

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 287 be amended to read as follows:

- 1 Page 4, between lines 36 and 37, begin a new paragraph and insert:
2 "SECTION 3. IC 4-13-19-13 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: **Sec. 13. (a) This section applies to any of the**
5 **following:**
6 **(1) An appropriation for the Indiana department of**
7 **administration, department of child services ombudsman**
8 **bureau.**
9 **(2) An appropriation for the Indiana department of**
10 **administration, office of the department of child services**
11 **ombudsman.**
12 **(3) An amount directly appropriated for the department of**
13 **child services ombudsman bureau.**
14 **(4) An amount directly appropriated for the office of the**
15 **department of child services ombudsman.**
16 **(b) An amount described in subsection (a):**
17 **(1) is to fund the responsibilities of the office of the**
18 **department of child services ombudsman under this chapter;**
19 **(2) does not revert to any fund at the end of any state fiscal**
20 **year but remains available for the purposes of the**
21 **appropriation in subsequent state fiscal years,**
22 **notwithstanding IC 4-13-2-19 or any other law; and**
23 **(3) is not subject to transfer to any other fund or to transfer,**
24 **assignment, or reassignment for any other use or purpose by:**

1 (A) the state board of finance notwithstanding IC 4-9.1-1-7,
2 IC 4-13-2-23, or any other law; or

3 (B) the budget agency notwithstanding IC 4-12-1-12 or any
4 other law.

5 (b) This subsection applies notwithstanding IC 4-13-2-18 or any
6 other law. The department of administration and office of the
7 department of child services ombudsman shall:

8 (1) expend amounts described in subsection (a) for the
9 purposes of the office of the department of child services
10 ombudsman in the state fiscal year for which the
11 appropriation is made; or

12 (2) encumber the appropriated amounts within that state
13 fiscal year for expenditure within a reasonable period
14 following the end of that state fiscal year.

15 The Indiana department of administration and the office of the
16 department of child services ombudsman may not withhold or
17 reduce a request for an allotment of an amount described in
18 subsection (a) in order to revert or fail to expend an appropriation
19 described in subsection (a). To the extent that an appropriation has
20 not been previously allotted, the budget agency shall allot an
21 amount described in subsection (a) to the department of
22 administration (if the appropriation was made to the Indiana
23 department of administration) or otherwise to the office of the
24 department of child services ombudsman for the purposes of the
25 office of the department of child services ombudsman upon request
26 by the Indiana department of administration or the office of the
27 department of child services ombudsman."

28 Page 18, between lines 2 and 3, begin a new paragraph and insert:

29 "SECTION 28. IC 31-9-2-20.7 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE UPON PASSAGE]: Sec. 20.7. "Committee", for the
32 purposes of IC 31-25-2-24, has the meaning set forth in
33 IC 31-25-2-24(a)."

34 Page 57, between lines 34 and 35, begin a new paragraph and insert:

35 "SECTION 91. IC 31-25-2-23 IS ADDED TO THE INDIANA
36 CODE AS A NEW SECTION TO READ AS FOLLOWS
37 [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) Beginning June 10,
38 2012, the department shall submit a report to the legislative council
39 not later than the tenth day of each month concerning the
40 department's expenditures for the preceding month.

41 (b) The report described in subsection (a) must be in an
42 electronic format under IC 5-14-6.

43 SECTION 92. IC 31-25-2-24 IS ADDED TO THE INDIANA
44 CODE AS A NEW SECTION TO READ AS FOLLOWS
45 [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) As used in this section,
46 "committee" means the audit advisory committee established by

- 1 subsection (b).
 2 (b) The audit advisory committee is established.
 3 (c) The committee consists of the following members:
 4 (1) A representative of the Children's Coalition of Indiana
 5 appointed by the minority leader of the house of
 6 representatives.
 7 (2) A representative of the Indiana Coalition for Human
 8 Services appointed by the speaker of the house of
 9 representatives.
 10 (3) A representative of IARCCA—An Association of Children
 11 and Family Services appointed by the president pro tempore
 12 of the senate.
 13 (4) A representative of Mental Health America of Indiana
 14 appointed by the minority leader of the senate.
 15 (5) A representative of the Arc of Indiana appointed by the
 16 chairman of the legislative council.
 17 (6) A representative of the Indiana Prosecuting Attorneys
 18 Council appointed by the director of the Indiana Prosecuting
 19 Attorneys Council or the director's designee.
 20 (7) A representative of the Indiana Judges Association
 21 appointed by the director of the Indiana Judges Association
 22 or the director's designee.
 23 (8) One (1) member of the house of representatives appointed
 24 by the speaker of the house of representatives.
 25 (9) One (1) member of the house of representatives appointed
 26 by the minority leader of the house of representatives.
 27 (10) One (1) member of the senate appointed by the president
 28 pro tempore of the senate.
 29 (11) One (1) member of the senate appointed by the minority
 30 leader of the senate.
 31 (d) A member of the committee listed in subsection (c)(1)
 32 through (c)(7) is not entitled to:
 33 (1) the minimum salary per diem provided by
 34 IC 4-10-11-2.1(b); or
 35 (2) reimbursement from state funds for traveling expenses
 36 and other expenses actually incurred in connection with the
 37 member's duties.
 38 (e) Each member of the committee who is a member of the
 39 general assembly is entitled to receive the same per diem, mileage,
 40 and travel allowances paid to legislative members of interim study
 41 committees established by the legislative council.
 42 (f) The committee shall select a member of the committee to
 43 serve as chairperson. The committee shall meet at the call of the
 44 chairperson of the committee. A vacancy on the committee shall be
 45 filled by the original appointing authority. The affirmative votes of
 46 a majority of the members appointed to the committee are
 47 required for the committee to take action on any measure,

- 1 including the report described in subsection (g).
 2 (g) The committee shall, not later than May 1, 2013, submit a
 3 report to the legislative council recommending the names of
 4 private entities to perform an audit of the department concerning:
 5 (1) caseworker turnover rates;
 6 (2) the effectiveness of the department's investigation of
 7 alleged child abuse and neglect reports;
 8 (3) the department's oversight of caseworkers;
 9 (4) the effectiveness and quality control of the child abuse
 10 hotline;
 11 (5) the training, education levels, and supervision of the
 12 employees who receive reports on the child abuse hotline;
 13 (6) caseload levels;
 14 (7) caseworker training; and
 15 (8) any other department matters recommended by the
 16 committee.
 17 The report described in this subsection must be in an electronic
 18 format under IC 5-14-6.
 19 (h) The legislative council shall contract with one (1) of the
 20 private entities recommended by the committee under subsection
 21 (g) to audit the department. The legislative council shall pay the
 22 expenses of an audit conducted under this section.
 23 (i) The private entity with which the legislative council contracts
 24 under subsection (h) shall provide a report concerning the audit
 25 described under subsection (g) to the legislative council not later
 26 than November 1, 2013.
 27 (j) This section expires July 1, 2014.
 28 SECTION 93. IC 31-25-2-25 IS ADDED TO THE INDIANA
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE UPON PASSAGE]: **Sec. 25. (a) An appropriation to**
 31 **the department:**
 32 (1) is to fund the responsibilities of the department specified
 33 in section 7 of this chapter;
 34 (2) does not revert to any fund at the end of any state fiscal
 35 year but remains available for the purposes of the
 36 appropriation in subsequent state fiscal years,
 37 notwithstanding IC 4-13-2-19 or any other law; and
 38 (3) is not subject to transfer to any other fund or to transfer,
 39 assignment, or reassignment for any other use or purpose by:
 40 (A) the state board of finance notwithstanding IC 4-9.1-1-7,
 41 IC 4-13-2-23, or any other law; or
 42 (B) the budget agency notwithstanding IC 4-12-1-12 or any
 43 other law.
 44 However, the budget agency may, upon request from the
 45 department, assign or reassign an appropriation to the department
 46 from one (1) purpose of the department to another purpose of the
 47 department to meet the most critical needs of children and families

1 **in Indiana.**
2 **(b) This subsection applies notwithstanding IC 4-13-2-18 or any**
3 **other law. The department shall expend amounts appropriated to**
4 **the department for the purposes of the department in the state**
5 **fiscal year for which the appropriation is made or encumber the**
6 **appropriated amounts within that state fiscal year for expenditure**
7 **within a reasonable period following the end of that state fiscal**
8 **year. The department may not withhold or reduce a request for an**
9 **allotment of an amount appropriated to the department in order**
10 **to revert or fail to expend an appropriation to the department. To**
11 **the extent that an appropriation has not been previously allotted,**
12 **the budget agency shall allot an amount appropriated to the**
13 **department for the purposes of the department upon request by**
14 **the department."**
15 Page 143, after line 20, begin a new paragraph and insert:
16 "SECTION 189. **An emergency is declared for this act.**".
17 Re-number all SECTIONS consecutively.
 (Reference is to ESB 287 as printed February 24, 2012.)

Representative Summers