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## SENATE BILL No. 52

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-5; IC 4-24.5.

**Synopsis:** Evaluation of agencies and programs. Provides procedures to evaluate and terminate all state agencies and programs on a ten year cycle. Requires the schools of public and environmental affairs or business schools of Indiana University, Purdue University, Ball State University, Indiana State University, and the University of Southern Indiana to develop internship programs to give credit to students who perform the evaluation of state agencies and programs, and requires the universities to provide the evaluation service under the direction of the legislative services agency. Makes appropriations necessary to implement the termination of an agency or agency program. Repeals the current law concerning the agency evaluation process, and makes conforming changes.

**Effective:** Upon passage.

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January 7, 2013, read first time and referred to Committee on Tax and Fiscal Policy.

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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.

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# SENATE BILL No. 52



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

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

1 SECTION 1. IC 2-5-1.1-6.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. (a) The council  
3 shall, upon consultation with the governor's office, develop an annual  
4 report format taking into consideration, among other things, program  
5 budgeting, with the final format to be determined by the council. The  
6 format may be distributed to any agency (as defined in ~~IC 2-5-21-1~~  
7 **IC 4-24.5-1-2**). The agency shall complete and return a copy in an  
8 electronic format under IC 5-14-6 to the legislative council before  
9 September 1 of each year for the preceding fiscal year.

10 (b) The council shall distribute one (1) copy to the governor's office,  
11 one (1) copy to the budget agency, and three (3) copies to the state  
12 library.

13 (c) The reports are a public record and are open to inspection.

14 SECTION 2. IC 2-5-1.2-1, AS AMENDED BY P.L.133-2012,  
15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b) or  
17 otherwise in this article, this chapter applies to all committees



1 established under this article.

2 (b) This chapter does not apply to the following:

3 (1) The legislative council and code revision commission  
4 (IC 2-5-1.1).

5 (2) The public officers compensation advisory commission  
6 (IC 2-5-1.6).

7 (3) The commission on interstate cooperation (IC 2-5-2).

8 (4) The commission on state tax and financing policy (IC 2-5-3).

9 (5) The natural resources study committee (IC 2-5-5).

10 (6) The pension management oversight commission (IC 2-5-12).

11 (7) The probate code study commission (IC 2-5-16).

12 (8) The administrative rules oversight committee (IC 2-5-18).

13 (9) The census data advisory committee (IC 2-5-19).

14 (10) The commission on military and veterans affairs (IC 2-5-20).

15 ~~(11) A committee covered by IC 2-5-21.~~

16 ~~(12)~~ (11) The health finance commission (IC 2-5-23).

17 ~~(13)~~ (12) The water resources study committee (IC 2-5-25).

18 ~~(14)~~ (13) The select joint commission on Medicaid oversight  
19 (IC 2-5-26).

20 ~~(15)~~ (14) The commission on developmental disabilities  
21 (IC 2-5-27.2).

22 ~~(16)~~ (15) The youth advisory council (IC 2-5-29).

23 ~~(17)~~ (16) The unemployment insurance oversight committee  
24 (IC 2-5-30).

25 ~~(18)~~ (17) The criminal law and sentencing policy study committee  
26 (IC 2-5-33.4).

27 SECTION 3. IC 2-5-21 IS REPEALED [EFFECTIVE UPON  
28 PASSAGE]. (Legislative Evaluation and Oversight of Agencies and  
29 Programs).

30 SECTION 4. IC 4-24.5 IS ADDED TO THE INDIANA CODE AS  
31 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON  
32 PASSAGE]:

33 **ARTICLE 24.5. EVALUATION AND TERMINATION OF**  
34 **AGENCIES AND PROGRAMS**

35 **Chapter 1. Definitions**

36 **Sec. 1. The definitions in this chapter apply throughout this**  
37 **article.**

38 **Sec. 2. "Agency" refers to a state agency (as defined in**  
39 **IC 4-13-1-1(b)).**

40 **Sec. 3. "Committee" refers to a committee established under**  
41 **IC 4-24.5-2.**

42 **Sec. 4. "Council" refers to the legislative council established by**

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- 1 IC 2-5-1.1-1.  
 2 Sec. 5. "Evaluating entity" refers to:  
 3 (1) the staff of the legislative services agency; or  
 4 (2) the school of public and environmental affairs or business  
 5 school of a state educational institution in Indiana;  
 6 performing an evaluation of an agency or program.  
 7 Sec. 6. "Program" means either of the following:  
 8 (1) An activity performed by an agency.  
 9 (2) An activity that an agency is authorized or required to  
 10 perform by law.  
 11 Chapter 2. Evaluation Committee  
 12 Sec. 1. (a) At the time each major subject matter group of  
 13 agencies or programs is evaluated under this article, the council  
 14 shall establish a committee of sixteen (16) members, with eight (8)  
 15 members from each chamber of the general assembly and not more  
 16 than four (4) members from each chamber from the same political  
 17 party.  
 18 (b) The speaker of the house of representatives and the  
 19 president pro tempore of the senate shall each recommend  
 20 members of relevant standing committees for appointment to a  
 21 committee for each agency, group of agencies, or programs being  
 22 evaluated.  
 23 (c) The chairman of the council, with the advice of the vice  
 24 chairman of the council, shall appoint the members of each  
 25 committee.  
 26 (d) An individual serves as a member of a committee until the  
 27 earliest of the following:  
 28 (1) The individual resigns as a member of the committee.  
 29 (2) The individual ceases to be a member of the general  
 30 assembly.  
 31 (3) The chairman of the council appoints a member to replace  
 32 the individual.  
 33 (e) The chairman of the council, with the advice of the vice  
 34 chairman of the council, shall fill a vacancy on a committee.  
 35 (f) When making appointments to a committee, the chairman of  
 36 the council, with the advice of the vice chairman of the council,  
 37 shall appoint a member of the committee as the chair of the  
 38 committee.  
 39 (g) The chair of a committee serves until the earliest of the  
 40 following:  
 41 (1) The individual resigns as chair.  
 42 (2) The individual ceases to be a member of the committee.

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- 1           (3) The chairman of the council appoints a member to replace
- 2           the individual.
- 3           (h) A committee shall be appointed for agencies and programs
- 4           before July 1 of the year in which the agencies and programs are
- 5           required to be evaluated under this article.
- 6           Sec. 2. Each committee shall do the following under the
- 7           direction of the council:
- 8           (1) Direct the staff of the legislative services agency to oversee
- 9           each evaluation under this article.
- 10          (2) Designate the school of public and environmental affairs
- 11          or business school of a state educational institution to perform
- 12          the evaluation of each agency or program scheduled for
- 13          evaluation.
- 14          (3) Direct the evaluating entities in performing each
- 15          evaluation of agencies and programs.
- 16          (4) Perform other functions assigned by the council.
- 17          (5) Review the evaluations and make recommendations to the
- 18          general assembly.
- 19          Chapter 3. Evaluation Process
- 20          Sec. 1. The following must be considered by an evaluating entity
- 21          in performing evaluations of agencies or programs under this
- 22          article:
- 23          (1) The objectives intended for the agency or program and the
- 24          problem or need that the agency or program was intended to
- 25          address.
- 26          (2) The degree to which the intended objectives of the agency
- 27          or program have been achieved, expressed in terms of
- 28          performance, effect, or accomplishments of the agency or
- 29          program.
- 30          (3) Budget and other fiscal factors relating to the agency or
- 31          program.
- 32          (4) Areas or aspects of outstanding agency or program
- 33          performance that might be effectively used by other agencies
- 34          or programs.
- 35          (5) The effect of the agency or program on the Indiana
- 36          economy, including costs to consumers and businesses.
- 37          (6) Whether the operation of the agency or program has been
- 38          efficient and responsive to public needs.
- 39          (7) The management efficiency of the agency or program and
- 40          the cost effectiveness and value of the information the agency
- 41          or program processes.
- 42          (8) Any criteria identified by the committee or council.

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1           **Sec. 2. In evaluating an agency or program, an evaluating entity**  
 2 **shall use the following:**

3           **(1) The cost benefit and cost effectiveness analysis techniques**  
 4 **used by the federal government to evaluate and reengineer**  
 5 **government programs, as set out in the circulars published by**  
 6 **the United States Office of Management and Budget and**  
 7 **related documents, including the following:**

8           **(A) OMB Circular No. A-4 (development of regulatory**  
 9 **analysis).**

10           **(B) OMB Circular No. A-76 (policy for the competition of**  
 11 **commercial activities).**

12           **(C) OMB Circular No. A-94 (discount rates for cost**  
 13 **effectiveness, lease purchase, and related analyses).**

14           **(D) OMB Circular No. A-131 (use of value engineering as**  
 15 **a management tool, where appropriate, to reduce program**  
 16 **and acquisition costs).**

17           **(2) Other tools recommended by the:**

18           **(A) council;**

19           **(B) committee;**

20           **(C) legislative services agency; or**

21           **(D) participating state educational institutions.**

22           **Sec. 3. (a) The council shall direct each committee concerning**  
 23 **the agency or programs the committee is to evaluate.**

24           **(b) The committee shall direct the legislative services agency**  
 25 **concerning support and oversight of the evaluation.**

26           **(c) The committee, through the legislative services agency, shall:**

27           **(1) choose the state educational institution to perform the**  
 28 **evaluation; and**

29           **(2) supervise the state educational institution during the:**

30           **(A) performance of the evaluation;**

31           **(B) preparation of the report; and**

32           **(C) preparation of legislation;**

33           **for the committee.**

34           **Sec. 4. Each state educational institution shall direct its school**  
 35 **of public and environmental affairs or business school to work with**  
 36 **the legislative services agency to evaluate agencies and programs.**

37           **Sec. 5. The dean of each state educational institution shall**  
 38 **appoint a tenured faculty member to oversee the evaluation**  
 39 **program of the school under section 4 of this chapter and to act as**  
 40 **liaison between the school and the legislative services agency**  
 41 **during the evaluation process.**

42           **Sec. 6. An evaluation program under section 4 of this chapter**

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1 must be designed to give graduate students and undergraduate  
 2 students of the state educational institution an opportunity to  
 3 participate in the evaluation program as unpaid interns.

4 **Sec. 7. (a) Each state educational institution shall offer elective**  
 5 **courses to undergraduate and graduate students that allow interns**  
 6 **participating in an evaluation program under section 4 of this**  
 7 **chapter to:**

8 (1) receive college credit for participating in the internship  
 9 program;

10 (2) receive sufficient education, counseling, and course work;  
 11 and

12 (3) have access to computers and other equipment to  
 13 successfully complete the internship.

14 (b) Courses offered under subsection (a) shall be submitted to  
 15 the commission for higher education in the same manner as other  
 16 proposed academic programs.

17 **Sec. 8. Each state educational institution, with advice from the**  
 18 **legislative services agency, shall develop internship responsibilities**  
 19 **and qualifications to assist students participating in an evaluation**  
 20 **program under this chapter in developing skills in:**

21 (1) math;

22 (2) computers; and

23 (3) management analysis;

24 that are readily transferrable to public and private employment.

25 **Sec. 9. A committee shall do the following:**

26 (1) Review evaluation reports.

27 (2) Take testimony regarding evaluation reports and other  
 28 sources the committee considers related to the committee's  
 29 work.

30 (3) Make recommendations for legislation regarding  
 31 evaluated programs and agencies to:

32 (A) retain the agencies and programs without change;

33 (B) change functions of the agencies and programs;

34 (C) transfer functions of certain agencies to other agencies;

35 or

36 (D) recommend administrative changes.

37 **Sec. 10. (a) The following apply to the operation of a committee:**

38 (1) A committee shall operate under the policies governing  
 39 study committees adopted by the council unless the council  
 40 specifically establishes additional guidelines for operation of  
 41 a committee under this article.

42 (2) The affirmative votes of a majority of the voting members

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- 1           appointed to a committee are required for the committee to  
2           take action on any measure, including final reports.
- 3           (b) The legislative services agency shall provide staff and  
4           administrative support for each committee as directed by the  
5           council.
- 6           (c) A committee shall prepare reports as required by the  
7           council.
- 8           **Chapter 4. Agency Responsibilities**
- 9           **Sec. 1. The chief administrative officer and the employees of an:**
- 10           (1) agency; or  
11           (2) agency that administers a program;  
12           that is subject to evaluation under this article shall cooperate with  
13           the council, a committee, or an evaluating entity as evaluating  
14           duties are performed under this article.
- 15           **Sec. 2. The chief administrative officer and the employees of an**  
16           **agency subject to evaluation or an agency that administers a**  
17           **program subject to evaluation under this article shall provide the**  
18           **legislative services agency and the state educational institution**  
19           **performing the evaluation with the following information upon**  
20           **request:**
- 21           (1) The identity of all agencies or subunits under the agency's  
22           direct or advisory control.
- 23           (2) A statement of all the agency's powers, duties, and  
24           functions currently performed.
- 25           (3) A citation to all constitutional, statutory, or other  
26           authority under which the agency carries out the agency's  
27           powers, duties, and functions.
- 28           (4) A statement of the number and types of persons the agency  
29           serves.
- 30           (5) A summary statement, for the last completed fiscal year,  
31           of the number, type, and cost of personnel the agency:
- 32           (A) directly employs; and  
33           (B) employs under contract;  
34           to carry out each program administered by the agency.
- 35           (6) A statement identifying the source of all funds for which  
36           the agency has at least some responsibility.
- 37           (7) A statement of the agency's performance and  
38           accomplishments over the last five (5) fiscal years and of the  
39           budgetary costs the agency incurred in the operation of each  
40           program administered by the agency.
- 41           (8) A summary statement of:
- 42           (A) the agency's reporting and record keeping

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1 requirements and activities, including the agency's  
2 management and control of information and records;

3 (B) the value of the information gathered by the agency  
4 compared with the cost to respondents; and

5 (C) an assessment of the agency's methods to reduce and  
6 simplify the agency's reporting and record keeping  
7 requirements.

8 (9) A summary statement of the agency's budget and program  
9 for the last five (5) fiscal years and the current fiscal year, and  
10 the agency's budget projections for the next succeeding fiscal  
11 year.

12 (10) An estimate of potential outputs of services to be  
13 produced by varying levels of budgetary inputs.

14 (11) A statement concerning any powers, duties, or functions  
15 that in the agency's opinion are being performed and  
16 duplicated to any extent by another public or private program  
17 or entity, including:

18 (A) the manner in which and the extent to which this  
19 duplication of effort is occurring; and

20 (B) any recommendations the agency has to eliminate the  
21 duplication.

22 (12) A statement of any powers, duties, or functions that in the  
23 agency's opinion are inconsistent with current and projected  
24 public demands and that should be terminated or altered.

25 (13) A statement listing the private programs or entities with  
26 which the agency has substantial contacts and a description of  
27 the nature of those contacts.

28 (14) Any other information that the committee or evaluating  
29 entity determines is necessary to complete the evaluation.

### 30 Chapter 5. Agency Termination

31 Sec. 1. (a) The agencies and programs described in subsection  
32 (d) concerning education are scheduled to be:

33 (1) evaluated beginning not later than July 1, 2013; and

34 (2) terminated and all powers, duties, and functions adhering  
35 to them terminated effective June 30, 2015.

36 (b) The council shall appoint a committee to oversee the  
37 evaluations under this section not later than July 1, 2013. The  
38 committee appointed under this subsection terminates June 30,  
39 2016.

40 (c) The committee appointed under subsection (b) shall direct an  
41 evaluating entity to begin evaluating the agencies and programs  
42 described in subsection (d) beginning July 1, 2013. The evaluating

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1 entity shall complete a report on the agencies and programs for  
 2 presentation to the committee by April 1, 2014. The committee  
 3 shall consider the report for the introduction of legislation for the  
 4 2015 regular legislative session.

5 (d) The following agencies and programs are scheduled for  
 6 evaluation and termination under this section:

7 (1) Department of education (IC 20-19-3) and all programs  
 8 for which the department of education received an  
 9 appropriation in the 2013 budget bill.

10 (2) Indiana education employment relations board  
 11 (IC 20-29-3-1).

12 (3) Indiana library and historical department (IC 4-23-7-3).

13 (4) Indiana arts commission (IC 4-23-2-1).

14 Sec. 2. (a) The agencies and programs described in subsection  
 15 (d) concerning health and human services are scheduled to be:

16 (1) evaluated under this article beginning July 1, 2014; and

17 (2) terminated and all powers, duties, and functions adhering  
 18 to them terminated effective June 30, 2016.

19 (b) The council shall appoint a committee to oversee the  
 20 evaluations under this section not later than July 1, 2014. The  
 21 committee appointed under this subsection terminates June 30,  
 22 2017.

23 (c) The committee appointed under subsection (b) shall direct an  
 24 evaluating entity to begin evaluating the agencies and programs  
 25 described in subsection (d) beginning not later than July 1, 2014.  
 26 The evaluating entity shall complete a report on the agencies and  
 27 programs for presentation to the committee by April 1, 2015. The  
 28 committee shall consider the report for the introduction of  
 29 legislation for the 2016 regular legislative session.

30 (d) The office of the secretary of family and social services  
 31 (IC 12-8-1.5-1) and all offices, divisions, and programs  
 32 administered by the office of the secretary of family and social  
 33 services are scheduled for evaluation and termination under this  
 34 section.

35 Sec. 3. (a) The agencies and programs described in subsection  
 36 (d) concerning health and human services are scheduled to be:

37 (1) evaluated under this article beginning July 1, 2015; and

38 (2) terminated and all powers, duties, and functions adhering  
 39 to them terminated effective June 30, 2017.

40 (b) The council shall appoint a committee to oversee the  
 41 evaluations under this section not later than July 1, 2015. The  
 42 committee appointed under this subsection terminates June 30,

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2 (c) The committee appointed under subsection (b) shall direct an  
3 evaluating entity to begin evaluating the agencies and programs  
4 described in subsection (d) beginning not later than July 1, 2015.  
5 The evaluating entity shall complete a report on the agencies and  
6 programs for presentation to the committee by April 1, 2016. The  
7 committee shall consider the report for the introduction of  
8 legislation for the 2017 regular legislative session.

9 (d) The following agencies and programs are scheduled for  
10 evaluation and termination under this section:

11 (1) Department of child services (IC 31-25-1-1) and all  
12 programs administered by the department.

13 (2) State department of health (IC 16-19-1-1) and all  
14 programs administered by the department.

15 (3) Indiana School for the Blind and Visually Impaired  
16 (IC 20-21-2-1).

17 (4) Indiana School for the Deaf (IC 20-22-2-1).

18 (5) Indiana department of veterans' affairs (IC 10-17-1-2).

19 Sec. 4. (a) The Indiana department of transportation  
20 (IC 8-23-2-1) is scheduled to be:

21 (1) evaluated under this article beginning July 1, 2016; and

22 (2) terminated and all powers, duties, and functions adhering  
23 to the department terminated effective June 30, 2018.

24 (b) The council shall appoint a committee to oversee the  
25 evaluations under this section not later than July 1, 2016. The  
26 committee appointed under this subsection terminates June 30,  
27 2019.

28 (c) The committee appointed under subsection (b) shall direct an  
29 evaluating entity to begin evaluating the Indiana department of  
30 transportation beginning not later than July 1, 2016. The  
31 evaluating entity shall complete a report on the Indiana  
32 department of transportation for presentation to the committee by  
33 April 1, 2017. The committee shall consider the report for the  
34 introduction of legislation for the 2018 regular legislative session.

35 Sec. 5. (a) The agencies and programs listed in subsection (d)  
36 concerning public safety are scheduled to be:

37 (1) evaluated under this article beginning July 1, 2017; and

38 (2) terminated and all powers, duties, and functions adhering  
39 to them terminated effective June 30, 2019.

40 (b) The council shall appoint a committee to oversee the  
41 evaluations under this section not later than July 1, 2017. The  
42 committee appointed under this subsection terminates June 30,

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- 1       **2020.**
- 2       (c) The committee appointed under subsection (b) shall direct an
- 3       evaluating entity to begin evaluating the agencies and programs
- 4       listed in subsection (d) beginning not later than July 1, 2017. The
- 5       evaluating entity shall complete a report on the agencies and
- 6       programs for presentation to the committee by April 1, 2018. The
- 7       committee shall consider the report for the introduction of
- 8       legislation for the 2019 regular legislative session.
- 9       (d) The following agencies and programs are scheduled for
- 10      evaluation and termination under this section:
- 11      (1) Department of correction (IC 11-8-2-1).
- 12      (2) State police department (IC 10-11-2-4).
- 13      (3) Integrated public safety commission (IC 5-26-2-1).
- 14      (4) Military department (IC 10-16-2-1).
- 15      (5) Indiana criminal justice institute (IC 5-2-6-3).
- 16      (6) Coroners training board (IC 4-23-6.5-3).
- 17      Sec. 6. (a) The agencies and programs listed in subsection (d)
- 18      concerning public safety are scheduled to be:
- 19      (1) evaluated under this article beginning July 1, 2018; and
- 20      (2) terminated and all powers, duties, and functions adhering
- 21      to them terminated effective June 30, 2020.
- 22      (b) The council shall appoint a committee to oversee the
- 23      evaluations under this section not later than July 1, 2018. The
- 24      committee appointed under this subsection terminates June 30,
- 25      2021.
- 26      (c) The committee appointed under subsection (b) shall direct an
- 27      evaluating entity to begin evaluating the agencies and programs
- 28      listed in subsection (d) beginning not later than July 1, 2018. The
- 29      evaluating entity shall complete a report on the agencies and
- 30      programs for presentation to the committee by April 1, 2019. The
- 31      committee shall consider the report for the introduction of
- 32      legislation for the 2020 regular legislative session.
- 33      (d) The following agencies and programs are scheduled for
- 34      evaluation and termination under this section:
- 35      (1) Law enforcement training board (IC 5-2-1-3).
- 36      (2) Bureau of motor vehicles (IC 9-14-1-1).
- 37      (3) Department of labor (IC 22-1-1-1).
- 38      (4) Department of insurance (IC 27-1-1-1).
- 39      (5) Alcohol and tobacco commission (IC 7.1-2-1-1).
- 40      (6) Department of financial institutions (IC 28-1).
- 41      (7) Civil rights commission (IC 22-9-1-4).
- 42      (8) Indiana professional licensing agency (IC 25-1-5-3).

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- 1           (9) Office of utility consumer counselor (IC 8-1-1.1-2).  
 2           (10) Indiana utility regulatory commission (IC 8-1-1-2).  
 3           (11) Worker's compensation board of Indiana (IC 22-3-1-1).  
 4           (12) Department of homeland security (IC 10-19-2-1).

5           **Sec. 7. (a) The agencies and programs listed in subsection (d)**  
 6 **concerning economic development are scheduled to be:**

- 7           (1) evaluated under this article beginning July 1, 2019; and  
 8           (2) terminated and all powers, duties, and functions adhering  
 9           to them terminated effective June 30, 2021.

10          (b) The council shall appoint a committee to oversee the  
 11 evaluations under this section not later than July 1, 2019. The  
 12 committee appointed under this subsection terminates June 30,  
 13 2022.

14          (c) The committee appointed under subsection (b) shall direct an  
 15 evaluating entity to begin evaluating the agencies and programs  
 16 listed in subsection (d) beginning not later than July 1, 2019. The  
 17 evaluating entity shall complete a report on the agencies and  
 18 programs for presentation to the committee by April 1, 2020. The  
 19 committee shall consider the report for the introduction of  
 20 legislation for the 2021 regular legislative session.

21          (d) The following agencies and programs are scheduled for  
 22 evaluation and termination under this section:

- 23           (1) Department of agriculture (IC 15-11-2-1).  
 24           (2) Indiana economic development corporation (IC 5-28-3-1).  
 25           (3) Indiana finance authority (IC 4-4-11).  
 26           (4) Department of workforce development (IC 22-4-18-1).

27          **Sec. 8. (a) The agencies and programs listed in subsection (d)**  
 28 **concerning conservation and environment are scheduled to be:**

- 29           (1) evaluated under this article beginning July 1, 2020; and  
 30           (2) terminated and all powers, duties, and functions adhering  
 31           to them terminated effective June 30, 2022.

32          (b) The council shall appoint a committee to oversee the  
 33 evaluations under this section not later than July 1, 2020. The  
 34 committee appointed under this subsection terminates June 30,  
 35 2023.

36          (c) The committee appointed under subsection (b) shall direct an  
 37 evaluating entity to begin evaluating the agencies and programs  
 38 listed in subsection (d) beginning not later than July 1, 2020. The  
 39 evaluating entity shall complete a report on the agencies and  
 40 programs for presentation to the committee by April 1, 2021. The  
 41 committee shall consider the report for the introduction of  
 42 legislation for the 2022 regular legislative session.

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1 (d) The following agencies and programs are scheduled for  
2 evaluation and termination under this section:

- 3 (1) Department of natural resources (IC 14-9-1-1).  
4 (2) Indiana war memorials commission (IC 10-18-1-2).  
5 (3) Department of environmental management (IC 13-13-1-1).  
6 (4) Office of environmental adjudication (IC 4-21.5-7-3).

7 Sec. 9. (a) The agencies and programs listed in subsection (d)  
8 concerning general government are scheduled to be:

- 9 (1) evaluated under this article beginning July 1, 2021; and  
10 (2) terminated and all powers, duties, and functions adhering  
11 to them terminated effective June 30, 2023.

12 (b) The council shall appoint a committee to oversee the  
13 evaluations under this section not later than July 1, 2021. The  
14 committee appointed under this subsection terminates June 30,  
15 2024.

16 (c) The committee appointed under subsection (b) shall direct an  
17 evaluating entity to begin evaluating the agencies and programs  
18 listed in subsection (d) beginning not later than July 1, 2021. The  
19 evaluating entity shall complete a report on the agencies and  
20 programs for presentation to the committee by April 1, 2022. The  
21 committee shall consider the report for the introduction of  
22 legislation for the 2023 regular legislative session.

23 (d) The following agencies and programs are scheduled for  
24 evaluation and termination under this section:

- 25 (1) State board of accounts (IC 5-11-1-1).  
26 (2) Office of management and budget (IC 4-3-22-3).  
27 (3) Budget agency (IC 4-12-1-3).  
28 (4) Department of state revenue (IC 6-8.1-2-1).  
29 (5) Indiana horse racing commission (IC 4-31-3-1).  
30 (6) Indiana department of gaming research (IC 4-33-18-2).  
31 (7) Department of local government finance (IC 4-22-5).  
32 (8) Indiana board of tax review (IC 6-1.5-2-1).  
33 (9) Indiana department of administration (IC 4-13-1-2).  
34 (10) State personnel department (IC 4-15-2.2-13).  
35 (11) Office of technology (IC 4-13.1-2-1).  
36 (12) Commission on public records (IC 5-15-5.1-3).  
37 (13) Office of the public access counselor (IC 5-14-4-5).  
38 (14) Office of the inspector general (IC 4-2-7-2).

39 Sec. 10. Each agency or program that is not terminated under  
40 this chapter is subject to the evaluation and termination process  
41 ten (10) years after the initial evaluation under this chapter and  
42 every ten (10) years thereafter.

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1           **Sec. 11. (a) The governor, by executive order, may delay the**  
2 **date on which an agency or a program is terminated for one (1)**  
3 **year beyond the date of termination specified by the council, if, in**  
4 **the governor's opinion, the delay will have a beneficial effect for**  
5 **the state on the:**

- 6           **(1) orderly and adequate provision of government services;**
- 7           **(2) safety of persons or property;**
- 8           **(3) economy;**
- 9           **(4) natural environment; or**
- 10          **(5) well-being of individuals.**

11          **(b) There is appropriated to any agency or program for which**  
12 **the governor delays the date of termination the same sum from the**  
13 **same sources of funds that the agency or program received for its**  
14 **appropriation in the fiscal year before its original date for**  
15 **termination.**

16          **(c) All powers, duties, and functions of an agency or a program**  
17 **for which the governor delays the date of termination continue in**  
18 **full force and effect during the delay period.**

19          **(d) An agency or a program may not be continued by executive**  
20 **order for more than one (1) period of one (1) year.**

21          **Chapter 6. Termination Procedures**

22          **Sec. 1. An agency or a program is terminated under this article**  
23 **unless the general assembly enacts legislation to continue the**  
24 **agency or program. If an agency or a program is terminated under**  
25 **this article, the procedures in this chapter apply.**

26          **Sec. 2. Any balance in any fund appropriated for an agency or**  
27 **a program that is terminated reverts to the fund from which the**  
28 **appropriation was made.**

29          **Sec. 3. If the functions of an agency or a program are**  
30 **transferred to another state agency or program, the balance of any**  
31 **money appropriated to the agency or program from which the**  
32 **duties were transferred shall be transferred to the agency or**  
33 **program responsible for continuing the duties of the agency or**  
34 **program.**

35          **Sec. 4. All assets and liabilities of an agency or a program that**  
36 **is terminated shall be disposed of or redistributed according to the**  
37 **legislation enacted to terminate or transfer the agency or program.**

38          **Sec. 5. The governor shall take action necessary to effect an**  
39 **orderly termination of an agency or a program that is terminated**  
40 **under this chapter.**

41          **Chapter 7. New Agencies**

42          **Sec. 1. A proposal to create a new agency or program must**

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1 include a cost benefit analysis of the services to be provided by the  
2 new agency or program using the criteria in IC 4-24.5-3.  
3       **Sec. 2. If legislation creating a new agency or program after**  
4 **June 30, 2013, does not include a provision setting the date for**  
5 **termination of the agency or program, the council shall add the**  
6 **agency or program to the list of agencies or programs under**  
7 **IC 4-24.5-5-1 through IC 4-24.5-5-9 most closely related to the**  
8 **agency or program and shall evaluate the agency or program with**  
9 **the agencies or programs with similar functions.**  
10       **SECTION 5. An emergency is declared for this act.**

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