

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

1 Page 99, between lines 24 and 25, begin a new paragraph and insert:
2 "SECTION 37. IC 4-12-1-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JUNE 30, 2011]: Sec. 2. As used in this
4 chapter unless a different meaning appears from the context:
5 ~~(a)~~ (1) The word "committee" means the budget committee.
6 ~~(b)~~ (2) The word "director" or the term "budget director" means
7 the person who is director of the budget agency.
8 ~~(c)~~ (3) The term "appointing authority" means the head of an
9 agency of the state.
10 ~~(d)~~ (4) The terms "agency of the state" or "agencies of the state"
11 or "state agency" or "state agencies" mean and include every
12 office, officer, board, commission, department, division, bureau,
13 committee, fund, agency, and, without limitation by reason of any
14 enumeration herein, every other instrumentality of the state of
15 Indiana, now existing or which may be created hereafter; every
16 hospital, every penal institution, and every other institutional
17 enterprise and activity of the state of Indiana, wherever located;
18 the universities and colleges supported in whole or in part by state
19 funds; the judicial department of the state of Indiana; and all
20 nongovernmental organizations receiving financial support or
21 assistance from the state of Indiana; but shall not mean nor
22 include cities, towns, townships, school cities, school towns,
23 school townships, school districts, nor other municipal
24 corporations or political subdivisions of the state.

- 1 ~~(e)~~ **(5)** The terms "budget bill," or "budget bills," shall mean a bill
 2 for an act, or two (2) or more such bills, prepared as authorized in
 3 this chapter, by which substantially all of the appropriations are
 4 made that are necessary and required to carry on state government
 5 for the budget period, if and when such bill is, or such bills are,
 6 enacted into law.
- 7 ~~(f)~~ **(6)** The term "budget report" shall mean a written explanation
 8 of the budget bill or bills, and a general statement of the reasons
 9 for the appropriations therein and of the sources and extent of
 10 state income to meet such appropriations, together with such
 11 further parts as are required by law.
- 12 ~~(g)~~ **(7)** The term "budget period" means that period of time for
 13 which appropriations are made in the budget bill or budget bills.
- 14 **(8) "Dedicated fund" refers to a special revenue fund:**
 15 **(A) in which the proceeds of specific revenue sources**
 16 **specified by state statute (other than resources for major**
 17 **capital projects) are deposited; and**
 18 **(B) from which a state statute restricts disbursements to**
 19 **specified purposes.**
- 20 **The term includes the state tuition reserve fund**
 21 **(IC 4-12-1-15.7). The term does not include the**
 22 **counter-cyclical revenue and economic stabilization fund**
 23 **(IC 4-10-18-2) or the state general fund, including the**
 24 **Medicaid contingency and reserve account of the state general**
 25 **fund (IC 4-12-1-15.5).**
- 26 SECTION 38. IC 4-12-1-12, AS AMENDED BY P.L.146-2008,
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JUNE 30, 2011]: Sec. 12. (a) Within forty-five (45) days following the
 29 adjournment of the regular session of the general assembly, the budget
 30 agency shall examine the acts of such general assembly and, with the
 31 aid of its own records and those of the budget committee, shall prepare
 32 a complete list of all appropriations made by law for the budget period
 33 beginning on July 1 following such regular session, or so made for such
 34 other period as is provided in the appropriation. While such list is being
 35 made by it the budget agency shall review and analyze the fiscal status
 36 and affairs of the state as affected by such appropriations. A written
 37 report thereof shall be made and signed by the budget director and shall
 38 be transmitted to the governor and the auditor of state. The report shall
 39 be transmitted in an electronic format under IC 5-14-6 to the general
 40 assembly.
- 41 (b) Not later than the first day of June of each calendar year, the
 42 budget agency shall prepare a list of all appropriations made by law for
 43 expenditure or encumbrance during the fiscal year beginning on the
 44 first day of July of that calendar year.
- 45 (c) Within sixty (60) days following the adjournment of any special
 46 session of the general assembly, or within such shorter period as the

1 circumstances may require, the budget agency shall prepare for and
2 transmit to the governor and members of the general assembly and the
3 auditor of state, like information and a list of sums appropriated, all as
4 is done upon the adjournment of a regular session, pursuant to
5 subsections (a) and (b) of this section to the extent the same are
6 applicable. The budget agency shall transmit any information under
7 this subsection to the general assembly in an electronic format under
8 IC 5-14-6.

9 (d) The budget agency shall administer the allotment system
10 provided in IC 4-13-2-18.

11 (e) **Subject to subsection (f)**, the budget agency may transfer,
12 assign, and reassign any appropriation or appropriations, or parts of
13 them, excepting those appropriations made to the Indiana state
14 teacher's retirement fund established by IC 5-10.4-2, made for one **(1)**
15 specific use or purpose to another use or purpose of the agency of state
16 to which the appropriation is made, but only when the uses and
17 purposes to which the funds transferred, assigned, and reassigned are
18 uses and purposes the agency of state is by law required or authorized
19 to perform. No transfer may be made as in this subsection authorized
20 unless upon the request of and with the consent of the agency of state
21 whose appropriations are involved. Except to the extent otherwise
22 specifically provided **by subsection (f) or any other law**, every
23 appropriation made and hereafter made and provided, for any specific
24 use or purpose of an agency of the state is and shall be construed to be
25 an appropriation to the agency, for all other necessary and lawful uses
26 and purposes of the agency, subject to the aforesaid request and
27 consent of the agency and concurrence of the budget agency.

28 **(f) Notwithstanding any other law, including IC 4-9.1-1-7 and**
29 **IC 4-13-2-23, neither money in a dedicated fund nor an**
30 **appropriation from a dedicated fund may be assigned, reassigned,**
31 **or transferred to another fund or another purpose unless the**
32 **assignment, reassignment, or transfer is authorized in a budget bill.**

33 ~~(g)~~ **(g)** One (1) or more emergency or contingency appropriations for
34 each fiscal year or for the budget period may be made to the budget
35 agency. Such appropriations shall be in amounts definitely fixed by
36 law, or ascertainable or determinable according to a formula, or
37 according to appropriate provisions of law taking into account the
38 revenues and income of the agency of state. No transfer shall be made

1 from any such appropriation to the regular appropriation of an agency
2 of the state except upon an order of the budget agency made pursuant
3 to the authority vested in it hereby or otherwise vested in it by law.".

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 21, 2011).

Representative Pryor