February 5, 2013

HOUSE BILL No. 1246

DIGEST OF HB 1246 (Updated February 4, 2013 12:33 pm - DI 77)

Citations Affected: IC 4-13.6; IC 4-37.

Synopsis: Indiana state museum. Provides an exemption to the Indiana state museum and historic sites corporation (corporation) from the law concerning certain public works contracts, policies, and practices. Provides that the corporation is subject to an annual compliance audit by the state board of accounts. (Current law requires a biennial audit.) Adds authority for the corporation's board to improve, encumber, transfer, and convey historic property. Allows the corporation's board to designate an existing nonprofit corporation to solicit and accept private funding. Provides that the Indiana state museum foundation is subject to an annual compliance audit by the state board of accounts. (Current law requires an annual audit.)

Effective: July 1, 2013.

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January 14, 2013, read first time and referred to Committee on Natural Resources.
February 5, 2013, reported — Do Pass.

C o p y

February 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

HOUSE BILL No. 1246

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

SECTION 1. IC 4-13.6-2-3, AS AMENDED BY P.L.2-2007, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) This article applies to every expenditure of public funds, regardless of their source, including federal assistance money, by any governmental body for any public works project.

(b) This article does not apply to the following:

(1) The Indiana commission for higher education.

(2) State educational institutions.

(3) Military officers and military and armory boards of the state.

(4) The state fair commission.

(5) Any entity established by the general assembly as a body corporate and politic having authority and power to issue bonds to be secured and repaid solely by revenues pledged for that purpose. However, such an entity shall comply with this article if the law creating the entity requires it to do so.

(6) The Indiana department of transportation, except to the extent that the Indiana department of transportation uses the services

provided by the department under this article.

(7) The Indiana state museum and historic sites corporation.

SECTION 2. IC 4-37-2-4, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. The corporation is subject to ~~a biennial~~ **an annual compliance** audit by the state board of accounts.

SECTION 3. IC 4-37-4-4, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) The board may accept or refuse to accept an offered gift of historic property to be administered by the board.

(b) Notwithstanding IC 4-20.5-7 and IC 5-22-22, the board may **improve, encumber,** sell, lease, **transfer, convey,** or exchange historic property administered by the board.

(c) Notwithstanding IC 5-22-22, the board may, in accordance with the board's policies, sell, donate, or exchange artifacts in the state museums' collections to or with other public or nonprofit museums or historical societies.

(d) The board may by rule establish a procedure for evaluating the merits of proposals to:

(1) accept gifts of;

(2) sell;

(3) encumber;

(4) transfer;

(5) convey; or

~~(3)~~ **(6)** exchange;

artifacts or historic property.

(e) The board may donate or make short term loans of artifacts in the museums' collections to other:

(1) public or nonprofit museums; or

(2) historical societies.

SECTION 4. IC 4-37-8-1, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The board may **designate, by adopting a resolution, an existing nonprofit corporation or** establish a nonprofit subsidiary corporation, **known as or** to be known as the Indiana state museum foundation, that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to solicit and accept private funding, gifts, donations, bequests, devises, and contributions.

SECTION 5. IC 4-37-8-5, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. The **foundation is subject to an annual compliance audit by the** state board of accounts. ~~shall annually audit~~

C o p y

1 ~~the foundation.~~

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1246, 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 11, nays 0.

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