



January 15, 2016

SENATE BILL No. 126

DIGEST OF SB 126 (Updated January 13, 2016 4:31 pm - DI 87)

Citations Affected: IC 5-14; noncode.

Synopsis: Political subdivision information on the Internet. Requires local governments and school corporations to provide information for posting on the Indiana transparency Internet web site (transparency web site) as follows: (1) Expenditures categorized by personal services, other operating expenses or total operating expenses, and debt service, including lease payments, related to debt. (2) A listing of fund balances, specifically identifying balances in funds that are being used for accumulation of money for future capital needs. Requires the department of local government finance (department) after July 31, 2017, to publish an annual financial and operational summary of each political subdivision on the transparency web site. Requires a political subdivision that has a public Internet web site to publish a link to the transparency web site. Requires the department to determine the summary's form, content, and publishing dates. Provides that the department of education determines the educational performance information to be included in the summary published by a school corporation. Urges the legislative council to assign to the interim committee on energy, utilities, and telecommunications, during the 2016 legislative interim, the topic of expanding the availability of open data in Indiana.

Effective: Upon passage; July 1, 2016; January 1, 2017.

Miller Pete

January 5, 2016, read first time and referred to Committee on Local Government.
January 14, 2016, amended, reported favorably — Do Pass.

SB 126—LS 6458/DI 87



January 15, 2016

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 126

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

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

- 1 SECTION 1. IC 5-14-3.7-3, AS AMENDED BY P.L.84-2014,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2017]: Sec. 3. (a) The department, working with the
4 office of technology established by IC 4-13.1-2-1 or another
5 organization that is part of a state educational institution, the state
6 board of accounts established by IC 5-11-1-1, the department of local
7 government finance established under IC 6-1.1-30-1.1, and the office
8 of management and budget established by IC 4-3-22-3, shall post on
9 the Indiana transparency Internet web site a data base that lists
10 expenditures and fund balances, including expenditures for contracts,
11 grants, and leases, for public schools. The web site must be
12 electronically searchable by the public.
13 (b) The data base must include for public schools:
14 (1) the amount, date, payer, and payee of expenditures;
15 (2) a listing of expenditures **by: specifically identifying those**
16 **for:**
17 (A) personal services;

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- 1 (B) other operating expenses or ~~(C)~~ total operating expenses;
 2 **and**
 3 **(C) debt service, including lease payments, related to debt;**
 4 (3) a listing of fund balances, **specifically identifying balances**
 5 **in funds that are being used for accumulation of money for**
 6 **future capital needs;**
 7 (4) a listing of real and personal property owned by the public
 8 school;
 9 (5) the report required under IC 6-1.1-33.5-7; and
 10 (6) information for evaluating the fiscal health of each school
 11 corporation in the format required by section 16(b) of this chapter.
 12 SECTION 2. IC 5-14-3.8-3, AS AMENDED BY P.L.84-2014,
 13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JANUARY 1, 2017]: Sec. 3. The department, working with the office
 15 of technology established by IC 4-13.1-2-1, or another organization that
 16 is part of a state educational institution, the office of management and
 17 budget established by IC 4-3-22-3, and the state board of accounts
 18 established by IC 5-11-1-1, shall post on the Indiana transparency
 19 Internet web site the following:
 20 (1) The financial reports required by IC 5-11-1-4.
 21 (2) The report on expenditures per capita prepared under
 22 IC 6-1.1-33.5-7.
 23 (3) A listing of the property tax rates certified by the department.
 24 (4) An index of audit reports prepared by the state board of
 25 accounts.
 26 (5) Local development agreement reports prepared under
 27 IC 4-33-23-10 and IC 4-33-23-17.
 28 (6) Information for evaluating the fiscal health of a political
 29 subdivision in the format required by section 8(b) of this chapter.
 30 **(7) A listing of expenditures specifically identifying those for:**
 31 **(A) personal services;**
 32 **(B) other operating expenses or total operating expenses;**
 33 **and**
 34 **(C) debt service, including lease payments, related to debt.**
 35 **(8) A listing of fund balances, specifically identifying balances**
 36 **in funds that are being used for accumulation of money for**
 37 **future capital needs.**
 38 ~~(7)~~ **(9)** Any other financial information deemed appropriate by the
 39 department.
 40 SECTION 3. IC 5-14-3.9 IS ADDED TO THE INDIANA CODE
 41 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2016]:



1 **Chapter 3.9. Financial and Operational Summary of a Political**
2 **Subdivision**

3 **Sec. 1. As used in this chapter, "department" refers to the**
4 **department of local government finance established by**
5 **IC 6-1.1-30-1.1.**

6 **Sec. 2. As used in this chapter, "political subdivision" means a**
7 **county, township, city, town, school corporation, library district,**
8 **fire protection district, public transportation corporation, local**
9 **hospital authority or corporation, local airport authority district,**
10 **special service district, special taxing district, or other separate**
11 **local governmental entity that may sue and be sued.**

12 **Sec. 3. As used in this chapter, "summary" means the financial**
13 **and operational summary required by this chapter.**

14 **Sec. 4. This chapter applies only to a political subdivision that**
15 **has an Internet web site. This chapter does not require a political**
16 **subdivision to establish an Internet web site.**

17 **Sec. 5. (a) After July 31, 2017, the department shall publish an**
18 **annual summary of each political subdivision on the Indiana**
19 **transparency Internet web site on the dates determined by the**
20 **department.**

21 **(b) A political subdivision shall prominently display on the main**
22 **Internet web page of the political subdivision's Internet web site**
23 **the link provided by the department to the Indiana transparency**
24 **Internet web site established under IC 5-14-3.7.**

25 **Sec. 6. The department shall determine the information to be**
26 **disclosed in the summary that the department considers necessary**
27 **to reflect the financial condition and operations of the political**
28 **subdivision, which may include the following:**

- 29 **(1) Information disclosed under IC 5-14-3.7 or IC 5-14-3.8.**
- 30 **(2) Total operating budget.**
- 31 **(3) Approximate number of full-time and part-time**
32 **employees.**
- 33 **(4) Outstanding indebtedness and interest paid on**
34 **indebtedness.**
- 35 **(5) Disbursements.**
- 36 **(6) Assessed valuation and tax rates.**
- 37 **(7) Revenue from all sources.**

38 **Sec. 7. (a) Subject to the requirements of this section, the**
39 **department shall determine the form of the summary, which must**
40 **be presented in a manner that:**

- 41 **(1) can be conveniently and easily accessed from a single web**
42 **page; and**



- 1 (2) is commonly known as an Internet dashboard.
- 2 (b) The summary must be in a form that is concise and
- 3 reasonably easy to understand.
- 4 Sec. 8. (a) This section applies only to a school corporation.
- 5 (b) The summary must include the educational performance
- 6 information of each school in the school corporation. The
- 7 department of education (established by IC 20-19-3-1) shall
- 8 determine the contents of the educational performance
- 9 information.
- 10 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this
- 11 SECTION, "legislative council" refers to the legislative council
- 12 established by IC 2-5-1.1-1.
- 13 (b) As used in this SECTION, "committee" refers to the interim
- 14 study committee on energy, utilities, and telecommunications
- 15 established by IC 2-5-1.3-4(8).
- 16 (c) The legislative council is urged to assign to the committee
- 17 during the 2016 legislative interim the topic of expanding the
- 18 availability of open data in Indiana.
- 19 (d) If the topic described in subsection (c) is assigned to the
- 20 committee, the committee shall consider, as part of its study,
- 21 specific issues attendant to improving the quality, the impact, and
- 22 the accessibility of open data in Indiana, including the following:
- 23 (1) Potential actions the state and local government units can
- 24 take to make machine-readable data sets available and
- 25 discoverable to the public in consistent and easily useable
- 26 formats.
- 27 (2) The potential benefits to Indiana of making such open data
- 28 available in terms of government transparency, accessibility,
- 29 accountability, and public participation.
- 30 (3) The potential benefits to Indiana of making such open data
- 31 available in terms of the performance, efficiency, and
- 32 productivity of state and local government operations.
- 33 (4) The potential benefits to Indiana's economy of making
- 34 open data available in terms of innovation, entrepreneurship,
- 35 and economic growth.
- 36 (5) The need to protect the privacy, security, and
- 37 confidentiality of information retained by state and local
- 38 government in pursuing open data initiatives.
- 39 (6) The efforts undertaken by other state and local
- 40 government units to pursue open data policies.
- 41 (e) If the topic described in subsection (c) is assigned to the
- 42 committee, the committee shall issue a final report to the legislative



1 **council containing the committee's findings and recommendations,**
2 **including any recommended legislation concerning the topic**
3 **described in subsection (c) or the specific strategies described in**
4 **subsection (d), in an electronic format under IC 5-14-6 not later**
5 **than November 1, 2016.**

6 **(f) This SECTION expires December 31, 2016.**

7 **SECTION 5. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 126, 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:

Page 4, after line 9, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

(b) As used in this SECTION, "committee" refers to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8).

(c) The legislative council is urged to assign to the committee during the 2016 legislative interim the topic of expanding the availability of open data in Indiana.

(d) If the topic described in subsection (c) is assigned to the committee, the committee shall consider, as part of its study, specific issues attendant to improving the quality, the impact, and the accessibility of open data in Indiana, including the following:

(1) Potential actions the state and local government units can take to make machine-readable data sets available and discoverable to the public in consistent and easily useable formats.

(2) The potential benefits to Indiana of making such open data available in terms of government transparency, accessibility, accountability, and public participation.

(3) The potential benefits to Indiana of making such open data available in terms of the performance, efficiency, and productivity of state and local government operations.

(4) The potential benefits to Indiana's economy of making open data available in terms of innovation, entrepreneurship, and economic growth.

(5) The need to protect the privacy, security, and confidentiality of information retained by state and local government in pursuing open data initiatives.

(6) The efforts undertaken by other state and local government units to pursue open data policies.

(e) If the topic described in subsection (c) is assigned to the committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations, including any recommended legislation concerning the topic described in subsection (c) or the specific strategies described in



subsection (d), in an electronic format under IC 5-14-6 not later than November 1, 2016.

(f) This SECTION expires December 31, 2016.

SECTION 5. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 126 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0.

