):**

37 (1) **are direct general obligations of the county issuing the**
38 **bonds; and**

39 (2) **are payable out of unlimited ad valorem taxes that shall**
40 **be levied and collected on all the taxable property within the**
41 **county.**

42 (c) **If the county welfare fund established under IC 12-19-3**

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1 (repealed January 1, 1999) or family and children's fund
 2 established under IC 12-19-7 (repealed January 1, 1999) is
 3 exhausted before the close of December 31, 1998, the county may
 4 obtain loans and issue bonds under IC 12-19-3 or IC 12-19-7, as
 5 appropriate, to provide money for the fund as if IC 12-19-3 and
 6 IC 12-19-7 had not been repealed.

7 (d) Each official and body responsible for the levying of taxes
 8 for the county must ensure that sufficient levies are made to meet
 9 the principal and interest on the bonds at the time fixed for the
 10 payment of the principal and interest, without regard to any other
 11 statute. If an official or a body fails or refuses to make or allow a
 12 sufficient levy required by this section, the bonds and the interest
 13 on the bonds shall be payable out of the general fund of the county
 14 without appropriation.

15 SECTION 51. IC 16-33-3-10 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 10. Whenever the
 17 circuit court having jurisdiction finds, upon application by the county
 18 office of family and children, that the parent or guardian of a client
 19 placed in the center is unable to meet the costs that the parent or
 20 guardian is required to pay for the services of the center, the court shall
 21 order payment of the costs from the county general fund: by the
 22 division of family and children.

23 SECTION 52. IC 16-33-4-17, AS AMENDED BY P.L.142-1995,
 24 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JANUARY 1, 1999]: Sec. 17. (a) Each child, the estate of the child, the
 26 parent or parents of the child, or the guardian of the child, individually
 27 or collectively, are liable for the payment of the costs of maintenance
 28 of the child of up to one hundred percent (100%) of the per capita cost,
 29 except as otherwise provided. The cost shall be computed annually by
 30 dividing the total annual cost of operation for the fiscal year, exclusive
 31 of the cost of education programs, construction, and equipment, by the
 32 total child days each year. The maintenance cost shall be referred to as
 33 maintenance charges. The charge may not be levied against any of the
 34 following:

35 (1) The division of family and children or ~~the county office of~~
 36 ~~family and children to be derived from~~ county tax sources.

37 (2) A child orphaned by reason of the death of the natural
 38 parents.

39 (b) The billing and collection of the maintenance charges as
 40 provided for in subsection (a) shall be made by the superintendent of
 41 the home based on the per capita cost for the preceding fiscal year. All
 42 money collected shall be deposited in a fund to be known as the



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1 Indiana soldiers' and sailors' children's home maintenance fund. The
2 fund shall be used by the state health commissioner for the:

3 (1) preventative maintenance; and

4 (2) repair and rehabilitation;

5 of buildings of the home that are used for housing, food service, or
6 education of the children of the home.

7 (c) The superintendent of the home may, with the approval of the
8 state health commissioner, agree to accept payment at a lesser rate than
9 that prescribed in subsection (a). The superintendent of the home shall,
10 in determining whether or not to accept the lesser amount, take into
11 consideration the amount of money that is necessary to maintain or
12 support any member of the family of the child. All agreements to
13 accept a lesser amount are subject to cancellation or modification at
14 any time by the superintendent of the home with the approval of the
15 state health commissioner.

16 (d) A person who has been issued a statement of amounts due as
17 maintenance charges may petition the superintendent of the home for
18 a release from or modification of the statement and the superintendent
19 shall provide for hearings to be held on the petition. The superintendent
20 of the home may, with the approval of the state health commissioner
21 and after the hearing, cancel or modify the former statement and at any
22 time for due cause may increase the amounts due for maintenance
23 charges to an amount not to exceed the maximum cost as determined
24 under subsection (a).

25 (e) The superintendent of the home may arrange for the
26 establishment of a graduation or discharge trust account for a child by
27 arranging to accept a lesser rate of maintenance charge. The trust fund
28 must be of sufficient size to provide for immediate expenses upon
29 graduation or discharge.

30 (f) The superintendent may make agreements with
31 instrumentalities of the federal government for application of any
32 monetary awards to be applied toward the maintenance charges in a
33 manner that provides a sufficient amount of the periodic award to be
34 deposited in the child's trust account to meet the immediate personal
35 needs of the child and to provide a suitable graduation or discharge
36 allowance. The amount applied toward the settlement of maintenance
37 charges may not exceed the amount specified in subsection (a).

38 (g) The superintendent of the home may do the following:

39 (1) Investigate, either with the superintendent's own staff or on
40 a contractual or other basis, the financial condition of each
41 person liable under this chapter.

42 (2) Make determinations of the ability of:

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- 1 (A) the estate of the child;
- 2 (B) the legal guardian of the child; or
- 3 (C) each of the responsible parents of the child;
- 4 to pay maintenance charges.
- 5 (3) Set a standard as a basis of judgment of ability to pay that
- 6 shall be recomputed periodically to do the following:
- 7 (A) Reflect changes in the cost of living and other pertinent
- 8 factors.
- 9 (B) Provide for unusual and exceptional circumstances in
- 10 the application of the standard.
- 11 (4) Issue to any person liable under this chapter statements of
- 12 amounts due as maintenance charges, requiring the person to pay
- 13 monthly, quarterly, or otherwise as may be arranged, an amount
- 14 not exceeding the maximum cost as determined under this
- 15 chapter.

16 SECTION 53. IC 20-8.1-3-36, AS AMENDED BY P.L.36-1994,
 17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JANUARY 1, 1999]: Sec. 36. (a) It is unlawful for a person operating
 19 or responsible for an educational, correctional, charitable, or
 20 benevolent institution or training school to fail to ensure that a child
 21 under his authority attends school as required under this chapter. Each
 22 day of violation of this section constitutes a separate offense.

23 (b) If a child is placed in an institution or facility under a court
 24 order, the institution or facility shall charge the ~~county office of the~~
 25 ~~county of the student's legal settlement under IC 12-19-7~~ **division of**
 26 **family and children** for the use of the space within the institution or
 27 facility (commonly called capital costs) that is used to provide
 28 educational services to the child based upon a prorated per student cost.

29 SECTION 54. IC 20-8.1-6.1-7, AS AMENDED BY P.L.119-1996,
 30 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JANUARY 1, 1999]: Sec. 7. (a) If a student is transferred under section
 32 2 of this chapter from a school corporation in Indiana to a public school
 33 corporation in another state, the transferor corporation shall pay the
 34 transferee corporation the full tuition fee charged by the transferee
 35 corporation. However, the amount of the full tuition fee must not
 36 exceed the amount charged by the transferor corporation for the same
 37 class of school, or if the school has no such classification, the amount
 38 must not exceed the amount charged by the geographically nearest
 39 school corporation in Indiana which has such classification.

- 40 (b) If a child is:
- 41 (1) placed by a court order in an out-of-state institution or other
- 42 facility; and

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1 (2) provided all educational programs and services by a public
 2 school corporation in the state where the child is placed, whether
 3 at the facility, the public school, or another location;
 4 the ~~county office~~ **division** of family and children ~~for the county placing~~
 5 ~~the child~~ shall pay ~~from the county family and children's fund~~ to the
 6 public school corporation in which the child is enrolled the amount of
 7 transfer tuition specified in subsection (c).

8 (c) The transfer tuition for which a ~~county office~~ **the division of**
 9 **family and children** is obligated under subsection (b) is equal to the
 10 following:

11 (1) The amount under a written agreement among the ~~county~~
 12 ~~office,~~ **division of family and children**, the institution or other
 13 facility, and the governing body of the public school corporation
 14 in the other state that specifies the amount and method of
 15 computing transfer tuition.

16 (2) The full tuition fee charged by the transferee corporation, if
 17 subdivision (1) does not apply. However, the amount of the full
 18 tuition fee must not exceed the amount charged by the transferor
 19 corporation for the same class of school, or if the school has no
 20 such classification, the amount must not exceed the amount
 21 charged by the geographically nearest school corporation in
 22 Indiana which has such classification.

23 (d) If a child is:

24 (1) placed by a court order in an out-of-state institution or other
 25 facility; and

26 (2) provided:

27 (A) onsite educational programs and services either through
 28 the facility's employees or by contract with another person
 29 or organization that is not a public school corporation; or

30 (B) educational programs and services by a nonpublic
 31 school;

32 the ~~county office~~ **division** of family and children ~~for the county placing~~
 33 ~~the child~~ shall pay ~~from the county family and children's fund~~ in an
 34 amount and in the manner specified in a written agreement between the
 35 ~~county office~~ **division** and the institution or other facility.

36 (e) ~~An agreement described in subsection (c) or (d) is subject to~~
 37 ~~the approval of the director of the division of family and children.~~
 38 ~~However,~~ For purposes of IC 4-13-2, ~~the an agreement described in~~
 39 ~~subsection (c) or (d)~~ shall not be treated as a contract.

40 SECTION 55. IC 20-8.1-6.1-8, AS AMENDED BY
 41 P.L.260-1997(ss), SECTION 58, IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 8. (a) As used in

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1 this section, the following terms have the following meanings:

2 (1) "Class of school" refers to a classification of each school or
3 program in the transferee corporation by the grades or special
4 programs taught at the school. Generally, these classifications
5 are denominated as kindergarten, elementary school, middle
6 school or junior high school, high school, and special schools or
7 classes, such as schools or classes for special education,
8 vocational training, or career education.

9 (2) "ADM" means the following:

10 (A) For purposes of allocating to a transfer student state
11 distributions under IC 21-1-30 (primetime), "ADM" as
12 computed under IC 21-1-30-2.

13 (B) For all other purposes, "ADM" as set forth in
14 IC 21-3-1.6-1.1.

15 (3) "Pupil enrollment" means the following:

16 (A) The total number of students in kindergarten through
17 grade 12 who are enrolled in a transferee school corporation
18 on a date determined by the Indiana state board of
19 education.

20 (B) The total number of students enrolled in a class of
21 school in a transferee school corporation on a date
22 determined by the Indiana state board of education.

23 However, a kindergarten student shall be counted under clauses
24 (A) and (B) as one-half (1/2) a student.

25 (4) "Special equipment" means equipment that during a school
26 year:

27 (A) is used only when a child with disabilities is attending
28 school;

29 (B) is not used to transport a child to or from a place where
30 the child is attending school;

31 (C) is necessary for the education of each child with
32 disabilities that uses the equipment, as determined under the
33 individualized instruction program for the child; and

34 (D) is not used for or by any child who is not a child with
35 disabilities.

36 The Indiana state board of education may select a different date for
37 counts under subdivision (3). However, the same date shall be used for
38 all school corporations making a count for the same class of school.

39 (b) Each transferee corporation is entitled to receive for each
40 school year on account of each transferred student, except a student
41 transferred under section 3 of this chapter, transfer tuition from the
42 transferor corporation or the state as provided in this chapter. Transfer



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1 tuition equals the amount determined under STEP THREE of the
2 following formula:

3 STEP ONE: Allocate to each transfer student the capital
4 expenditures for any special equipment used by the transfer
5 student and a proportionate share of the operating costs incurred
6 by the transferee school for the class of school where the transfer
7 student is enrolled.

8 STEP TWO: If the transferee school included the transfer
9 student in the transferee school's ADM for a school year, allocate
10 to the transfer student a proportionate share of the following
11 general fund revenues of the transferee school for, except as
12 provided in clause (C), the calendar year in which the school
13 year ends:

14 (A) The following state distributions that are computed in
15 any part using ADM or other pupil count in which the
16 student is included:

17 (i) Primetime grant under IC 21-1-30.

18 (ii) Tuition support for basic programs and at-risk
19 weights under IC 21-3-1.7-8 (before January 1, 1996)
20 and only for basic programs (after December 31,
21 1995).

22 (iii) Enrollment growth grant under IC 21-3-1.7-9.5.

23 (iv) At-risk grant under IC 21-3-1.7-9.7.

24 (v) Academic honors diploma award under
25 IC 21-3-1.7-9.8.

26 (vi) Vocational education grant under IC 21-3-1.8-3.

27 (vii) Special education grant under ~~IC 21-3-1.8~~
28 **IC 21-3-1.8-2** (repealed January 1, 1996) or
29 IC 21-3-10.

30 (viii) The portion of the ADA flat grant that is
31 available for the payment of general operating
32 expenses under IC 21-3-4.5-2(b)(1).

33 (B) For school years beginning after June 30, 1997,
34 property tax levies.

35 (C) For school years beginning after June 30, 1997, excise
36 tax revenue (as defined in IC 21-3-1.7-2) received for
37 deposit in the calendar year in which the school year begins.

38 (D) For school years beginning after June 30, 1997,
39 allocations to the transferee school under IC 6-3.5.

40 STEP THREE: Determine the greater of:

41 (A) zero (0); or

42 (B) the result of subtracting the STEP TWO amount from

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- 1 the STEP ONE amount.
- 2 If a child is placed in an institution or facility in Indiana under a court
3 order, the institution or facility shall charge the ~~county office of the~~
4 ~~county of the student's legal settlement under IC 12-19-7~~ **division of**
5 **family and children** for the use of the space within the institution or
6 facility (commonly called capital costs) that is used to provide
7 educational services to the child based upon a prorated per student cost.
- 8 (c) Operating costs shall be determined for each class of school
9 where a transfer student is enrolled. The operating cost for each class
10 of school is based on the total expenditures of the transferee
11 corporation for the class of school from its general fund expenditures
12 as specified in the classified budget forms prescribed by the state board
13 of accounts. This calculation excludes:
- 14 (1) capital outlay;
15 (2) debt service;
16 (3) costs of transportation;
17 (4) salaries of board members;
18 (5) contracted service for legal expenses; and
19 (6) any expenditure which is made out of the general fund from
20 extracurricular account receipts;
21 for the school year.
- 22 (d) The capital cost of special equipment for a school year is equal
23 to:
- 24 (1) the cost of the special equipment; divided by
25 (2) the product of:
26 (A) the useful life of the special equipment, as determined
27 under the rules adopted by the Indiana state board of
28 education; multiplied by
29 (B) the number of students using the special equipment
30 during at least part of the school year.
- 31 (e) When an item of expense or cost described in subsection (c)
32 cannot be allocated to a class of school, it shall be prorated to all
33 classes of schools on the basis of the pupil enrollment of each class in
34 the transferee corporation compared to the total pupil enrollment in the
35 school corporation.
- 36 (f) Operating costs shall be allocated to a transfer student for each
37 school year by dividing:
38 (1) the transferee school corporation's operating costs for the
39 class of school in which the transfer student is enrolled; by
40 (2) the pupil enrollment of the class of school in which the
41 transfer student is enrolled.
- 42 When a transferred student is enrolled in a transferee corporation for

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1 less than the full school year of pupil attendance, the transfer tuition
2 shall be calculated by the portion of the school year for which the
3 transferred student is enrolled. A school year of pupil attendance
4 consists of the number of days school is in session for pupil attendance.
5 A student, regardless of the student's attendance, is enrolled in a
6 transferee school unless the student is no longer entitled to be
7 transferred because of a change of residence, the student has been
8 excluded or expelled from school for the balance of the school year or
9 for an indefinite period, or the student has been confirmed to have
10 withdrawn from school. The transferor and the transferee corporation
11 may enter into written agreements concerning the amount of transfer
12 tuition due in any school year. Where an agreement cannot be reached,
13 the amount shall be determined by the Indiana state board of education,
14 and costs may be established, when in dispute, by the state board of
15 accounts.

16 (g) A transferee school shall allocate revenues described in
17 subsection (b) STEP TWO to a transfer student by dividing:

- 18 (1) the total amount of revenues received; by
- 19 (2) the ADM of the transferee school for the school year that
20 ends in the calendar year in which the revenues are received.

21 However, for state distributions under IC 21-1-30, IC 21-3-10, or any
22 other statute that computes the amount of a state distribution using less
23 than the total ADM of the transferee school, the transferee school shall
24 allocate the revenues to the transfer student by dividing the revenues
25 that the transferee school is eligible to receive in a calendar year by the
26 pupil count used to compute the state distribution.

27 (h) In lieu of the payments provided in subsection (b), the
28 transferor corporation or state owing transfer tuition may enter into a
29 long term contract with the transferee corporation governing the
30 transfer of students. This contract is for a maximum period of five (5)
31 years with an option to renew, and may specify a maximum number of
32 pupils to be transferred and fix a method for determining the amount
33 of transfer tuition and the time of payment, which may be different
34 from that provided in section 9 of this chapter.

35 (i) If the school corporation can meet the requirements of
36 IC 21-1-30-5, it may negotiate transfer tuition agreements with a
37 neighboring school corporation that can accommodate additional
38 students. Agreements under this section may be for one (1) year or
39 longer and may fix a method for determining the amount of transfer
40 tuition or time of payment that is different from the method, amount,
41 or time of payment that is provided in this section or section 9 of this
42 chapter. A school corporation may not transfer a student under this

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1 section without the prior approval of the child's parent or guardian.

2 (j) If a school corporation experiences a net financial impact with
3 regard to transfer tuition that is negative for a particular school year as
4 described in IC 6-1.1-19-5.1, the school corporation may appeal for an
5 excessive levy as provided under IC 6-1.1-19-5.1.

6 SECTION 56. IC 20-8.1-6.1-12, AS AMENDED BY
7 P.L.119-1996, SECTION 13, IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JANUARY 1, 1999]: Sec. 12. (a) Annually
9 before the date specified in the rules adopted by the Indiana state board
10 of education, each school corporation shall report the information
11 specified in subsection (b) for each student:

12 (1) for whom tuition support is paid by another school
13 corporation;

14 (2) for whom tuition support is paid by the state; and

15 (3) who is enrolled in the school corporation but has the
16 equivalent of a legal settlement in another state or country;

17 to the county office (as defined in IC 12-7-2-45) for the county in
18 which the principal office of the school corporation is located and to
19 the department of education.

20 (b) Each school corporation shall provide the following
21 information for each school year beginning with the school year
22 beginning July 1, 1994, for each category of student described in
23 subsection (a):

24 (1) The amount of tuition support and other support received for
25 the students described in subsection (a).

26 (2) The operating expenses, as determined under section 8 of this
27 chapter, incurred for the students described in subsection (a).

28 (3) Special equipment expenditures that are directly related to
29 educating students described in subsection (a).

30 (4) The number of transfer students described in subsection (a).

31 (5) Any other information required under the rules adopted by
32 the Indiana state board of education after consultation with the
33 office of the secretary of family and social services.

34 (c) The information required under this section shall be reported
35 in the format and on the forms specified by the Indiana state board of
36 education.

37 (d) Not later than November 30 of each year beginning after
38 December 31, 1994, the department of education shall compile the
39 information required from school corporations under this section and
40 submit the compiled information in the form specified by the office of
41 the secretary of family and social services to the office of the secretary
42 of family and social services.

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1 (e) Not later than November 30 of each year beginning after
 2 December 31, 1994, each county office shall submit the following
 3 information to the office of the secretary of family and social services
 4 for each child who is described in ~~IC 12-19-7-1(1)~~ **IC 12-19-1-21(a)(1)**
 5 and is placed in another state or is a student in a school outside the
 6 school corporation where the child has legal settlement:

7 (1) The name of the child.

8 (2) The name of the school corporation where the child has legal
 9 settlement.

10 (3) The last known address of the custodial parent or guardian of
 11 the child.

12 (4) Any other information required by the office of the secretary
 13 of family and social services.

14 (f) Not later than December 31 of each year beginning after
 15 December 31, 1994, the office of the secretary of family and social
 16 services shall submit a report to the members of the budget committee
 17 and the executive director of the legislative services agency that
 18 compiles and analyzes the information required from school
 19 corporations under this section. The report shall identify the types of
 20 state and local funding changes that are needed to provide adequate
 21 state and local money to educate transfer students.

22 SECTION 57. IC 31-19-26-1, AS ADDED BY P.L.1-1997,
 23 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JANUARY 1, 1999]: Sec. 1. (a) When a petition for adoption is filed
 25 seeking a subsidy and the payment of a subsidy is ordered by the court,
 26 the order must contain the following information:

27 (1) Whether a subsidy will be paid under section 2 or 3 of this
 28 chapter, or both.

29 (2) The amount of each subsidy to be paid.

30 (3) If a subsidy will be paid under section 3 of this chapter, the
 31 condition or cause covered by the subsidy.

32 (4) Any condition for the continued payment of a subsidy other
 33 than a requirement set forth in this chapter.

34 (b) ~~The county office division~~ of family and children ~~of the county~~
 35 ~~responsible for foster care of an adoptive child~~ may be ordered to pay
 36 either or both of the subsidies under this chapter to the adoptive parents
 37 or designated payees to the extent that money is available.

38 SECTION 58. IC 31-40-1-1, AS ADDED BY P.L.1-1997,
 39 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JANUARY 1, 1999]: Sec. 1. This article applies to a financial burden
 41 sustained by **the state and** a county as the result of costs paid **by the**
 42 ~~county~~ under section 2 of this chapter, including costs resulting from



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1 the institutional placement of a child adjudicated a delinquent child or
2 a child in need of services.

3 SECTION 59. IC 31-40-1-2, AS ADDED BY P.L.1-1997,
4 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 1999]: Sec. 2. (a) The **county state** shall pay the cost of:

- 6 (1) any services ordered by the juvenile court for any child or the
7 child's parent, guardian, or custodian; and
8 (2) returning a child under IC 31-37-23;

9 **except for probation, guardian ad litem, and court appointed**
10 **special advocate services. The county shall pay the cost of**
11 **probation, guardian ad litem, and court appointed special advocate**
12 **services.**

13 (b) The **state and the** county fiscal body shall provide sufficient
14 money to meet the court's requirements.

15 (c) The child's parent or the guardian of the estate of a child shall
16 reimburse the **state and** county for the costs paid under subsection (a)
17 (or IC 31-6-4-18(b) before its repeal) as provided under this article.

18 (d) After receiving a petition for reimbursement from **the state or**
19 a county that has paid for services under subsection (a) (or
20 IC 31-6-4-18(b) before its repeal), the court shall hold a hearing to
21 determine whether to order reimbursement by the child's parents or the
22 guardian of the child's estate to the **state or** county, **or both**, as
23 described under this article.

24 SECTION 60. IC 31-40-1-4, AS ADDED BY P.L.1-1997,
25 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JANUARY 1, 1999]: Sec. 4. The parent or guardian of the estate of any
27 child returned to Indiana under the interstate compact on juveniles
28 under IC 31-37-23 shall reimburse the **state and** county for all costs
29 involved in returning the child that the court orders the parent or
30 guardian to pay under section 3 of this chapter (or IC 31-6-4-18(e)
31 before its repeal) whether or not the child has been adjudicated a
32 delinquent child or a child in need of services.

33 SECTION 61. IC 31-40-1-5, AS ADDED BY P.L.1-1997,
34 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JANUARY 1, 1999]: Sec. 5. (a) Whenever the court orders institutional
36 placement of a child:

- 37 (1) the court shall refer to the child support guidelines adopted
38 by the Indiana supreme court to determine the financial
39 contribution required from each parent of the child or the
40 guardian of the child's estate;

- 41 (2) the court shall order support paid by each of the child's
42 parents or the guardian of the child's estate, except as provided



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- 1 under section 3 of this chapter; and
- 2 (3) if an existing support order is in effect, the court shall order
- 3 support payments to be assigned to the county office of family
- 4 and children for the duration of the institutional placement.
- 5 (b) When implementing this section, the ~~county office~~ **division** of
- 6 family and children shall:
- 7 (1) comply with 45 CFR 302.52 and 45 CFR 303.2; and
- 8 (2) remit all other support payments to the ~~county state~~ general
- 9 fund.
- 10 (c) A support order entered under subsection (a) (or
- 11 IC 31-6-4-18(f) before its repeal) shall be paid through the clerk of the
- 12 circuit court as trustee for remittance to the ~~county~~ **state**.
- 13 (d) The ~~county office~~ **division** of family and children shall monitor
- 14 the enforcement of support orders under subsection (a).
- 15 (e) The ~~county prosecuting~~ attorney for the ~~office of family and~~
- 16 ~~children county~~ shall seek enforcement of the support orders.
- 17 SECTION 62. THE FOLLOWING ARE REPEALED
- 18 [EFFECTIVE JANUARY 1, 1999]: IC 6-1.1-17-18; IC 6-1.1-18.6;
- 19 IC 12-7-2-117; IC 12-13-7-10; IC 12-13-7-11; IC 12-13-7-14;
- 20 IC 12-13-7-15; IC 12-13-7-16; IC 12-13-7-20; IC 12-13-8;
- 21 IC 12-13-9-1; IC 12-13-9-3; IC 12-13-9-4; IC 12-14-2-13;
- 22 IC 12-14-9-2; IC 12-14-9-3; IC 12-14-9.5; IC 12-15-1-2; IC 12-15-1-3;
- 23 IC 12-16-14; IC 12-16-15; IC 12-17-1-15; IC 12-17-3-3;
- 24 IC 12-19-1-15; IC 12-19-1-17; IC 12-19-3; IC 12-19-4; IC 12-19-5;
- 25 IC 12-19-6; IC 12-19-7; IC 12-24-6; IC 12-24-9-2; IC 12-24-9-3;
- 26 IC 12-24-9-4; IC 12-24-13-6; IC 16-35-3; IC 16-35-4.
- 27 SECTION 63. [EFFECTIVE JULY 1, 1998] (a) **As used in this**
- 28 **SECTION, "county office property tax levies" means the property**
- 29 **tax levies under or for any of the following:**
- 30 (1) **IC 12-13-8 (county medical assistance to wards fund).**
- 31 (2) **IC 12-16-14 (county hospital care for the indigent fund).**
- 32 (3) **IC 12-19-3 (county welfare fund and tax levy).**
- 33 (4) **IC 12-19-4 (county welfare administration fund and tax**
- 34 **levy).**
- 35 (5) **IC 12-19-7 (county family and children's fund).**
- 36 (6) **IC 16-35-3 (children with special health care needs**
- 37 **county fund and tax levy).**
- 38 (b) **Notwithstanding any other law, after December 31, 1998,**
- 39 **the state shall fund one hundred percent (100%) of the programs,**
- 40 **services, and activities paid from county office property tax levies**
- 41 **before January 1, 1999.**
- 42 (c) **Notwithstanding any other law, after December 31, 1998,**



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1 a county may not impose a county office property tax levy. The
2 maximum permissible levy for any fund:

- 3 (1) that is not terminated after December 31, 1998; and
4 (2) for which a county office property tax levy was imposed
5 before January 1, 1999;

6 shall be reduced to eliminate the part of the maximum levy related
7 to a county office property tax levy before January 1, 1999.

8 SECTION 64. [EFFECTIVE JULY 1, 1998] (a) As used in this
9 SECTION, "county office property tax levies" means the property
10 tax levies under or for any of the following:

- 11 (1) IC 12-13-8 (county medical assistance to wards fund).
12 (2) IC 12-16-14 (county hospital care for the indigent fund).
13 (3) IC 12-19-3 (county welfare fund and tax levy).
14 (4) IC 12-19-4 (county welfare administration fund and tax
15 levy).
16 (5) IC 12-19-7 (county family and children's fund).
17 (6) IC 16-35-3 (children with special health care needs
18 county fund and tax levy).

19 (b) As used in this SECTION, "miscellaneous revenue" means
20 tax revenue that is distributed under:

- 21 (1) the bank tax (IC 6-5-10);
22 (2) the savings and loan association tax (IC 6-5-11);
23 (3) the production credit association tax (IC 6-5-12);
24 (4) the financial institutions tax (IC 6-5.5); or
25 (5) any other statute providing for a distribution of revenue;

26 to a political subdivision based in any part on the ad valorem
27 property tax levy imposed by the political subdivision.

28 (c) For calendar year 1999 and any other year that in any part
29 conditions a distribution of miscellaneous revenue on the county
30 property tax levies first due and payable in calendar year 1998 or
31 a previous year, the distribution must be made based on the
32 adjusted property tax levy determined under this SECTION.

33 (d) The state board of tax commissioners shall determine an
34 adjusted property tax levy for each year on which a distribution
35 described in subsection (c) is based. The adjusted property tax levy
36 must exclude the county office property tax levies imposed in that
37 year.

38 (e) Before July 15, 1998, the state board of tax commissioners
39 shall certify the adjusted levy determined under subsection (d) to
40 the auditor of state, each county auditor, and the department of
41 state revenue.

42 (f) For purposes of property tax levies first due and payable



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1 after December 31, 1998, the state board of tax commissioners shall
 2 adjust property tax levies of a political subdivision to eliminate that
 3 part of a property tax levy that was imposed before January 1,
 4 1999, to make a transfer described in IC 12-15-18-5.

5 (g) The unallotted balance on December 31, 1998, of any
 6 county office property tax levies in a fund other than the state
 7 general fund shall, on January 1, 1999, be transferred to the state
 8 general fund to carry out the programs for which the money was
 9 levied. The unallotted balance on December 31, 1998, of each
 10 county welfare trust clearance fund shall be transferred on
 11 January 1, 1999, to an account in the state welfare trust clearance
 12 fund. However, by agreement between a county executive and the
 13 division of family and children, a county may retain a balance of
 14 county office property tax levies after December 31, 1998, in a fund
 15 to pay obligations incurred but not allotted for payment before
 16 January 1, 1999. The amount and time that balances shall be
 17 retained shall be governed by the agreement. Money transferred
 18 to the state under this subsection shall be treated as money from
 19 state revenues.

20 (h) The state board of tax commissioners shall reduce the
 21 maximum permissible ad valorem property tax levy of a county to
 22 reflect the transfer by this act of expenditures payable from a
 23 county general fund to the state.

24 (i) This SECTION expires December 31, 1999.

25 SECTION 65. [EFFECTIVE JULY 1, 1998] (a) After December
 26 31, 1998, a reference in a law, rule, or other document to a county
 27 office of family and children shall be treated as a reference to:

- 28 (1) the county office of family and children within the
 29 division of family and children; or
 30 (2) the division of family and children.

31 (b) The division of family and children may adopt and operate
 32 under interim guidelines to implement this SECTION. Interim
 33 guidelines adopted under this SECTION expire on the earlier of
 34 the following:

- 35 (1) A replacement interim guideline is adopted under this
 36 SECTION.
 37 (2) A rule is adopted under IC 4-22-2 to replace the interim
 38 guideline.
 39 (3) January 1, 2000.

40 (c) To the extent that the personnel, agreements and other
 41 obligations, and records and other property of a county office are
 42 not the personnel, agreements and other obligations, and records



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1 and other property of the division, after December 31, 1998, the:
 2 (1) personnel;
 3 (2) agreements and other obligations; and
 4 (3) records and other property;
 5 of a county office of family and children on December 31, 1998,
 6 shall be treated as the personnel, agreements and other obligations,
 7 and records and other property of the division of family and
 8 children.

9 (d) After December 31, 1998, a court order issued before
 10 January 1, 1998, and requiring or authorizing a county office of
 11 family and children to take an action shall be treated as an order
 12 requiring or authorizing the division of family and children to take
 13 the action. However, this subsection does not authorize the division
 14 of family and children to impose a property tax levy.

15 (e) After December 31, 1998:

16 (1) trust funds administered by; and
 17 (2) wardships and guardianships granted to;
 18 a county office of family and children before January 1, 1999, shall
 19 be administered by the division of family and children.

20 (f) The following funds are abolished:

- 21 (1) State medical assistance to wards fund.
 22 (2) The state welfare fund.
 23 (3) Institution clothing fund established under IC 12-24-6-1
 24 (repealed by this act).

25 Unallotted money in a fund described in this subsection on
 26 December 31, 1998, shall on January 1, 1999, be transferred to an
 27 account in the state general fund.

28 (g) The unallotted balances on December 31, 1998, of any trust
 29 fund established under IC 12-19-1-15, as repealed by this act, shall
 30 be transferred to an appropriate trust fund under the
 31 administration of the division of family and children. The amount
 32 transferred shall be used only in a manner consistent with the
 33 intention of the donor of the property and for the following
 34 purposes:

- 35 (1) For the benefit of a home or an institution in which
 36 dependent or neglected children are cared for under the
 37 supervision of the county office.
 38 (2) For the benefit of children who are committed to the care
 39 or supervision of the county office.

40 SECTION 66. [EFFECTIVE JULY 1, 1998] (a) As used in this
 41 SECTION, "committee" refers to the human services committee.

42 (b) The human services committee is established. The

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- 1 committee consists of twenty (20) members as follows:
- 2 (1) Four (4) members of the senate finance committee to be
- 3 appointed by the president pro tempore of the senate.
- 4 (2) Four (4) members of the senate finance committee to be
- 5 appointed by the minority leader of the senate.
- 6 (3) Six (6) members of the house ways and means committee
- 7 to be appointed by the speaker of the house of
- 8 representatives.
- 9 (4) Six (6) members of the house ways and means committee
- 10 to be appointed by a member of the house of representatives
- 11 who is the legislative leader of a major political party (as
- 12 defined in IC 3-5-2-30) that is not the same party as the
- 13 speaker of the house of representatives.
- 14 (c) A member appointed under this SECTION serves at the
- 15 pleasure of the appointing authority. If a vacancy exists on the
- 16 committee, the vacancy shall be filled by the person who made the
- 17 original appointment.
- 18 (d) The chairman of the legislative council shall name the
- 19 chairperson of the committee. The chairperson of the committee
- 20 serves at the pleasure of the chairman of the legislative council.
- 21 (e) The committee shall meet at least eight (8) times each year.
- 22 The chairperson shall call the first meeting of the committee before
- 23 August 31, 1998.
- 24 (f) The committee shall provide for the introduction of
- 25 legislation in the 1999 and 2000 regular sessions of the general
- 26 assembly to do the following:
- 27 (1) Make appropriate changes to references in statutes that
- 28 are required by this act.
- 29 (2) Revise and consolidate the statutes relating to the
- 30 reorganization of county offices of family and children under
- 31 this act.
- 32 (3) Otherwise implement this act.
- 33 (g) The committee may study any issue related to its
- 34 responsibilities.
- 35 (h) The committee shall operate under the direction of the
- 36 legislative council. The legislative services agency shall staff the
- 37 committee. The office of the secretary of family and social services
- 38 shall assist the committee as directed by the chairperson of the
- 39 committee.
- 40 (i) The committee shall issue:
- 41 (1) an interim report before November 2, 1998, and at other
- 42 times as determined by the legislative council; and



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- 1 **(2) a final report before November 2, 1999.**
- 2 **Copies of each report shall be given to the governor and the**
- 3 **legislative council.**
- 4 **(j) Each member of the committee is entitled to receive the**
- 5 **same per diem, mileage, and travel allowances paid to members of**
- 6 **the general assembly serving on interim study committees**
- 7 **established by the legislative council.**
- 8 **(k) This SECTION expires December 31, 1999.**

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