

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WITHDRAWN	Noes _____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 98, between lines 3 and 4, begin a new paragraph and insert:
- 2 "SECTION 36. IC 4-7-5 IS ADDED TO THE INDIANA CODE AS
- 3 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2011]:
- 5 **Chapter 5. Indiana Transparency Portal**
- 6 **Sec. 1. (a) As used in this chapter, "state agency" means an**
- 7 **authority, a board, a branch, a commission, a committee, a**
- 8 **department, a division, or another instrumentality of government,**
- 9 **including the administrative branch of state government, the**
- 10 **legislative branch of state government, and the judicial branch of**
- 11 **state government.**
- 12 **(b) The term does not include a state educational institution.**
- 13 **Sec. 2. The auditor of state shall:**
- 14 **(1) maintain a comprehensive data base of nonconfidential**
- 15 **information pertaining to the state's finances; and**
- 16 **(2) make the data base specified in subdivision (1) publicly**
- 17 **available on the auditor of state's Internet web site.**
- 18 **The information system described in this section is known as the**
- 19 **Indiana transparency portal.**
- 20 **Sec. 3. The Indiana transparency portal must include**
- 21 **mechanisms that readily allow a user of the system to search for,**
- 22 **display, and retrieve information maintained in the system.**
- 23 **Sec. 4. The information maintained in the Indiana transparency**
- 24 **portal must include the following:**

- 1           **(1) Budget information.**  
 2           **(2) State revenues.**  
 3           **(3) State expenditures, including expenditures for:**  
 4               **(A) the compensation of state employees; and**  
 5               **(B) state contracts.**  
 6           **(4) Fund balances.**

7           **Sec. 5. (a) The auditor of state may request that a state agency**  
 8 **furnish information held by the state agency to the auditor of state**  
 9 **for inclusion in the Indiana transparency portal.**

10           **(b) Except as provided in subsection (c), a state agency that has**  
 11 **received a request for information from the auditor of state shall**  
 12 **cooperate in furnishing the requested information to the auditor of**  
 13 **state.**

14           **(c) A state agency shall refuse a request for information from**  
 15 **the auditor of state under subsection (a) to the extent that the**  
 16 **requested information is confidential under state or federal law.**

17           **Sec. 6. If a state agency is required to submit information to the**  
 18 **auditor of state for inclusion in the Indiana transparency portal**  
 19 **under section 5 of this chapter or any other law, the state agency**  
 20 **shall submit the information in an electronic format specified by**  
 21 **the auditor of state.**

22           **Sec. 7. (a) The budget agency shall:**

- 23               **(1) determine the amount each school corporation paid in**  
 24 **interest on tax anticipation warrants during the calendar**  
 25 **years 2008 through 2010;**  
 26               **(2) total the amounts determined under subdivision (1) for**  
 27 **each calendar year; and**  
 28               **(3) submit a report to the auditor of state for inclusion in the**  
 29 **Indiana transparency portal that discloses the budget**  
 30 **agency's determinations under subdivisions (1) and (2).**

31           **(b) The auditor of state shall promptly include a report received**  
 32 **under subsection (a) in the Indiana transparency portal."**

33           Page 126, between lines 40 and 41, begin a new paragraph and  
 34 insert:

35           "SECTION 81. IC 20-49-7-13, AS ADDED BY P.L.2-2006,  
 36 SECTION 172, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JANUARY 1, 2012]: Sec. 13. **(a) This subsection**  
 38 **applies if the budget agency has not submitted the report required**  
 39 **by IC 4-7-5-7. A charter school to which money is advanced under this**  
 40 **chapter or IC 21-1-32 (before its repeal) must pay interest on the**  
 41 **advance at the rate determined under section 14 of this chapter.**

42           **(b) This subsection applies if the budget agency has submitted**  
 43 **the report required by IC 4-7-5-7. A charter school to which money**  
 44 **is advanced under this chapter or IC 21-1-32 (before its repeal) is**  
 45 **not required to pay interest on the advance. Interest imposed as a**  
 46 **condition of an advance made under this chapter or IC 21-1-32**  
 47 **(before its repeal) before July 1, 2011, is cancelled.**

1 (c) The state board shall provide that the advances are prepayable  
2 by the:

3 (1) charter school; or

4 (2) general assembly;

5 at any time.

6 SECTION 82. IC 20-49-7-14, AS ADDED BY P.L.2-2006,  
7 SECTION 172, IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE JANUARY 1, 2011]: Sec. 14. (a) The state board of  
9 finance shall establish periodically the rate of interest payable on  
10 advances under this chapter. An interest rate established under this  
11 section may not:

12 (1) be less than one percent (1%); or

13 (2) exceed four percent (4%).

14 (b) **If the budget agency submits the report required by**  
15 **IC 4-7-5-7, this section expires effective the day the report is**  
16 **submitted.**

17 SECTION 83. IC 20-49-7-15, AS ADDED BY P.L.2-2006,  
18 SECTION 172, IS AMENDED TO READ AS FOLLOWS [JANUARY  
19 1, 2012] [EFFECTIVE JANUARY 1, 2012]: Sec. 15. To ensure timely  
20 payment of an advance according to the terms of the advance, the state  
21 may withhold from funds due to the charter school to which the  
22 advance is made an amount necessary to pay the advance and, **if**  
23 **applicable**, the interest on the advance.".

24 Renumber all SECTIONS consecutively.

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

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Representative Kersey