

Newly Enacted Legislation

**Indiana State Library
June Workshops
2018**

Newly Enacted Legislation



- Senate Enrolled Act 392 – Public Law 171-2018
- Indiana Code 5-14-3-3(j)
 - Applies to public record in electronic format
 - Library shall provide copy an electronic copy or paper record
 - At the option of the requestor
 - The library is not required to change the format of a public record
- Indiana Code 5-14-3-8(b)
 - Prohibits charging a fee for providing a public record by email
 - (some exceptions apply)

Newly Enacted Legislation



- House Enrolled Act 1004 – Public Law 72-2018
- Public Works Projects less than \$50,000
- Contractor requirements for drug testing program
- Interim Study Committee – Publication of Legal Notices

Newly Enacted Legislation



- House Enrolled Act 1036 – Public Law 66-2018
- Unemployment Compensation
 - Overpayment of Benefits
 - Instruction by DWD to withhold amounts from income
 - Employer may collect a fee of \$12

Newly Enacted Legislation



- House Enrolled Act 1109 – Public Law 179-2018
- Rollover Distributions
- Annuity Savings Account Withdrawals
- PERF Participation Effective Date

Newly Enacted Legislation



- House Enrolled Act 1257 – Public Law 37-2018
- Indiana Code 5-22-13
 - Purchases from “Qualified Agency”
 - “individual with a disability”
 - Fair Market Price within 10% of average price estimates or quotes

Newly Enacted Legislation



- House Enrolled Act 1262 – Public Law 117-2018
- Indiana Code 5-13-9-5 – Investments in CDs
 - Ordinance expires in one year
- Indiana Code 6-8.1-9.5-1 and 5-13-9-11
 - Tax Intercept Program
 - Local Government Investment Pool
 - Clearinghouse

Newly Enacted Legislation



- House Enrolled Act 1263 – Public Law 184-2018
- County Council may impose tax rate under LIT Expenditure Rate
 - Between 0.1% and 0.2%
 - No more than 20 years
 - For correctional and rehab facilities in the county
- Distributed directly to the county first

Newly Enacted Legislation



- House Enrolled Act 1323 – Public Law 188-2018
- Indiana Code 6-6-15

- Heavy Equipment Rental Excise Tax
 - replaces Heavy Equipment Rental property tax

- Distributions before January 1, 2020 - Levy Excess Fund
- Distributions after December 31, 2019 – Allocated as property tax collections

Newly Enacted Legislation



- House Enrolled Act 1316(ss)

- Indiana Code 6-2.5-5-26(c)

- Exemption from state gross retail tax for personal property sold by
 - A public library or
 - Certain charitable organizations formed to support a public library
 - Transactions occurring after June 30, 2018

Newly Enacted Legislation



- House Enrolled Act 1412 – Public Law 42-2018
- Indiana Code 4-23
 - Makes the Indiana Historical Bureau a division of the Indiana State Library
 - Specifies that the Indiana Library and Historical Department manages the Indiana State Library
 - Species that the Indiana State Library manages the Indiana Historical Bureau
 - Eliminates an inactive programs

Newly Enacted Legislation



- House Enrolled Act 1412 – Public Law 42-2018 (continued)
- Indiana Code 36-12-2 and Indiana Code 36-12-5
 - Reorganizes and makes changes to the petition and remonstrance process for
 - The establishment of a public library or
 - The expansion of a public library

Newly Enacted Legislation



- House Enrolled Act 1412 – Public Law 42-2018 (continued)
- Indiana Code 36-12-2-25 and Indiana Code 36-12-7-3
 - The library board may assess fines, penalties, and damages for “damage” to library property or material. (changed from “injury”)
- The library board may issue local library cards to...individuals who are not residents of the library district (removes Indiana resident requirement).
 - Library Board must set and charge fee
 - Minimum Fee must be the greater of \$25 or operating fund expenditure per capita

Newly Enacted Legislation



- House Enrolled Act 1412 – Public Law 42-2018 (continued)
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- Indiana Code 36-12-10 Leasing of Library Property
 - Replaces “public corporation” with “municipal corporation”
- Clarifies that IC 36-12-10-10 applies to the sale of real property under IC 36-12-10 rather than IC 36-1-11.

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2018

Other Important Topics – Filing of Required Reports



Annual Financial Report

- **IC 5-11-1-4**
- **Due 60 days after fiscal year end**

100-R Personnel Compensation Report

- **IC 5-11-13-1**
- **Due January 31**

Late Filing

- **Audit Finding**
- **Subpoena Process**

Indiana State Board of Accounts

2018



Questions



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