February 16, 2007

SENATE BILL No. 472

DIGEST OF SB 472 (Updated February 13, 2007 1:17 pm - DI 71)

Citations Affected: IC 10-14; IC 10-15; IC 10-19; IC 22-11; IC 22-12; IC 22-14; IC 36-8; noncode.

Synopsis: Public safety fund management. Allows an individual who has incurred loss because of a disaster to apply for a grant from the state disaster relief fund. Requires the department of homeland security (department) to provide staff support to the Indiana homeland security foundation. Removes administration of the foundation from the duties of the division of preparedness and training of the department. Creates the regional public safety training fund. Authorizes the division of fire and building safety of the department to receive money from the statewide arson investigation financial assistance fund (arson fund) for purposes of fire investigation. Removes the authority of the state fire marshal to distribute money from the arson fund. Authorizes the state fire marshal to accept gifts for deposit in the arson fund. Provides that the firefighting and emergency equipment revolving loan fund becomes the fire training infrastructure fund, and transfers money in the fund to the fire and building services fund for statewide fire training. Requires payment of loans outstanding from the revolving fund to the department for deposit in the fire and building services fund for statewide fire training.

Effective: July 1, 2007.

Wyss, Rogers

January 11, 2007, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
February 15, 2007, amended, reported favorably — Do Pass.

C o p y

February 16, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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SENATE BILL No. 472

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

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

SECTION 1. IC 10-14-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this chapter, "eligible entity" means a county, city, ~~or~~ town, **or an individual who has incurred loss because of a disaster.**

SECTION 2. IC 10-14-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The state disaster relief fund is established to provide money to assist eligible entities in paying for the costs of damage to public facilities **or individual property** resulting from disasters.

(b) The fund consists of money appropriated by the general assembly. The agency shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(c) ~~Money in the fund is appropriated to carry out the purposes of~~

~~the fund as provided in this chapter.~~ Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 3. IC 10-14-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. Subject to the restrictions under this chapter, the agency may use money in the fund to make grants to an eligible entity that:

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

(2) has suffered damage to the entity's public facilities **or individual property** because of the disaster for which the disaster emergency was declared;

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

(4) complies with all other requirements established by the agency.

SECTION 4. IC 10-14-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. **This section does not apply to an eligible entity that is an individual.** Except as provided in section 8 of this chapter, the agency may not make a grant to an eligible entity under this section unless the damage to the entity's public facilities caused by the disaster exceeds an amount equal to one dollar ($1) multiplied by the population of the entity. A grant to an eligible entity under this subsection may not exceed an amount equal to:

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

(2) the result of:

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

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

SECTION 5. IC 10-14-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. **This section does not apply to an eligible entity that is an individual.** If the governor declares more than one (1) disaster emergency in the same year for territory in an eligible entity, the agency may, in addition to a grant under section 7 of this chapter, make a grant to the entity under this section if the total cumulative cost of the damage to the entity's public facilities caused by the disasters exceeds two dollars ($2) multiplied by the population of the entity. A grant to an eligible entity under this section may not exceed:

(1) the product of:

(A) fifty percent (50%); multiplied by

(B) the total cumulative cost of the damage to the entity's

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public facilities caused by all disasters in the year; minus

(2) any grants previously made under section 7 of this chapter to the entity during the year.

SECTION 6. IC 10-14-4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. **This section does not apply to an eligible entity that is an individual.** To qualify for a grant under this chapter, the executive of an eligible entity must apply to the agency on forms provided by the agency. The application must include the following:

(1) A description and estimated cost of the damage caused by the disaster to the entity's public facilities.

(2) The manner in which the entity intends to use the grant money.

(3) Any other information required by the agency.

SECTION 7. IC 10-14-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. **This section does not apply to an eligible entity that is an individual.** The fiscal officer of an entity receiving a grant under this chapter shall:

(1) establish a separate account within the entity's general fund; and

(2) deposit any grant proceeds received under this chapter in the account.

The department of local government finance may not reduce an entity's maximum or actual property tax levy under IC 6-1.1-18.5 on account of grant money deposited in the account.

SECTION 8. IC 10-14-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 13. (a) This section applies only to an eligible entity that is an individual.**

(b) To qualify for a grant under this chapter, an eligible entity must apply to the agency on forms provided by the agency. The application must include the following:

(1) A description and estimated cost of the damage caused by the disaster to the individual's property.

(2) The manner in which the individual intends to use the grant money.

(3) Any other information required by the agency.

SECTION 9. IC 10-15-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The executive director ~~and agency, institute,~~ and department staff designated by the director shall act as advisers to the foundation.

(b) An adviser to the foundation may do the following:

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(1) Attend all meetings of the foundation.

(2) Participate in all proceedings at foundation meetings other than voting.

(c) The department shall provide staff support to the foundation.

SECTION 10. IC 10-15-3-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 12. (a) The regional public safety training fund is established for the purpose of providing regional and advanced training for public safety service providers. The fund shall be administered by the department.**

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. Any amount remaining in the fund at the end of a state fiscal year that was not appropriated to the fund shall be transferred to the fire training infrastructure fund established under IC 22-14-5-1.

SECTION 11. IC 10-19-5-2, AS ADDED BY P.L.22-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The division shall administer ~~the following: (1) IC 10-15. (2)~~ all ~~other~~ state emergency management and response training programs.

SECTION 12. IC 22-11-14-12, AS ADDED BY P.L.187-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) A user fee, known as the public safety fee, is imposed on retail transactions made in Indiana of fireworks, in accordance with section 13 of this chapter.

(b) A person who acquires fireworks in a retail transaction is liable for the public safety fee on the transaction and, except as otherwise provided in this chapter, shall pay the public safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the public safety fee as an agent for the state.

(c) The public safety fee shall be deposited in the state general fund. **The department of state revenue shall annually transfer the monies received from the public safety fees as follows:**

(1) Two million dollars ($2,000,000) shall be deposited in the regional public safety training fund established under

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IC 10-15-3-12.

(2) Any additional monies received shall be deposited in the state disaster relief fund established under IC 10-14-4-5.

(d) The department of state revenue shall adopt rules under IC 4-22-2 necessary for the collection **and distribution** of the public safety fee monies from retailers as described in subsections (b) and (c).

SECTION 13. IC 22-12-6-2, AS AMENDED BY P.L.1-2006, SECTION 353, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The statewide arson investigation financial assistance fund is established to provide ~~money~~ **resources** to:

(1) prosecuting attorneys;

(2) local police departments;

(3) the state police department;

(4) arson task forces; ~~and~~

(5) fire departments that have arson investigating teams or arson task forces; **and**

(6) the division of fire and building safety established by IC 10-19-7-1 for purposes of fire investigation.

(b) The department shall administer the fund. ~~The state fire marshal shall distribute the money from the fund in accordance with the rules adopted under IC 4-22-2 by the commission and the commissioner of insurance.~~

(c) The fund consists of money deposited in the fund by the executive director of the department. The department, **the state fire marshal,** and the division of fire and building safety may accept gifts and grants from any source to be deposited in the fund and to be used for the purposes of this section.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 14. IC 22-14-5-1, AS AMENDED BY P.L.1-2006, SECTION 376, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The ~~firefighting and emergency equipment revolving loan~~ **fire training infrastructure** fund is established. The division shall administer the ~~revolving~~ fund. The ~~revolving~~ fund must be used for the purposes of:

(1) ~~providing loans for the purchase of new or used firefighting and other emergency equipment or apparatus under this chapter;~~ **providing grants to construct training facilities and purchase training equipment;** and

(2) paying the costs of administering this chapter.

(b) The ~~revolving~~ fund consists of:

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(1) amounts appropriated by the general assembly;

~~(2) the repayment proceeds (including interest) of loans made from the revolving fund;~~

~~(3)~~ **(2)** donations, grants, and money received from any other source; and

~~(4)~~ **(3)** amounts that the department transfers to the ~~revolving~~ fund from the fire and building services fund.

(c) The treasurer of state shall invest the money in the ~~revolving~~ fund not currently needed to meet the obligations of the ~~revolving~~ fund in the same manner as other public funds may be invested.

(d) Money in the ~~revolving~~ fund at the end of the fiscal year does not revert to the state general fund.

(e) The ~~revolving~~ fund is subject to an annual audit by the state board of accounts. The ~~revolving~~ fund shall pay all costs of the audit.

SECTION 15. IC 36-8-12-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. (a) A volunteer fire department may impose a charge on the owner of property, **the** owner of a vehicle, or a responsible party (as defined in IC 13-11-2-191(d)) that is involved in a hazardous material or fuel spill or chemical or hazardous material related fire (as defined in IC 13-11-2-96(b)):

(1) that is responded to by the volunteer fire department; and

(2) that members of that volunteer fire department assisted in extinguishing, containing, or cleaning up.

(b) The volunteer fire department shall bill the owner or responsible party of the vehicle for the total dollar value of the assistance that was provided, with that value determined by a method that the state fire marshal shall establish under IC 36-8-12-16. A copy of the fire incident report to the state fire marshal must accompany the bill. This billing must take place within thirty (30) days after the assistance was provided. The owner or responsible party shall remit payment directly to the governmental unit providing the service. Any money that is collected under this section may be:

(1) deposited in the township firefighting fund established in IC 36-8-13-4;

(2) used to pay principal and interest on a loan ~~under IC 22-14-5;~~ **made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus;** or

(3) used for the purchase of equipment, buildings, and property for firefighting, fire protection, and other emergency services.

(c) The volunteer fire department may maintain a civil action to

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recover an unpaid charge that is imposed under subsection (a).

SECTION 16. IC 36-8-12-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) A volunteer fire department that provides service within a jurisdiction served by the department may establish a schedule of charges for the services that the department provides not to exceed the state fire marshal's recommended schedule for services. The volunteer fire department or its agent may collect a service charge according to this schedule from the owner of property that receives service if the following conditions are met:

(1) At the following times, the department gives notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the service charge for each service that the department provides:

(A) Before the schedule of service charges is initiated.

(B) When there is a change in the amount of a service charge.

(2) The property owner has not sent written notice to the department to refuse service by the department to the owner's property.

(3) The bill for payment of the service charge:

(A) is submitted to the property owner in writing within thirty (30) days after the services are provided; and

(B) includes a copy of a fire incident report in the form prescribed by the state fire marshal, if the service was provided for an event that requires a fire incident report.

(b) A volunteer fire department shall use the revenue collected from the fire service charges under this section for:

(1) the purchase of equipment, buildings, and property for firefighting, fire protection, or other emergency services;

(2) deposit in the township firefighting fund established under IC 36-8-13-4; or

(3) to pay principal and interest on a loan ~~under IC 22-14-5.~~ **made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.**

(c) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in IC 34-6-2-110), the legislative body of a contracting political subdivision must approve the schedule of service charges established under subsection (a) before the

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schedule of service charges is initiated in that political subdivision.

(d) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) charges for services under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of service charges collected during the previous calendar year and how those funds have been expended.

(e) The state fire marshal shall annually prepare and publish a recommended schedule of service charges for fire protection services.

(f) The volunteer fire department or its agent may maintain a civil action to recover an unpaid service charge under this section.

SECTION 17. IC 36-8-12-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 17. (a) If a political subdivision has not imposed its own false alarm fee or service charge, a volunteer fire department that provides service within the jurisdiction may establish a service charge for responding to false alarms. The volunteer fire department may collect the false alarm service charge from the owner of the property if the volunteer fire department dispatches firefighting apparatus or personnel to a building or premises in the township in response to:

(1) an alarm caused by improper installation or improper maintenance; or

(2) a drill or test, if the fire department is not previously notified that the alarm is a drill or test.

However, if the owner of property that constitutes the owner's residence establishes that the alarm is under a maintenance contract with an alarm company and that the alarm company has been notified of the improper installation or maintenance of the alarm, the alarm company is liable for the payment of the fee or service charge.

(b) Before establishing a false alarm service charge, the volunteer fire department must provide notice under IC 5-3-1-4(d) in each political subdivision served by the department of the amount of the false alarm service charge. The notice required by this subsection must be given:

(1) before the false alarm service charge is initiated; and

(2) before a change in the amount of the false alarm service charge.

(c) A volunteer fire department may not collect a false alarm service charge from a property owner or alarm company unless the department's bill for payment of the service charge:

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(1) is submitted to the property owner in writing within thirty (30) days after the false alarm; and

(2) includes a copy of a fire incident report in the form prescribed by the state fire marshal.

(d) A volunteer fire department shall use the money collected from the false alarm service charge imposed under this section:

(1) for the purchase of equipment, buildings, and property for fire fighting, fire protection, or other emergency services;

(2) for deposit in the township firefighting fund established under IC 36-8-13-4; or

(3) to pay principal and interest on a loan ~~under IC 22-14-5.~~ **made by the department of homeland security established by IC 10-19-2-1 or a division of the department for the purchase of new or used firefighting and other emergency equipment or apparatus.**

(e) If at least twenty-five percent (25%) of the money received by a volunteer fire department for providing fire protection or emergency services is received under one (1) or more contracts with one (1) or more political subdivisions (as defined in IC 34-6-2-110), the legislative body of a contracting political subdivision must approve the false alarm service charge established under subsection (a) before the service charge is initiated in that political subdivision.

(f) A volunteer fire department that:

(1) has contracted with a political subdivision to provide fire protection or emergency services; and

(2) imposes a false alarm service charge under this section;

must submit a report to the legislative body of the political subdivision before April 1 of each year indicating the amount of false alarm charges collected during the previous calendar year and how those funds have been expended.

(g) The volunteer fire department may maintain a civil action to recover unpaid false alarm service charges imposed under this section.

SECTION 18. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2007]: IC 22-12-1-23.3; IC 22-14-5.

SECTION 19. [EFFECTIVE JULY 1, 2007] **(a) Notwithstanding the repeal of IC 22-14-5 by this act, the firefighting and emergency equipment revolving loan fund established by IC 22-14-5-1 shall remain in existence after June 30, 2007, if any money remains in the fund on June 30, 2007.**

(b) Money remaining in the firefighting and emergency equipment revolving loan fund on June 30, 2007, must be transferred to the fire and building services fund established by

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IC 22-12-6-1 before August 1, 2007.

(c) If money in the firefighting and emergency equipment revolving loan fund is transferred under subsection (b), the firefighting and emergency equipment revolving loan fund is abolished after the transfer under subsection (b) is completed.

(d) Notwithstanding the repeal of IC 22-14-5 by this act, if a loan under IC 22-14-5 remains outstanding on June 30, 2007, the qualified entity to whom the money was loaned shall repay the loan, subject to the original terms and conditions of the loan, to the department of homeland security established by IC 10-19-2-1 for deposit in the fire and building services fund established by IC 22-12-6-1.

(e) The department of homeland security shall use the money:

(1) transferred under subsection (b); or

(2) deposited under subsection (d);

for statewide fire training.

(f) This SECTION expires August 1, 2007.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 472, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 10-14-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. As used in this chapter, "eligible entity" means a county, city, ~~or~~ town, **or an individual who has incurred loss because of a disaster.**

SECTION 2. IC 10-14-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The state disaster relief fund is established to provide money to assist eligible entities in paying for the costs of damage to public facilities **or individual property** resulting from disasters.

(b) The fund consists of money appropriated by the general assembly. The agency shall administer the fund. Expenses of administering the fund shall be paid from money in the fund. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(c) ~~Money in the fund is appropriated to carry out the purposes of the fund as provided in this chapter.~~ Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 3. IC 10-14-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. Subject to the restrictions under this chapter, the agency may use money in the fund to make grants to an eligible entity that:

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

(2) has suffered damage to the entity's public facilities **or individual property** because of the disaster for which the disaster emergency was declared;

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

(4) complies with all other requirements established by the agency.

SECTION 4. IC 10-14-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. **This section does not apply to an eligible entity that is an individual.** Except as

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provided in section 8 of this chapter, the agency may not make a grant to an eligible entity under this section unless the damage to the entity's public facilities caused by the disaster exceeds an amount equal to one dollar ($1) multiplied by the population of the entity. A grant to an eligible entity under this subsection may not exceed an amount equal to:

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

(2) the result of:

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

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

SECTION 5. IC 10-14-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. **This section does not apply to an eligible entity that is an individual.** If the governor declares more than one (1) disaster emergency in the same year for territory in an eligible entity, the agency may, in addition to a grant under section 7 of this chapter, make a grant to the entity under this section if the total cumulative cost of the damage to the entity's public facilities caused by the disasters exceeds two dollars ($2) multiplied by the population of the entity. A grant to an eligible entity under this section may not exceed:

(1) the product of:

(A) fifty percent (50%); multiplied by

(B) the total cumulative cost of the damage to the entity's public facilities caused by all disasters in the year; minus

(2) any grants previously made under section 7 of this chapter to the entity during the year.

SECTION 6. IC 10-14-4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. **This section does not apply to an eligible entity that is an individual.** To qualify for a grant under this chapter, the executive of an eligible entity must apply to the agency on forms provided by the agency. The application must include the following:

(1) A description and estimated cost of the damage caused by the disaster to the entity's public facilities.

(2) The manner in which the entity intends to use the grant money.

(3) Any other information required by the agency.

SECTION 7. IC 10-14-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. **This section does not apply to an eligible entity that is an individual.** The fiscal officer

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of an entity receiving a grant under this chapter shall:

(1) establish a separate account within the entity's general fund; and

(2) deposit any grant proceeds received under this chapter in the account.

The department of local government finance may not reduce an entity's maximum or actual property tax levy under IC 6-1.1-18.5 on account of grant money deposited in the account.

SECTION 8. IC 10-14-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 13. (a) This section applies only to an eligible entity that is an individual.**

(b) To qualify for a grant under this chapter, an eligible entity must apply to the agency on forms provided by the agency. The application must include the following:

(1) A description and estimated cost of the damage caused by the disaster to the individual's property.

(2) The manner in which the individual intends to use the grant money.

(3) Any other information required by the agency.".

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 10. IC 10-15-3-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 12. (a) The regional public safety training fund is established for the purpose of providing regional and advanced training for public safety service providers. The fund shall be administered by the department.**

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. Any amount remaining in the fund at the end of a state fiscal year that was not appropriated to the fund shall be transferred to the fire training infrastructure fund established under IC 22-14-5-1.".

Page 1, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 12. IC 22-11-14-12, AS ADDED BY P.L.187-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) A user fee, known as the public safety fee,

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is imposed on retail transactions made in Indiana of fireworks, in accordance with section 13 of this chapter.

(b) A person who acquires fireworks in a retail transaction is liable for the public safety fee on the transaction and, except as otherwise provided in this chapter, shall pay the public safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the public safety fee as an agent for the state.

(c) The public safety fee shall be deposited in the state general fund. **The department of state revenue shall annually transfer the monies received from the public safety fees as follows:**

(1) Two million dollars ($2,000,000) shall be deposited in the regional public safety training fund established under IC 10-15-3-12.

(2) Any additional monies received shall be deposited in the state disaster relief fund established under IC 10-14-4-5.

(d) The department of state revenue shall adopt rules under IC 4-22-2 necessary for the collection **and distribution** of the public safety fee monies from retailers as described in subsections (b) and (c).".

Page 2, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 14. IC 22-14-5-1, AS AMENDED BY P.L.1-2006, SECTION 376, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The ~~firefighting and emergency equipment revolving loan~~ **fire training infrastructure** fund is established. The division shall administer the ~~revolving~~ fund. The ~~revolving~~ fund must be used for the purposes of:

(1) ~~providing loans for the purchase of new or used firefighting and other emergency equipment or apparatus under this chapter;~~ **providing grants to construct training facilities and purchase training equipment;** and

(2) paying the costs of administering this chapter.

(b) The ~~revolving~~ fund consists of:

(1) amounts appropriated by the general assembly;

~~(2) the repayment proceeds (including interest) of loans made from the revolving fund;~~

~~(3)~~ **(2)** donations, grants, and money received from any other source; and

~~(4)~~ **(3)** amounts that the department transfers to the ~~revolving~~ fund from the fire and building services fund.

(c) The treasurer of state shall invest the money in the ~~revolving~~ fund not currently needed to meet the obligations of the ~~revolving~~ fund in the same manner as other public funds may be invested.

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(d) Money in the ~~revolving~~ fund at the end of the fiscal year does not revert to the state general fund.

(e) The ~~revolving~~ fund is subject to an annual audit by the state board of accounts. The ~~revolving~~ fund shall pay all costs of the audit.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 472 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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