



February 21, 2012

**ENGROSSED
SENATE BILL No. 362**

DIGEST OF SB 362 (Updated February 16, 2012 7:34 am - DI 118)

Citations Affected: IC 14-13.

Synopsis: White River park foundation. Authorizes the White River state park development commission (commission) to establish a nonprofit subsidiary corporation to solicit and accept private funding. Provides that the voting members of the commission and any other directors that the commission appoints are the members of the board of directors of the subsidiary corporation. Requires the state board of accounts to annually audit the subsidiary corporation.

Effective: July 1, 2012.

**Merritt, Waltz, Taylor,
Young R Michael, Delph**
(HOUSE SPONSOR — SPEEDY)

January 9, 2012, read first time and referred to Committee on Commerce & Economic Development.
January 17, 2012, amended, reported favorably — Do Pass.
January 19, 2012, read second time, ordered engrossed. Returned to second reading.
January 20, 2012, engrossed.
January 23, 2012, re-read second time, amended, ordered engrossed.
January 24, 2012, engrossed. Read third time, passed. Yeas 50, nays 0.
HOUSE ACTION
January 31, 2012, read first time and referred to Committee on Natural Resources.
February 20, 2012, reported — Do Pass.

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February 21, 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 SENATE BILL No. 362

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

- 1 SECTION 1. IC 14-13-1-41 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2012]: **Sec. 41. (a) The commission may establish a nonprofit
4 subsidiary corporation that is exempt from federal income taxation
5 under Section 501(c)(3) of the Internal Revenue Code, to solicit and
6 accept private funding, gifts, donations, bequests, devises, and
7 contributions.**
8 **(b) A subsidiary corporation established under this section:**
9 **(1) shall use money received under subsection (a) to carry out
10 in any manner the purposes of and programs under this
11 chapter;**
12 **(2) shall report to the budget committee each year
13 concerning:**
14 **(A) the use of money received under subsection (a); and**
15 **(B) the balances in any accounts or funds established by
16 the subsidiary corporation; and**
17 **(3) may deposit money received under subsection (a) in an**

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- 1 **account or fund that is:**
- 2 **(A) administered by the subsidiary corporation; and**
- 3 **(B) not part of the state treasury.**
- 4 **(c) A subsidiary corporation established under this section is**
- 5 **governed by a board of directors comprised of:**
- 6 **(1) the members of the commission appointed under section**
- 7 **6 of this chapter; and**
- 8 **(2) any other directors that the members of the commission**
- 9 **appoint.**
- 10 **(d) Employees of the commission shall provide administrative**
- 11 **support for a subsidiary corporation established under this section.**
- 12 **(e) The state board of accounts shall annually audit a subsidiary**
- 13 **corporation established under this section.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Economic Development, to which was referred Senate Bill No. 362, 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 1, delete line 9.

Page 1, line 10, delete "(2)" and insert "(1)".

Page 1, line 13, delete "(3)" and insert "(2)".

Page 2, line 1, delete "(4)" and insert "(3)".

Page 2, line 6, delete "following:" and insert "**members of the commission appointed under section 6 of this chapter.**".

Page 2, delete lines 7 through 11.

and when so amended that said bill do pass.

(Reference is to SB 362 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 8, Nays 0.

 SENATE MOTION

Madam President: I move that Engrossed Senate Bill 362, which is eligible for third reading, be returned to second reading for purposes of amendment.

MERRITT

 SENATE MOTION

Madam President: I move that Senate Bill 362 be amended to read as follows:

Page 2, line 5, after "comprised" delete "of" and insert "**of:**

(1)".

Page 2, line 6, delete "chapter." and insert "**chapter; and**



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(2) any other directors that the members of the commission appoint."

(Reference is to SB 362 as printed January 18, 2012.)

MERRITT

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 362, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

EBERHART, Chair

Committee Vote: yeas 9, nays 0.

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