



February 1, 2013

SENATE BILL No. 415

DIGEST OF SB 415 (Updated January 30, 2013 12:58 pm - DI 104)

Citations Affected: IC 4-12.

Synopsis: Department of health matters. Requires local boards of health to apply to the state department of health for funding from the Indiana local health department account (account). Changes distribution of funds from the account to the state department of health. (Current law provides that the auditor of state distributes the funds.) Directs distribution of the payments to the local boards of health. (Current law provides that the funds are distributed to the counties.)

Effective: Upon passage.

Miller Patricia

January 10, 2013, read first time and referred to Committee on Health and Provider Services.
January 31, 2013, amended, reported favorably — Do Pass.

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SB 415—LS 6923/DI 104+



February 1, 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.

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SENATE BILL No. 415

A BILL FOR AN ACT to amend the Indiana Code concerning health.

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

- 1 SECTION 1. IC 4-12-7-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The Indiana local health
3 department account is established within the Indiana tobacco master
4 settlement agreement fund for the purpose of ~~making distributions to~~
5 ~~each county to provide~~ **providing** funding for services provided by
6 local boards of health in ~~that~~ **each** county. The account consists of:
7 (1) money required to be distributed to the account under
8 subsection (b);
9 (2) additional amounts, if any, that another statute requires to be
10 distributed to the account from the Indiana tobacco master
11 settlement agreement fund;
12 (3) appropriations to the account from other sources; and
13 (4) grants, gifts, and donations intended for deposit in the
14 account.
15 (b) Three million dollars (\$3,000,000) of the money received by the
16 state under the master settlement agreement during each calendar year
17 beginning on or after January 1, 2001, shall be distributed to the

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1 account from the Indiana tobacco master settlement agreement fund.

2 (c) The account shall be administered by the state department of
3 health. Money in the account at the end of the state fiscal year does not
4 revert to the state general fund but remains available for expenditure.

5 SECTION 2. IC 4-12-7-5 IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE UPON PASSAGE]: Sec. 5. **(a) Except as provided in
7 subsection (e), a local board of health seeking to receive funding
8 from the account established by section 4 of this chapter must file
9 an application with the state department of health before October
10 1 of each year:**

11 **(1) specifying the planned use for the funds; and**

12 **(2) in a manner specified by the state department of health.**

13 **The state department of health may extend the deadline for filing
14 the application required by this subsection upon a showing of good
15 cause by the local board of health.**

16 ~~(a)~~ **(b)** Subject to subsection ~~(b)~~ **(d)** and subject to review by the
17 budget committee and approval by the budget agency, ~~on July 1 of each~~
18 ~~year the auditor of state shall distribute money from the account to each~~
19 ~~county before June 1 of each year the state department of health~~
20 ~~shall allocate money in the account to each county that has at least~~
21 ~~one (1) local board of health that has submitted an application that~~
22 ~~has been approved by the state department of health.~~

23 **(c) The state department of health shall make two (2)
24 distributions of the money allocated for a county described in
25 subsection (b) to the local board of health not later than January
26 1 and July 1 of the year following the year in which the allocation
27 is made under subsection (b). ~~in~~ Each distribution must be one-half
28 (1/2) of the amount determined under STEP FOUR of the following
29 formula:**

30 STEP ONE: Determine the amount of money, if any, available for
31 distribution from the account.

32 STEP TWO: Subtract nine hundred twenty thousand dollars
33 (\$920,000) from the amount determined under STEP ONE.

34 STEP THREE: Multiply the STEP TWO remainder by a fraction.

35 The numerator of the fraction is the population of the county. The
36 denominator of the fraction is the population of the state.

37 STEP FOUR: Add ten thousand dollars (\$10,000) to the STEP
38 THREE product.

39 ~~(b)~~ **(d)** If less than nine hundred twenty thousand dollars (\$920,000)
40 is available for distribution from the account on July 1 of any year, the
41 amount of ~~the each~~ distribution from the account to each county ~~is~~
42 **must be one-half (1/2) of the amount** determined under STEP TWO

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1 of the following formula:

2 STEP ONE: Determine the amount of money, if any, available for
3 distribution from the account.

4 STEP TWO: Multiply the STEP ONE amount by a fraction. The
5 numerator of the fraction is the population of the county. The
6 denominator of the fraction is the population of the state.

7 **(e) Notwithstanding subsection (a), the application due in 2013**
8 **covers a period of eighteen (18) months starting July 1, 2013, and**
9 **must be submitted by a local board of health by June 1, 2013,**
10 **instead of October 1, 2013. The state department of health may**
11 **extend the deadline described in this subsection upon a showing of**
12 **good cause by the local board of health. Distribution for**
13 **applications described in this subsection that are approved by the**
14 **state department of health shall be made as follows:**

15 **(1) An amount equal to one-half (1/2) of the amount**
16 **determined under STEP FOUR of the formula in subsection**
17 **(c), not later than July 1, 2013.**

18 **(2) An amount equal to one-half (1/2) of the amount**
19 **determined under STEP FOUR of the formula in subsection**
20 **(c), not later than January 1, 2014.**

21 **(3) An amount equal to one-half (1/2) of the amount**
22 **determined under STEP FOUR of the formula in subsection**
23 **(c), not later than July 1, 2014.**

24 SECTION 3. IC 4-12-7-6 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) If only one (1) local**
26 **board of health exists in a county the county fiscal body shall**
27 **appropriate all has an application approved by the state department**
28 **of health under this chapter, the state department of health shall**
29 **make the distributions received by for the county under this chapter**
30 **to that local board of health.**

31 **(b) If more than one (1) local board of health exists in a county has**
32 **an application approved by the state department of health under**
33 **this chapter, the county fiscal body state department of health shall**
34 **appropriate all make the distributions received by for the county under**
35 **this chapter to those local boards of health in amounts determined by**
36 **the county fiscal body. state department of health based on the**
37 **population of the county served by the local boards of health.**

38 SECTION 4. **An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 415, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 6, delete "A" and insert "**Except as provided in subsection (e), a**".

Page 2, line 22, delete "The distribution of money allocated for a county described" and insert "**The state department of health shall make two (2) distributions of the money allocated for a county described in subsection (b) to the local board of health not later than January 1 and July 1 of the year following the year in which the**".

Page 2, delete lines 23 through 24.

Page 2, line 25, delete "the distribution must be".

Page 2, line 26, strike "in" and insert "**Each distribution must be one-half (1/2) of**".

Page 2, line 38, after "of" strike "the" and insert "**each**".

Page 2, line 38, strike "is" and insert "**must be one-half (1/2) of the amount**".

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

"(e) Notwithstanding subsection (a), the application due in 2013 covers a period of eighteen (18) months starting July 1, 2013, and must be submitted by a local board of health by June 1, 2013, instead of October 1, 2013. The state department of health may extend the deadline described in this subsection upon a showing of good cause by the local board of health. Distribution for applications described in this subsection that are approved by the state department of health shall be made as follows:

(1) An amount equal to one-half (1/2) of the amount determined under STEP FOUR of the formula in subsection (c), not later than July 1, 2013.

(2) An amount equal to one-half (1/2) of the amount determined under STEP FOUR of the formula in subsection (c), not later than January 1, 2014.

(3) An amount equal to one-half (1/2) of the amount determined under STEP FOUR of the formula in subsection (c), not later than July 1, 2014."

Page 3, delete lines 17 through 42.



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Delete pages 4 through 5.

Page 5, after line 29, begin a new paragraph and insert:

"SECTION 7. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 415 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 11, Nays 0.

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