



January 29, 2010

## SENATE BILL No. 84

DIGEST OF SB 84 (Updated January 27, 2010 6:43 pm - DI 71)

**Citations Affected:** IC 21-28; noncode.

**Synopsis:** General Assembly access to research resources. Requires state educational institutions to make research tools used by state educational institutions available to legislators and staff of the legislative services agency. Provides that a state educational institution is not required to expend additional funds or violate the terms of a subscription agreement to provide the research tools. Urges the legislative council to: (1) provide information and training concerning INSPIRE to legislators and staff; (2) request the legislative services agency to conduct a survey of legislators and staff regarding research tools; and (3) request the legislative services agency to study the feasibility of establishing a division of research and policy development within the agency.

**Effective:** Upon passage; July 1, 2010.

### Delph

January 5, 2010, read first time and referred to Committee on Education and Career Development.  
January 28, 2010, amended, reported favorably — Do Pass.

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January 29, 2010

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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## SENATE BILL No. 84

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A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

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

1 SECTION 1. IC 21-28-6 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2010]:

4 **Chapter 6. Information for Members of the General Assembly**

5 **Sec. 1. As used in this chapter, "research tool" includes:**

- 6 (1) **online research services;**  
7 (2) **online and hard copy subscriptions to publications; and**  
8 (3) **any other source of information used for research**  
9 **available to an educational institution.**

10 **Sec. 2. A state educational institution must provide access to all**  
11 **research tools available to the educational institution to each**  
12 **member of the general assembly and staff of the legislative services**  
13 **agency, at no cost, upon the request of a member of the general**  
14 **assembly or staff of the legislative services agency.**

15 **Sec. 3. A request made by a member of the general assembly or**  
16 **staff of the legislative services agency under section 2 of this**  
17 **chapter must be for the purpose of obtaining information related**

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1 to carrying out the official duties of the member of the general  
2 assembly.

3 Sec. 4. (a) Notwithstanding section 2 of this chapter, a state  
4 educational institution may deny a member of the general assembly  
5 or staff of the legislative services agency access to a research tool  
6 if the research tool was purchased through a grant or other source  
7 that limits access to use of the research tool in a way that would  
8 make granting access to the research tool a violation of the grant  
9 or agreement covering the payment for the research tool.

10 (b) Nothing in this chapter requires a state educational  
11 institution to expend additional funds or to violate the terms of a  
12 subscription agreement applicable to a journal or other research  
13 tool.

14 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this  
15 SECTION, "research tool" has the meaning set forth in  
16 IC 21-28-6-1, as added by this act.

17 (b) The legislative council is urged to provide information and  
18 annual training to members and staff of the general assembly  
19 concerning the availability and use of the more than ten thousand  
20 (10,000) research journals and other periodicals that are available  
21 at no cost to all citizens of Indiana through the Indiana state  
22 library's INSPIRE data bases.

23 (c) The legislative council is urged to request the legislative  
24 services agency to conduct a survey of all members of the general  
25 assembly, the partisan staffs of the general assembly, and the  
26 employees of the legislative services agency to determine the  
27 following:

- 28 (1) The extent to which the members and staff make regular  
29 use of the INSPIRE data bases.
- 30 (2) The specific journals and other research tools that are  
31 used to conduct legislative research.
- 32 (3) The extent to which journals and research tools that are  
33 not available through the INSPIRE data bases would assist in  
34 completing legislative responsibilities.
- 35 (4) The names of specific journals or other research tools  
36 identified under subsection (d) that a member or staff person  
37 would use if access were available without charge to the  
38 general assembly or staff.

39 (d) The legislative services agency shall gather information from  
40 the Indiana state library, the Indiana supreme court law library,  
41 and each state educational institution concerning the names of  
42 journals and other electronic research tools available in and used

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1 by the state library, supreme court library, and state educational  
2 institutions. The legislative services agency shall cause the  
3 information gathered under this subsection to be available as a  
4 part of the survey conducted under subsection (c).

5 (e) The legislative services agency shall report the results of the  
6 survey to the legislative council not later than July 1, 2010.

7 (f) The legislative council is urged to request the legislative  
8 services agency, together with the Indiana University School of  
9 Law - Indianapolis, to study the feasibility of and interest in  
10 establishing a research and policy development division within the  
11 legislative services agency. In conducting the study, the legislative  
12 services agency shall examine programs established in other states,  
13 including the cost of the programs, and use the information  
14 obtained to estimate the cost of establishing a research and policy  
15 development division in Indiana.

16 (g) This SECTION expires July 1, 2011.

17 SECTION 3. An emergency is declared for this act.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 84, 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 2, line 3, after "4." insert "(a)".

Page 2, after line 9, begin a new paragraph and insert:

**"(b) Nothing in this chapter requires a state educational institution to expend additional funds or to violate the terms of a subscription agreement applicable to a journal or other research tool.**

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "research tool" has the meaning set forth in IC 21-28-6-1, as added by this act.

(b) The legislative council is urged to provide information and annual training to members and staff of the general assembly concerning the availability and use of the more than ten thousand (10,000) research journals and other periodicals that are available at no cost to all citizens of Indiana through the Indiana state library's INSPIRE data bases.

(c) The legislative council is urged to request the legislative services agency to conduct a survey of all members of the general assembly, the partisan staffs of the general assembly, and the employees of the legislative services agency to determine the following:

- (1) The extent to which the members and staff make regular use of the INSPIRE data bases.
- (2) The specific journals and other research tools that are used to conduct legislative research.
- (3) The extent to which journals and research tools that are not available through the INSPIRE data bases would assist in completing legislative responsibilities.
- (4) The names of specific journals or other research tools identified under subsection (d) that a member or staff person would use if access were available without charge to the general assembly or staff.

(d) The legislative services agency shall gather information from the Indiana state library, the Indiana supreme court law library, and each state educational institution concerning the names of journals and other electronic research tools available in and used by the state library, supreme court library, and state educational

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institutions. The legislative services agency shall cause the information gathered under this subsection to be available as a part of the survey conducted under subsection (c).

(e) The legislative services agency shall report the results of the survey to the legislative council not later than July 1, 2010.

(f) The legislative council is urged to request the legislative services agency, together with the Indiana University School of Law - Indianapolis, to study the feasibility of and interest in establishing a research and policy development division within the legislative services agency. In conducting the study, the legislative services agency shall examine programs established in other states, including the cost of the programs, and use the information obtained to estimate the cost of establishing a research and policy development division in Indiana.

(g) This SECTION expires July 1, 2011.

SECTION 3. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 84 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 8, Nays 0.

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