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# HOUSE BILL No. 1283

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-1-19.5-11; IC 36-8-16-14.

**Synopsis:** Funding of 211 services. Provides that if a local government unit's emergency telephone system fund contains sufficient funds to pay all expenses of the unit's enhanced emergency telephone system, the unit's legislative body may appropriate any funds not needed to pay the expenses of the system to support the provision of 211 services (for human services information and referral services) in a 211 service area that includes the unit. Provides that a unit that seeks to appropriate excess emergency telephone system fees for 211 services must coordinate with: (1) the recognized 211 service provider for the 211 service area that includes the unit; and (2) the utility regulatory commission; to direct the funds to the 211 services account for subsequent disbursement, in the form of a grant, to the 211 service provider serving the unit. Amends the statute establishing the 211 services account within the state general fund to: (1) allow for the appropriation of excess emergency telephone system fees to the account by local units; and (2) specify that such appropriations must be disbursed from the account as grants to the 211 service providers serving the units making the appropriations.

**Effective:** July 1, 2010.

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### VanDenburgh

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January 12, 2010, read first time and referred to Committee on Commerce, Energy, Technology and Utilities.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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# HOUSE BILL No. 1283



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

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

1 SECTION 1. IC 8-1-19.5-11, AS AMENDED BY P.L.2-2005,  
2 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2010]: Sec. 11. (a) The 211 services account is established in  
4 the state general fund to make 211 services available throughout  
5 Indiana. The account shall be administered by the commission.  
6 (b) The account consists of the following:  
7 (1) Money appropriated to the account by the general assembly.  
8 (2) **Money appropriated to the account by a unit under**  
9 **IC 36-8-16-14(f).**  
10 ~~(2)~~ (3) Funds received from the federal government for the  
11 support of 211 services in Indiana.  
12 ~~(3)~~ (4) Investment earnings, including interest, on money in the  
13 account.  
14 ~~(4)~~ (5) Money from any other source, including gifts and grants.  
15 (c) Money in the account is continuously appropriated for the  
16 purposes of this section. **Money appropriated to the account under**  
17 **subsection (b)(2) must be used for a grant described in subsection**



1 (e)(4) to the recognized 211 service provider whose 211 service area  
2 includes the unit making the appropriation. A grant made to a  
3 recognized service provider under this subsection must be used by  
4 the recognized 211 service provider for any of the purposes  
5 described in subsection (e)(4) to be carried out:

- 6 (1) throughout the 211 service area that includes the unit; or
- 7 (2) in a part of the 211 service area that must encompass the
- 8 unit.

9 (d) The commission shall annually prepare a plan for the  
10 expenditure of the money in the account. The plan must be reviewed by  
11 the state budget committee before the commission may make  
12 expenditures from the fund.

13 (e) Money in the account may be spent for the following purposes:

14 (1) The creation of a structure for a statewide 211 resources data  
15 base that:

- 16 (A) meets the Alliance for Information Referral Systems
- 17 standards for information and referral systems data bases; and
- 18 (B) is integrated with a local resources data base maintained
- 19 by a recognized 211 service provider.

20 Permissible expenditures under this subdivision include  
21 expenditures for planning, training, accreditation, and system  
22 evaluation.

23 (2) The development and implementation of a statewide 211  
24 resources data base described in subdivision (1). Permissible  
25 expenditures under this subdivision include expenditures for  
26 planning, training, accreditation, and system evaluation.

27 (3) Collecting, organizing, and maintaining information from state  
28 agencies, departments, and programs that provide human  
29 services, for access by a recognized 211 service provider.

30 (4) Providing grants to a recognized 211 service provider for any  
31 of the following purposes:

32 (A) The design, development, and implementation of 211  
33 services in a recognized 211 service provider's 211 service  
34 area. Funds provided under this subdivision may be used for  
35 planning, public awareness, training, accreditation, and  
36 evaluation.

37 (B) The provision of 211 services on an ongoing basis after the  
38 design, development, and implementation of 211 services in  
39 a recognized 211 service provider's 211 service area.

40 (C) The provision of 211 services on a twenty-four (24) hour  
41 per day, seven (7) day per week basis.

42 (f) The expenses of administering the account shall be paid from

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1 money in the account.

2 (g) The treasurer of state shall invest the money in the account not  
3 currently needed to meet the obligations of the account in the same  
4 manner as other public money may be invested.

5 (h) Money that is in the account under subsection (b)(2) through  
6 ~~(b)(4)~~ **(b)(5)** at the end of a state fiscal year does not revert to the state  
7 general fund.

8 SECTION 2. IC 36-8-16-14, AS AMENDED BY P.L.137-2008,  
9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2010]: Sec. 14. (a) **Except as provided in subsection (f)**, the  
11 emergency telephone system fees shall be used only to pay for:

12 (1) except as provided in subsection (c), the lease, purchase, or  
13 maintenance of enhanced emergency telephone equipment,  
14 including necessary computer hardware, software, and data base  
15 provisioning;

16 (2) the rates associated with the service suppliers' enhanced  
17 emergency telephone system network services;

18 (3) the personnel expenses of the emergency telephone system;

19 (4) the lease, purchase, construction, or maintenance of voice and  
20 data communications equipment, communications infrastructure,  
21 or other information technology necessary to provide emergency  
22 response services under authority of the unit imposing the fee;  
23 and

24 (5) an emergency telephone notification system under IC 36-8-21.  
25 The legislative body of the unit may appropriate money in the fund  
26 only for such an expenditure.

27 (b) This subsection applies to a county that:

28 (1) imposes a fee under section 5 of this chapter; and

29 (2) contains a municipality that operates a PSAP (as defined in  
30 IC 36-8-16.5-13).

31 Not later than January 31 of each year, the county fiscal body shall  
32 submit to each municipality described in subdivision (2) a report of all  
33 expenditures described in subsection (a) paid during the immediately  
34 preceding calendar year.

35 (c) The state board of accounts shall audit the expenditures of  
36 emergency telephone system fees made during each of the following  
37 calendar years by each unit that imposed a fee under section 5 of this  
38 chapter during the following calendar years:

39 (1) The calendar year ending December 31, 2005.

40 (2) The calendar year ending December 31, 2006.

41 (3) The calendar year ending December 31, 2007.

42 Not later than November 1, 2008, the state board of accounts shall

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1 report to the regulatory flexibility committee established by  
2 IC 8-1-2.6-4 on the audits conducted under this subsection.

3 (d) The state board of accounts annually shall audit the expenditures  
4 of emergency telephone system fees made during the immediately  
5 preceding calendar year by each unit that imposes a fee under section  
6 5 of this chapter. The state board of accounts shall conduct the first  
7 audits required by this subsection with respect to expenditures of  
8 emergency telephone system fees made during the calendar year ending  
9 December 31, 2008.

10 (e) In conducting the audits required under subsections (c) and (d),  
11 the state board of accounts shall determine whether the expenditures  
12 made by each unit are in compliance with:

13 (1) subsection (a); ~~and~~

14 (2) section 15 of this chapter, as appropriate; and

15 (3) subsection (f), as appropriate.

16 (f) **The definitions in IC 8-1-19.5 apply throughout this**  
17 **subsection. If a unit's emergency telephone system fund contains**  
18 **sufficient funds to pay all expenses of the enhanced emergency**  
19 **telephone system, including any expenses described in subsection**  
20 **(a)(1) through (a)(4), the legislative body of the unit may**  
21 **appropriate any funds not needed to pay the expenses of the**  
22 **enhanced emergency telephone system to support the provision of**  
23 **211 services in a 211 service area that includes the unit, subject to**  
24 **IC 8-1-19.5. A unit that seeks to appropriate funds for 211 services**  
25 **under this subsection must coordinate with:**

26 (1) **the recognized 211 service provider for the 211 service**  
27 **area that includes the unit; and**

28 (2) **the Indiana utility regulatory commission created by**  
29 **IC 8-1-1-2;**

30 **to direct the funds to the 211 services account established by**  
31 **IC 8-1-19.5-11 for subsequent disbursement to the 211 service**  
32 **provider described in subdivision (1) in the form of a grant**  
33 **described in IC 8-1-19.5-11(e)(4).**

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