

HOUSE BILL No. 1307

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-4-1-29.

Synopsis: State disaster relief fund. Establishes the state disaster relief fund as a nonreverting fund to provide grants to assist counties, cities, and towns in paying for costs resulting from disasters. Appropriates \$16,000,000 from the state general fund to the state disaster relief fund during the biennium beginning July 1, 1999. Provides that the state emergency management agency administers the grant program. Provides that, except in the case of multiple disasters, a county, city, or town is eligible for a grant only if the damage caused to its public facilities exceeds an amount equal to one dollar multiplied by the population of the county, city, or town.

Effective: July 1, 1999.

Crosby, Oxley, Leuck, Scholer

January 12, 1999, read first time and referred to Committee on Ways and Means.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1307



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

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

1 SECTION 1. IC 10-4-1-29 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 29. (a) As used in this section, "eligible entity" means**
4 **a county, city, or town.**
5 **(b) As used in this section, "fund" refers to the state disaster**
6 **relief fund established by this section.**
7 **(c) As used in this section, "public facility" means any:**
8 **(1) building or structure;**
9 **(2) bridge, road, highway, or public way;**
10 **(3) park or recreational facility;**
11 **(4) sanitary sewer system or wastewater treatment facility;**
12 **(5) drainage or flood control facility;**
13 **(6) water treatment, water storage, or water distribution**
14 **facility; or**
15 **(7) other improvement or infrastructure;**
16 **owned by, maintained by, or operated by or on behalf of an eligible**
17 **entity.**



1 (d) The state disaster relief fund is established to provide money
2 to assist eligible entities in paying for the costs of damage to public
3 facilities resulting from disasters.

4 (e) The fund consists of money appropriated by the general
5 assembly. The fund shall be administered by the department.
6 Expenses of administering the fund shall be paid from money in the
7 fund. The treasurer of state shall invest the money in the fund not
8 currently needed to meet the obligations of the fund in the same
9 manner as other public funds may be invested. Interest that
10 accrues from these investments shall be deposited in the fund.

11 (f) Money in the fund is appropriated to carry out the purposes
12 of the fund as provided in this section. Money in the fund at the end
13 of a state fiscal year does not revert to the state general fund.

14 (g) Subject to the restrictions under this section, the department
15 may use money in the fund to make grants to an eligible entity
16 that:

17 (1) contains territory for which a disaster emergency has been
18 declared by the governor;

19 (2) has suffered damage to the entity's public facilities because
20 of the disaster for which the disaster emergency was declared;

21 (3) has applied to the department for a grant; and

22 (4) complies with all other requirements established by the
23 department.

24 (h) Except as provided in subsection (i), the department may not
25 make a grant to an eligible entity under this section unless the
26 damage to the entity's public facilities caused by the disaster
27 exceeds an amount equal to one dollar (\$1) multiplied by the
28 population of the entity. A grant to an eligible entity under this
29 subsection may not exceed an amount equal to:

30 (1) fifty percent (50%); multiplied by

31 (2) the result of:

32 (A) the total cost of the damage to the entity's public
33 facilities caused by the disaster; minus

34 (B) an amount equal to one dollar (\$1) multiplied by the
35 population of the entity.

36 (i) If the governor declares more than one (1) disaster
37 emergency in the same year for territory in an eligible entity, the
38 department may, in addition to a grant under subsection (h), make
39 a grant to the entity under this subsection if the total cumulative
40 cost of the damage to the entity's public facilities caused by the
41 disasters exceeds an amount equal to two dollars (\$2) multiplied by
42 the population of the entity. A grant to an eligible entity under this

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- 1 subsection may not exceed:
- 2 (1) the product of:
- 3 (A) fifty percent (50%); multiplied by
- 4 (B) the total cumulative cost of the damage to the entity's
- 5 public facilities caused by all disasters in the year; minus
- 6 (2) any grants previously made under subsection (h) to the
- 7 entity during the year.
- 8 (j) To qualify for a grant under this section, the executive of an
- 9 eligible entity must apply to the department on forms provided by
- 10 the department. The application must include the following:
- 11 (1) A description and estimated cost of the damage caused by
- 12 the disaster to the entity's public facilities.
- 13 (2) The manner in which the entity intends to use the grant
- 14 money.
- 15 (3) Any other information required by the department.
- 16 (k) The fiscal officer of an entity receiving a grant under this
- 17 section shall:
- 18 (1) establish a separate account within the entity's general
- 19 fund; and
- 20 (2) deposit any grant proceeds received under this section in
- 21 the account.
- 22 The state board of tax commissioners may not reduce an entity's
- 23 maximum or actual property tax levy under IC 6-1.1-18.5 on
- 24 account of grant money deposited in the account.
- 25 (l) The department shall adopt rules under IC 4-22-2 to carry
- 26 out this section.
- 27 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) The following
- 28 amounts are appropriated from the state general fund to the state
- 29 disaster relief fund established by IC 10-4-1-29, as added by this
- 30 act, to carry out the purposes of the fund:
- 31 (1) Eight million dollars (\$8,000,000) beginning July 1, 1999,
- 32 and ending June 30, 2000.
- 33 (2) Eight million dollars (\$8,000,000) beginning July 1, 2000,
- 34 and ending June 30, 2001.
- 35 (b) This SECTION expires July 1, 2001.

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