Newly Enacted Legislation

Indiana State Library
June Workshops
2018

- 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

Indiana State Board of Accounts 2018

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

Indiana State Board of Accounts 2018
Newly Enacted Legislation

• House Enrolled Act 1109 – Public Law 179-2018

• Rollover Distributions
• Annuity Savings Account Withdrawals
• PERF Participation Effective Date

• 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
  • Specifies that the Indiana State Library manages the Indiana Historical Bureau
  • Eliminates an inactive program

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)
  •

• 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.
Search for Bills

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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
Questions

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