

HOUSE BILL No. 1364

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-30-16-3; IC 8-23-31.

Synopsis: Matching fund for sidewalks and multi-use paths. Establishes the Indiana sidewalk and multi-use path program and matching fund (matching fund) to which eligible applicants may apply for grants to finance the construction of new sidewalks and multi-use paths. Specifies that the Indiana department of transportation shall administer the matching fund. Provides that \$5,000,000 shall be transferred from the administrative trust fund of the lottery to the matching fund in the state fiscal year beginning July 1, 2017, and that \$10,000,000 shall be transferred from the administrative trust fund of the lottery to the matching fund in each state fiscal year beginning after June 30, 2018. Continuously appropriates money in the matching fund.

Effective: July 1, 2017.

Hamilton, Pryor

January 17, 2017, read first time and referred to Committee on Ways and Means.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1364

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

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

1 SECTION 1. IC 4-30-16-3, AS AMENDED BY P.L.146-2008,
2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 3. (a) The commission shall transfer the surplus
4 revenue in the administrative trust fund as follows:

5 (1) Before the last business day of January, April, July, and
6 October, the commission shall transfer to the treasurer of state, for
7 deposit in the Indiana state teachers' retirement fund
8 (IC 5-10.4-2), seven million five hundred thousand dollars
9 (\$7,500,000). Notwithstanding any other law, including any
10 appropriations law resulting from a budget bill (as defined in
11 IC 4-12-1-2), the money transferred under this subdivision shall
12 be set aside in the pension stabilization fund (IC 5-10.4-2-5) to be
13 used as a credit against the unfunded accrued liability of the
14 pre-1996 account (as defined in IC 5-10.4-1-12) of the Indiana
15 state teachers' retirement fund. The money transferred is in
16 addition to the appropriation needed to pay benefits for the state
17 fiscal year.



1 (2) Before the last business day of January, April, July, and
 2 October, the commission shall transfer seven million five hundred
 3 thousand dollars (\$7,500,000) of the surplus revenue to the
 4 treasurer of state for deposit in the pension relief fund
 5 (IC 5-10.3-11).

6 **(3) This subdivision applies to the state fiscal year beginning**
 7 **July 1, 2017, and ending June 30, 2018. Before the last**
 8 **business day of July 2017, October 2017, January 2018, and**
 9 **April 2018, the commission shall transfer one million two**
 10 **hundred fifty thousand dollars (\$1,250,000) of the surplus**
 11 **revenue to the treasurer of state for deposit in the sidewalk**
 12 **and multi-use path matching fund (IC 8-23-31).**

13 **(4) Before the last business day of July, October, January, and**
 14 **April in each state fiscal year beginning after June 30, 2018,**
 15 **the commission shall transfer two million five hundred**
 16 **thousand dollars (\$2,500,000) of the surplus revenue to the**
 17 **treasurer of state for deposit in the sidewalk and multi-use**
 18 **path matching fund (IC 8-23-31).**

19 ~~(5)~~ **(5)** The surplus revenue remaining in the fund on the last day
 20 of January, April, July, and October after the transfers under
 21 subdivisions (1) ~~and (2)~~ **through (4)** shall be transferred by the
 22 commission to the treasurer of state for deposit on that day in the
 23 build Indiana fund.

24 (b) The commission may make transfers to the treasurer of state
 25 more frequently than required by subsection (a). However, the number
 26 of transfers does not affect the amount that is required to be transferred
 27 for the purposes listed in subsection (a)(1) ~~and (a)(2)~~: **through (a)(4)**.
 28 Any amount transferred during the month in excess of the amount
 29 required to be transferred for the purposes listed in subsection (a)(1)
 30 ~~and (a)(2)~~ **through (a)(4)** shall be transferred to the build Indiana fund.

31 SECTION 2. IC 8-23-31 IS ADDED TO THE INDIANA CODE AS
 32 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2017]:

34 **Chapter 31. Indiana Sidewalk and Multi-Use Path Program and**
 35 **Matching Fund**

36 **Sec. 1. As used in this chapter, "eligible applicant" means a**
 37 **county, municipality, or township.**

38 **Sec. 2. As used in this chapter, "fund" refers to the Indiana**
 39 **sidewalk and multi-use path matching fund established by section**
 40 **5 of this chapter.**

41 **Sec. 3. As used in this chapter, "program" refers to the Indiana**
 42 **sidewalk and multi-use path program established by section 4 of**



- 1 this chapter.
- 2 Sec. 4. (a) The Indiana sidewalk and multi-use path program is
3 established to finance the construction of new sidewalks and
4 multi-use paths.
- 5 (b) New sidewalks and multi-use paths constructed under the
6 program must connect neighborhoods to:
- 7 (1) other neighborhoods;
8 (2) main thoroughfares;
9 (3) commercial areas; or
10 (4) mass transit.
- 11 (c) The department may not award a grant under this chapter
12 that will be used for the purpose of constructing a new internal
13 neighborhood sidewalk.
- 14 (d) The department shall administer the program.
- 15 Sec. 5. (a) The Indiana sidewalk and multi-use path matching
16 fund is established. The department shall administer the fund.
- 17 (b) The fund consists of:
- 18 (1) appropriations from the general assembly;
19 (2) transfers from the Indiana state lottery administrative
20 trust fund under IC 4-30-16; and
21 (3) grants, gifts, and donations to the fund.
- 22 (c) The expenses of administering the fund shall be paid from
23 money in the fund.
- 24 (d) Money in the fund does not revert to the state general fund
25 or to the Indiana state lottery administrative trust fund at the end
26 of a state fiscal year.
- 27 (e) Money in the fund is continuously appropriated for the
28 purposes of the fund.
- 29 Sec. 6. (a) The department shall provide grants from the fund to
30 eligible applicants.
- 31 (b) Subject to the requirements in section 7(b) of this chapter,
32 an eligible applicant may submit an application to the department
33 to receive a grant from the fund to assist in financing the
34 construction of new sidewalks and multi-use paths.
- 35 Sec. 7. (a) The department shall determine the amount that must
36 be expended by a recipient as a matching amount for grants from
37 the fund.
- 38 (b) Not later than September 1, 2017, the department shall
39 develop criteria and application procedures for an eligible
40 applicant to apply to receive a grant from the fund. The
41 department shall provide a form on which an eligible applicant
42 may apply to receive a grant from the fund.

