

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1003 be amended to read as follows:

- 1 Page 11, line 15, after "(1)" insert "**This subdivision does not apply**
2 **to committees appointed by a board of trustees of a state**
3 **educational institution.**".
4 Page 13, line 10, delete "(g)" and insert "**(h)**".
5 Page 13, line 12, delete "(h)" and insert "**(i)**".
6 Page 13, delete lines 39 through 42, begin a new paragraph and
7 insert:
8 "SECTION 14. IC 5-15-5.1-1 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~As used in~~ **The**
10 **following definitions apply throughout** this chapter:
11 "Commission" means the commission on public records created by
12 this chapter.
13 "Record" means all documentation of the informational,
14 communicative, or ~~decisionmaking~~ **decision making** processes of state
15 government, its agencies and subdivisions made or received by any
16 agency of state government or its employees in connection with the
17 transaction of public business or government functions, which
18 documentation is created, received, retained, maintained, or filed by
19 that agency or its successors as evidence of its activities or because of
20 the informational value of the data in the documentation, and which is
21 generated on:
22 (1) paper or paper substitutes;
23 (2) photographic or chemically based media;
24 (3) magnetic, **electronic**, or machine readable media; or
25 (4) any other materials, regardless of form or characteristics.
26 "Nonrecord materials" means all identical copies of forms, records,
27 reference books, and exhibit materials which are made, or acquired,
28 and preserved solely for reference use, exhibition purposes, or
29 publication and which are not included within the definition of record.
30 "Personal records" means:

- 1 (1) all documentary materials of a private or nonpublic character
 2 which do not relate to or have an effect upon the carrying out of
 3 the constitutional, statutory, or other official or ceremonial duties
 4 of a public official, including: diaries, journals, or other personal
 5 notes serving as the functional equivalent of a diary or journal
 6 which are not prepared or utilized for, or circulated or
 7 communicated in the course of, transacting government business;
 8 or
 9 (2) materials relating to private political associations, and having
 10 no relation to or effect upon the carrying out of constitutional,
 11 statutory, or other official or ceremonial duties of a public official
 12 and are not deemed public records.
- 13 "Form" means every piece of paper, transparent plate, or film
 14 containing information, printed, generated, or reproduced by whatever
 15 means, with blank spaces left for the entry of additional information to
 16 be used in any transaction involving the state.
- 17 "Agency" means any state office, department, division, board,
 18 bureau, commission, authority, or other separate unit of state
 19 government established by the constitution, law, or by executive or
 20 legislative order.
- 21 "Public official" means:
 22 (1) an individual holding a state office created by the Constitution
 23 of Indiana, by act or resolution of the general assembly, or by the
 24 governor;
 25 (2) all officers of the executive and administrative branch of state
 26 government; and
 27 (3) all other officers, heads, presidents, or chairmen of agencies
 28 of state government.
- 29 "Indiana state archives" means the program maintained by the
 30 commission for the preservation of those records and other government
 31 papers that have been determined by the commission to have sufficient
 32 permanent values to warrant their continued preservation by the state.
- 33 "Forms management" means the program maintained by the
 34 commission to provide continuity of forms design procedures from the
 35 form's origin up to its completion as a record by determining the:
 36 (1) form's size, style, and size of type;
 37 (2) format;
 38 (3) type of construction;
 39 (4) number of plies;
 40 (5) quality, weight and type of paper and carbon; and ~~by~~
 41 ~~determining the~~
 42 (6) use of the form for data entry as well as the distribution.
- 43 "Information management" means the program maintained by the
 44 commission for the application of management techniques to the
 45 purchase, creation, utilization, maintenance, retention, preservation,
 46 and disposal of forms and records undertaken to improve efficiency and

1 reduce costs of recordkeeping, including management of filing and
2 microfilming equipment and supplies, filing and information retrieval
3 systems, files, correspondence, reports and forms management,
4 historical documentation, micrographic retention programming, and
5 critical records protection.

6 "Records center" means a program maintained by the commission
7 primarily for the storage, processing, retrieving, servicing, and security
8 of government records that must be retained for varying periods of time
9 but should not be maintained in an agency's office equipment or space.

10 "Critical records" means records necessary to:

- 11 (1) resume or continue governmental operations;
12 (2) the reestablishing of the legal and financial responsibilities of
13 government in the state; or ~~to~~
14 (3) protect and fulfill governmental obligations to the citizens of
15 the state.

16 "Retention schedule" means a set of instructions prescribing how
17 long, where, and in what form a record series shall be kept.

18 "Records series" means documents or records that are filed in a
19 unified arrangement and having similar physical characteristics or
20 relating to a similar function or activity.

21 "Records coordinator" means a person designated by an agency to
22 serve as an information liaison person between the agency and the
23 commission."

24 Delete page 14.

25 Page 15, delete lines 1 through 40.

26 Renumber all SECTIONS consecutively.

(Reference is to EHB 1003 as printed February 15, 2012.)

Senator HOLDMAN