

Adopted Rejected

# COMMITTEE REPORT

YES: 9  
NO: 0

**MR. SPEAKER:**

*Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1006, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 4-5-10-1, AS AMENDED BY P.L.177-2005,
- 3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]: Sec. 1. **(a) As used in this section, "person"**
- 5 **includes:**
- 6 **(1) an individual engaged in a trade or business; and**
- 7 **(2) a business entity or association described in IC 23.**
- 8 **(b)** The office of technology established by IC 4-13.1-2-1 and the
- 9 secretary of state shall establish policies and procedures for providing
- 10 electronic and enhanced access under this chapter to create and
- 11 maintain uniform policies and procedures for electronic and enhanced
- 12 access by the public.
- 13 **(c) The secretary of state, in collaboration with other state**

1 agencies, shall develop and maintain an Internet web site through  
 2 which a person is able to submit information simultaneously to the  
 3 secretary of state and other state agencies about the person's  
 4 formation, existence, or other trade, business, business entity, or  
 5 association activities for the purpose of complying with the  
 6 requirements of state law, including requirements concerning:

- 7 (1) pre-establishment;
- 8 (2) establishment;
- 9 (3) registration;
- 10 (4) licenses or permits;
- 11 (5) filings or reports; and
- 12 (6) transacting payments or refunds.

13 (d) If the secretary of state requests assistance from a state  
 14 agency in the development and maintenance of the Internet web  
 15 site described in subsection (c), the state agency shall furnish the  
 16 requested assistance.

17 (e) The secretary of state shall annually, on or before November  
 18 1, report to the legislative council about the progress of the  
 19 Internet web site described in subsection (c). The report must be  
 20 made:

- 21 (1) in an electronic format submitted in accordance with  
 22 IC 5-14-6; and
- 23 (2) in person, if requested by the legislative council.

24 SECTION 2. IC 4-5-10-5 IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) The electronic and enhanced  
 26 access fund is established to do the following:

- 27 (1) Improve and enhance the technology necessary and desirable  
 28 to fulfill the duties of the secretary of state **and state agencies as**  
 29 **provided in section 1 of this chapter.**
- 30 (2) Improve service to customers of the secretary of state **and**  
 31 **state agencies as provided in section 1 of this chapter.**
- 32 (3) Provide the public electronic and other enhanced access to  
 33 information maintained by:
  - 34 (A) the secretary of state under IC 23 or IC 26; **and**
  - 35 (B) the secretary of state **and state agencies as provided in**  
 36 **section 1 of this chapter.**
- 37 (4) Allow the public to conduct business electronically with  
 38 (A) the corporations division; and

1           ~~(B) the uniform commercial code division;~~  
 2           ~~of the office of the secretary of state and state agencies as~~  
 3           ~~provided in section 1 of this chapter.~~

4           (5) Acquire and finance technology necessary or desirable to  
 5           accomplish the purposes stated in subdivisions (1) through (4),  
 6           including the purchase or lease of hardware, software, and other  
 7           appropriate goods and services.

8           The secretary of state may enter into one (1) or more agreements in  
 9           furtherance of the purposes of this chapter.

10          (b) The fund consists solely of the following:

11           (1) Electronic and enhanced access fees established and collected  
 12           by the secretary of state under section 2 of this chapter.

13           (2) Other money specifically provided to the fund by law.

14          Fees collected by the secretary of state under IC 23 or IC 26 may not  
 15          be deposited into the fund.

16          (c) The secretary of state shall administer the fund.

17          (d) The expenses of administering the fund shall be paid from  
 18          money in the fund.

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

21          (f) The secretary of state may use money in the fund to pay expenses  
 22          related to the purposes of the fund as set forth in section 5 of the  
 23          chapter, to make payments under any agreement authorized by  
 24          subsection (a) or authorized by law and directly relating to the purpose  
 25          of the fund, and monies in the fund are continuously appropriated for  
 26          the purposes set forth in this chapter.

27          (g) Money in the fund not currently needed to meet the obligations  
 28          of the fund may be invested by either of the following:

29           (1) The treasurer of state in the same manner as other public  
 30           funds may be invested.

31           (2) A financial institution designated by trust agreement with the  
 32           secretary of state.

33          Interest that accrues from investment of money in the fund shall be  
 34          deposited into the fund."

35          Page 2, delete lines 1 through 8.

36          Page 5, between lines 28 and 29, begin a new paragraph and insert:

37          "**(d) The department shall report on the department's progress**  
 38          **under this section to the legislative council not later than**

- 1 **November 1, 2012, in an electronic format under IC 5-14-6."**
- 2 Page 5, line 31, delete "survey entrepreneurship" and insert
- 3 **"inventory the entrepreneurship programs conducted by**
- 4 **postsecondary educational institutions in Indiana. The commission**
- 5 **shall publish the inventory on the commission's Internet web site**
- 6 **in a form that allows students to identify the educational**
- 7 **opportunities that are available in the field of entrepreneurship,**
- 8 **after consulting with the department of workforce development**
- 9 **and the Indiana economic development corporation.**
- 10 **(b) The commission shall report the findings under subsection**
- 11 **(a) to the legislative council not later than November 1, 2011, in an**
- 12 **electronic format under IC 5-14-6."**
- 13 Page 5, delete lines 32 through 35.
- 14 Page 5, line 36, delete "(b)" and insert "(c)".
- 15 Renumber all SECTIONS consecutively.  
(Reference is to HB 1006 as introduced.)

**and when so amended that said bill do pass.**

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Representative Stemler