

HOUSE BILL No. 1137

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-11-4.

Synopsis: State board of accounts fees and funding. Establishes the state board of accounts audit fee account (account) for the purpose of providing funding for the operations of the state board of accounts. Provides that the state board of accounts shall administer the account. Provides that money in the account at the end of a state fiscal year does not revert to the state general fund. Provides that money in the account may not be transferred from the account to any other account or fund that reverts to the state general fund. Provides that money received by the treasurer of state for the expense of an examination that is required to be paid by a taxing unit in a county shall be transferred to the account. Provides that the state board of accounts may charge a fee of \$100 per day for conducting an examination of an entity that is a federal grant recipient. Provides that money from the \$100 fee shall be transferred to the account. Provides for the continuous appropriation of money in the account.

Effective: July 1, 2015.

Saunders

January 8, 2015, read first time and referred to Committee on Ways and Means.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1137

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

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

1 SECTION 1. IC 5-11-4-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The expense of examination
3 and investigation of accounts shall be paid by each municipality or
4 entity as provided in this chapter.
5 (b) The state examiner shall not certify more often than monthly to
6 the auditor of each county the amount chargeable to each taxing unit
7 within the county for the expense of its examinations as provided in
8 this chapter. Immediately upon receipt of the certified statement, the
9 county auditor shall issue a warrant on the county treasurer payable to
10 the treasurer of state out of the general fund of the county for the
11 amount stated in the certificate. The county auditor shall reimburse the
12 county general fund, except for the expense of examination and
13 investigation of county offices, out of the money due the taxing units
14 at the next semiannual settlement of the collection of taxes. **The**
15 **money, when received by the treasurer of state, shall be deposited**



1 **in the state board of accounts audit fee account established by**
 2 **IC 5-11-4-3.1.**

3 (c) If the county to which a claim is made is not in possession or has
 4 not collected the funds due or to be due to any examined municipality,
 5 then the certificate must be filed with and the warrant shall be drawn
 6 by the officer of the municipality having authority to draw warrants
 7 upon its funds. The municipality shall pay the warrant immediately.
 8 The money, when received by the treasurer of state, shall be deposited
 9 in the ~~state general fund.~~ **state board of accounts audit fee account**
 10 **established by IC 5-11-4-3.1.**

11 (d) Except as otherwise provided in this chapter, each:

12 (1) taxing unit; and

13 (2) soil and water conservation district;

14 shall be charged at the rate of forty-five dollars (\$45) per day for each
 15 field examiner, private examiner, expert, or employee of the state board
 16 of accounts who is engaged in making examinations or investigations.
 17 Except as provided in subsection (h), all other entities shall be charged
 18 the actual cost of performing the examination or investigation.

19 (e) The state examiner shall certify, not more often than monthly, to
 20 the proper disbursing officer the total amount of expense incurred for
 21 the examination of:

22 (1) any unit of state government or entity that is required by law
 23 to bear the costs of its own examination and operating expense;
 24 or

25 (2) any utility owned or operated by any municipality or any
 26 department of the municipality, if the utility is operated from
 27 revenues or receipts other than taxation.

28 Upon receipt of the state examiner's certificate the unit of state
 29 government, entity, or utility shall immediately pay to the treasurer of
 30 state the amount charged. The money, when received by the treasurer
 31 of state, shall be deposited in the state general fund.

32 (f) In addition to other charges provided in this chapter, the state
 33 examiner may charge a reasonable fee for typing and processing reports
 34 of examination in the same manner as other charges are made under
 35 this chapter.

36 (g) There is created a trust and agency fund in the hands of the state
 37 examiner to be used by ~~him~~ **the state examiner** for the payment of the
 38 expense of typing reports of examination. Fees charged for typing
 39 reports of examination shall be deposited into the trust and agency
 40 fund.

41 (h) A municipality that contracts for services with a volunteer fire
 42 department may pay the cost of an examination or investigation of the



1 volunteer fire department under this chapter.

2 (i) An audit of a county shall include, but not be limited to, an audit
3 of that county's soil and water conservation district established under
4 IC 14-32.

5 **(j) In addition to other charges provided in this chapter, the**
6 **state examiner may charge a fee of one hundred dollars (\$100) per**
7 **day for conducting an examination of an entity that is a federal**
8 **grant recipient. The money from the fee under this subsection shall**
9 **be deposited in the state board of accounts audit fee account**
10 **established by IC 5-11-4-3.1.**

11 SECTION 2. IC 5-11-4-3.1 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2015]: **Sec. 3.1. (a) The state board of accounts audit fee account**
14 **is established within the state general fund to provide money for**
15 **the funding of the operations of the state board of accounts. The**
16 **account shall be administered by the state board of accounts.**

17 **(b) The account consists of all money deposited in the account**
18 **under IC 5-11-4-3(b), IC 5-11-4-3(c), and IC 5-11-4-3(j).**

19 **(c) Money in the account is continuously appropriated for**
20 **purposes of this section.**

21 **(d) Money in the account may be spent for operation of the**
22 **activities of the state board of accounts.**

23 **(e) The expenses of administering the account shall be paid from**
24 **money in the account.**

25 **(f) Money in the account at the end of a state fiscal year does not**
26 **revert to the state general fund.**

27 **(g) Money in the account may not be transferred from the**
28 **account to any other account or fund that reverts to the state**
29 **general fund.**

