



February 10, 2012

**ENGROSSED
HOUSE BILL No. 1360**

DIGEST OF HB 1360 (Updated February 8, 2012 11:26 am - DI 104)

Citations Affected: IC 16-19.

Synopsis: Anatomical gift promotion fund. Requires the Indiana Donation Alliance Foundation and Donate Life Indiana to submit an annual audited report concerning the anatomical gift promotion fund (fund) to the: (1) speaker of the house of representatives; (2) president pro tempore of the senate; (3) senate health and provider services committee; and (4) house of representatives public health committee; before February 1. Provides that money in the fund may not be distributed for any quarter of a year until the report for the previous year has been submitted. Requires that any annual reports that were not submitted before March 15, 2011, must be submitted by August 1, 2012. Extends the expiration date of the fund from July 1, 2012, to July 1, 2014.

Effective: June 30, 2012.

Welch, Grubb, Bacon

(SENATE SPONSORS — MILLER, BREAUX)

January 11, 2012, read first time and referred to Committee on Public Health.
January 25, 2012, amended, reported — Do Pass.
January 27, 2012, read second time, ordered engrossed. Engrossed.
January 30, 2012, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Health and Provider Services.
February 9, 2012, amended, reported favorably — Do Pass.

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EH 1360—LS 6586/DI 77+



February 10, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1360

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

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

- 1 SECTION 1. IC 16-19-3-26, AS AMENDED BY P.L.147-2007,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JUNE 30, 2012]: Sec. 26. (a) The anatomical gift promotion fund is
4 established. The fund consists of amounts distributed to the fund by the
5 auditor of state under IC 9-18-2-16.
6 (b) The treasurer of state shall invest the money in the fund not
7 currently needed to meet the obligations of the fund in the same
8 manner as other public funds are invested. Interest that accrues from
9 these investments shall be deposited in the fund.
10 (c) The state department shall administer the fund. Any expenses
11 incurred in administering the fund shall be paid from the fund.
12 (d) The money in the fund shall be distributed quarterly to the
13 Indiana Donation Alliance Foundation and Donate Life Indiana for the
14 purpose of implementing an organ, tissue, and marrow registry and to
15 promote organ, tissue, and marrow donation. **However, money in the**
16 **fund may not be distributed under this subsection for any quarter**
17 **of a year until the annual report for the previous year has been**

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1 **submitted under subsection (f).**

2 (e) The Indiana Donation Alliance Foundation and Donate Life
3 Indiana shall keep information regarding the identity of an individual
4 who has indicated a desire to make an organ or tissue donation
5 confidential.

6 (f) The Indiana Donation Alliance Foundation and Donate Life
7 Indiana shall submit an annual **audited** report, including a list of all
8 expenditures, to ~~the chairperson~~ of the:

- 9 (1) ~~legislative council~~; **speaker of the house of representatives;**
10 **(2) president pro tempore of the senate;**
11 ~~(2)~~ **(3) senate health and provider services committee; and**
12 ~~(3)~~ **(4) house public health committee;**

13 before ~~March 15~~. **February 1**. The report must be in an electronic
14 format under IC 5-14-6.

15 (g) Money in the fund at the end of a state fiscal year does not revert
16 to the state general fund.

17 (h) This subsection applies if the Indiana Donation Alliance
18 Foundation or Donate Life Indiana loses its status as an organization
19 exempt from federal income taxation under Section 501(c)(3) of the
20 Internal Revenue Code. The Indiana Donation Alliance Foundation and
21 Donate Life Indiana shall report in an electronic format under
22 IC 5-14-6 to the chairpersons of the senate standing committee, as
23 determined by the president pro tempore of the senate, and the house
24 standing committee, as determined by the speaker of the house of
25 representatives, that have subject matter jurisdiction over health issues.
26 The chairpersons shall review the report and recommend to the state
27 department whether to continue distributions under subsection (d).

28 **(i) Any annual reports that were not submitted by the Indiana**
29 **Donation Alliance Foundation or Donate Life Indiana before**
30 **March 15, 2011, under subsection (f) must be submitted before**
31 **August 1, 2012.**

32 ~~(j)~~ **(j)** This section expires July 1, ~~2012~~: **2014**.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1360, 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:

Page 1, line 15, after "donation." insert "**However, money in the fund may not be distributed under this subsection for any quarter of a year until the annual report for the previous year has been submitted under subsection (f).**".

Page 2, line 4, after "annual" insert "**audited**".
and when so amended that said bill do pass.

(Reference is to HB 1360 as introduced.)

BROWN T, Chair

Committee Vote: yeas 8, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1360, 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 9, delete "house;" and insert "**house of representatives;**".

Page 2, line 10, delete "tem" and insert "**tempore**".

Page 2, line 11, after "health" insert "**and provider services**".

and when so amended that said bill do pass.

(Reference is to HB 1360 as printed January 25, 2012.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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