SENATE BILL No. 21

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-2.1-1-10; IC 2-2.1-1-14.

Synopsis: Notice of appropriation and revenue measures. Provides that committee hearings and floor votes on appropriations and revenue raising measures are subject to a waiting period of 72 hours after the bill or amendment is made available for public review. Applies to any state general fund appropriation of at least $1,000,000 and to any revenue raising measure that would raise at least $1,000,000 for the state general fund. Allows either house to waive the notice if a provision is added to the bill that states the notice requirement has been waived.

Effective: Upon passage.

Walker

January 5, 2011, read first time and referred to Committee on Appropriations.

C o p y

Introduced

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 21

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

SECTION 1. IC 2-2.1-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. ~~Procedures. Filing of Bills and Resolutions.~~ **(a)** Bills and resolutions may be filed and assigned to committees at any time after the convening of a session according to the rules of each house.

(b) During any session the standing committees of the House and Senate may announce and hold public hearings on any bill or resolution assigned to them upon the authorization of the Speaker of the House or the President Pro Tempore of the Senate, respectively, but may take no action with regard to its disposition until it is introduced according to the rules of the house of origin. **In addition, an appropriation amendment, an appropriation bill, a revenue related amendment, or a revenue related bill is subject to the requirements of section 14 of this chapter.**

SECTION 2. IC 2-2.1-1-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) The general assembly makes the**

following findings:

(1) Public participation in the legislative process improves the quality of enactments by allowing the opportunity for a detailed review by the public.

(2) The opportunity for a detailed review by the public before hearings or votes on legislation increases public trust in government and enhances respect for the general assembly by ensuring that its operation is conducted with the openness, order, and dignity befitting the citizens of Indiana.

(3) Prohibiting hearings and votes on an appropriation amendment, an appropriation bill, a revenue related amendment, or a revenue related bill until seventy-two (72) hours after the document is made public allows for public participation.

(b) As used in this section, "appropriation amendment" means any change:

(1) that is made in a bill:

(A) on the floor; or

(B) in a committee;

of either house; and

(2) that includes a state general fund appropriation of at least one million dollars ($1,000,000).

The term includes a conference committee recommendation.

(c) As used in this section, "appropriation bill" means any bill that includes a state general fund appropriation of at least one million dollars ($1,000,000).

(d) As used in this section, "revenue related amendment" means any change:

(1) that is made in a bill:

(A) on the floor; or

(B) in a committee;

of either house; and

(2) that would raise at least one million dollars ($1,000,000) in revenue for the state general fund.

The term includes a conference committee recommendation.

(e) As used in this section, "revenue related bill" means any bill that would raise at least one million dollars ($1,000,000) in revenue for the state general fund.

(f) An action taken in violation of this section is void.

(g) Subject to subsection (i)(2), a committee hearing on:

(1) an appropriation amendment;

(2) an appropriation bill;

C o p y

(3) a revenue related amendment; or
(4) a revenue related bill;
by a committee of either house may not take place until at least seventy-two (72) hours after the document (or an electronic version of the document) comprising the amendment or bill is available for public review.

(h) Subject to subsection (i)(2), a floor vote in either house for final passage of:
(1) an appropriation amendment;
(2) an appropriation bill;
(3) a revenue related amendment; or
(4) a revenue related bill;
may not take place until at least seventy-two (72) hours after the document (or an electronic version of the document) comprising the amendment or bill is available for public review.

(i) The time sensitive prohibitions of subsections (g) and (h):
(1) apply each time:
(A) an appropriation amendment;
(B) an appropriation bill;
(C) a revenue related amendment; or
(D) a revenue related bill;
is considered; but
(2) may be waived upon a two-thirds (2/3) vote of the house, with respect to floor action or action by a committee of the house, that is considering:
(A) an appropriation amendment;
(B) an appropriation bill;
(C) a revenue related amendment; or
(D) a revenue related bill.

(j) If a bill or an amendment to a bill is adopted under a waiver under subsection (i)(2), the following must be added to the digest of the bill and must appear as the contents of a separate noncode SECTION that must be added to the bill:
"The (insert house) has waived the people's right for a detailed review of this bill.".

(k) A period set forth in subsection (g) or (h) does not include Saturdays, Sundays, and holidays, except that a period applying to:
(1) an appropriation amendment;
(2) an appropriation bill;
(3) a revenue related amendment; or
(4) a revenue related bill;
includes a Saturday, Sunday, or holiday if the house (or the house

C o p y

of the committee) considering the amendment or bill is in session on that Saturday, Sunday, or holiday.

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

C o p y