

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WITHDRAWN	Noes _____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

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1205 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-13-2-14.1, AS AMENDED BY P.L.113-2010,
- 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2012]: Sec. 14.1. (a) A contract to which a state agency is a
- 6 party must be approved by the following persons:
- 7 (1) The commissioner of the Indiana department of
- 8 administration.
- 9 (2) The director of the budget agency. The director of the budget
- 10 agency is not required to approve a contract:
- 11 (A) for supplies under IC 5-22, unless the budget agency is
- 12 required to approve the contract under rules or written policies
- 13 adopted under IC 5-22; or
- 14 (B) for public works under IC 4-13.6, if the estimated cost of
- 15 the contract is less than one hundred thousand dollars
- 16 (\$100,000).
- 17 (3) The attorney general, as required by section 14.3 of this
- 18 chapter.
- 19 (b) Each of the persons listed in subsection (a) may delegate to
- 20 another person the responsibility to approve contracts under this
- 21 section. The delegation must be in writing and must be filed with the
- 22 Indiana department of administration.
- 23 (c) The Indiana department of administration may adopt rules under
- 24 IC 4-22-2 to provide for electronic approval of contracts. Electronic

1 approval may include obtaining the equivalent of a signature from all  
2 contracting parties using an electronic method that does not comply  
3 with IC 5-24 (the electronic digital signature act), so long as the  
4 method allows the party to read the terms of the contract and to  
5 manifest the party's agreement to the contract by clicking on an "ok",  
6 an "agree", or a similarly labeled button or allows the party to not agree  
7 to the contract by clicking on a "cancel", "don't agree", "close window",  
8 or similarly labeled button. Rules adopted under this subsection must  
9 provide for the following:

10 (1) Security to prevent unauthorized access to the approval  
11 process.

12 (2) The ability to convert electronic approvals into a medium  
13 allowing persons inspecting or copying contract records to know  
14 when approval has been given.

15 The rules adopted under this subsection may include any other  
16 provisions the department considers necessary.

17 (d) The Indiana department of administration shall maintain a file  
18 of information concerning contracts and leases to which a state agency  
19 is a party.

20 **(e) Before a contract may be approved under subsection (a)(1),**  
21 **the text of the contract must have been posted on the Internet**  
22 **website maintained by the Indiana department of administration**  
23 **for not less than seven (7) days."**

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1205 as printed January 11, 2012.)

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Representative Pelath