

# SENATE BILL No. 483

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-6-5-9.5; IC 10-17-1-9.

**Synopsis:** County service officers. Provides that 5% of the funds that a county receives under the excise tax replacement disbursement shall be used to fund county service officers. Requires a county with more than 2,500 veterans to hire an additional part-time county service officer.

**Effective:** July 1, 2019.

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## Alting

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January 14, 2019, read first time and referred to Committee on Veterans Affairs and The Military.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 483

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A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

- 1 SECTION 1. IC 6-6-5-9.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9.5. (a) Before the  
3 twentieth day of each month the bureau shall do the following:  
4 (1) Determine the amount of excise taxes that would have been  
5 collected for each county for the preceding month based on the  
6 tax rate schedule that was in effect on January 1, 1995.  
7 (2) Determine and report to the auditor of state the difference  
8 between what was actually collected for each county for that  
9 month and what would have been collected at the January 1,  
10 1995, rates.  
11 (b) For the months of January through November, the auditor of  
12 state shall determine a monthly uniform disbursement percentage to be  
13 applied in determining the amount of motor vehicle excise tax  
14 replacement money to be disbursed to each county. The monthly  
15 uniform disbursement percentage equals the quotient of the sum of the  
16 amounts transferred under IC 4-30-17-3.5 plus the amounts transferred  
17 under subsections (f) and (g) to the motor vehicle excise tax



1 replacement account in the month of the bureau's report divided by the  
2 sum of the total differences for all counties, as determined under  
3 subsection (a) and identified in the bureau's report for that month.

4 (c) For December, the auditor of state shall determine an annual  
5 uniform disbursement percentage to be applied in determining the  
6 amount of motor vehicle excise tax replacement money to be disbursed  
7 to each county in December as an annual adjustment.

8 (d) The annual uniform disbursement percentage equals the quotient  
9 of the sum of the amounts transferred under IC 4-30-17-3.5 plus the  
10 amounts transferred under subsections (f) and (g) to the motor vehicle  
11 excise tax replacement account in the months of January through  
12 December divided by the sum of the total differences for all counties,  
13 as determined under subsection (a) and identified in the bureau's  
14 reports for the months of January through December.

15 (e) For the months of January through November, the auditor of  
16 state shall distribute to the county the amount of the difference  
17 determined under subsection (a) in the month of the bureau's report for  
18 that county, multiplied by the monthly uniform disbursement  
19 percentage for that month. For December, the auditor shall distribute  
20 to the county the total difference in the bureau's reports determined  
21 under subsection (a) in the months of January through December for  
22 that county, multiplied by the annual uniform disbursement percentage,  
23 less the amounts distributed to the county in January through  
24 November. However, the total distribution to a county in a calendar  
25 year may not exceed the total difference in the bureau's reports  
26 determined under subsection (a) in the months of January through  
27 December for that county in the year.

28 (f) The transfers under this subsection are in addition to the transfers  
29 required under IC 4-30-17-3.5 and subsection (g). Before the  
30 twenty-fifth day of each month, the auditor of state shall transfer from  
31 the state general fund to the state general fund motor vehicle excise tax  
32 replacement account sixteen thousand nine hundred seventy-four  
33 dollars (\$16,974). The transfers required under this subsection are  
34 annually appropriated from the state general fund.

35 (g) This subsection applies only after December 31, 1995, and  
36 applies only if insufficient money is available in the build Indiana fund  
37 to make the distributions to the state general fund motor vehicle excise  
38 tax replacement account that are required under IC 4-30-17-3.5. Before  
39 the twenty-fifth day of each month, the auditor of state shall transfer  
40 from the state general fund to the state general fund motor vehicle  
41 excise tax replacement account the difference between:

42 (1) the amount that IC 4-30-17-3.5 requires the auditor of state to



1 distribute from the build Indiana fund to the state general fund  
2 motor vehicle excise tax replacement account; and

3 (2) the amount that is available for distribution from the build  
4 Indiana fund to the state general fund motor vehicle excise tax  
5 replacement account.

6 The transfers required under this subsection are annually appropriated  
7 from the state general fund.

8 (h) Any money remaining in the motor vehicle excise tax  
9 replacement account after the last county distribution in December  
10 shall be transferred to the build Indiana fund. The auditor of state shall  
11 make the distribution before the end of the month the auditor receives  
12 the bureau's report.

13 (i) The money needed for the distribution shall be withdrawn from  
14 the motor vehicle excise tax replacement account. There is  
15 appropriated from the state general fund motor vehicle excise tax  
16 replacement account, the amount needed to make the distributions  
17 required by this section.

18 (j) Distributions made under this section are considered motor  
19 vehicle excise taxes for purposes of allocating revenue among taxing  
20 units under this chapter.

21 **(k) Five percent (5%) of the funds distributed to a county under**  
22 **this section shall be used to fund county service officers under**  
23 **IC 10-17-1-9.**

24 SECTION 2. IC 10-17-1-9, AS AMENDED BY P.L.108-2016,  
25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2019]: Sec. 9. (a) **As used in this section, "veteran" means**  
27 **an individual who:**

28 **(1) is a resident of Indiana;**

29 **(2) has served in any branch of the armed forces of the United**  
30 **States or their reserves, in the national guard, or in the**  
31 **Indiana National Guard; and**

32 **(3) has received a discharge from service under honorable**  
33 **conditions.**

34 **(a) (b) A county executive:**

35 (1) shall designate and may:

36 (A) appoint a county service officer for a four (4) year term; or

37 (B) employ a county service officer; and

38 (2) may employ service officer assistants;

39 to serve the veterans of the county.

40 **(c) This subsection applies to a county having more than two**  
41 **thousand five hundred (2,500) residents who are veterans. A**  
42 **county executive shall designate a part-time county service officer**



1     **for a four (4) year term. A part-time county service officer will**  
2     **work one-half (1/2) the weekly hours of a full-time county service**  
3     **officer.**

4     ~~(b)~~ **(d)** The mayor of a city may employ a service officer and may  
5     employ service officer assistants to serve the veterans of the city.

6     ~~(c)~~ **(e)** If the remuneration and expenses of a county or city service  
7     officer are paid from the funds of the county or city employing the  
8     service officer, the service officer shall:

9         (1) have the same qualifications and be subject to the same rules  
10        as the director, assistant director, and state service officers of the  
11        Indiana department of veterans' affairs; and

12        (2) serve under the supervision of the director of veterans' affairs.

13     A service officer assistant must have the same qualifications as an  
14     employee described in section 11(b) of this chapter. A rule contrary to  
15     this subsection is void.

16     **(f) Funds distributed under IC 6-6-5-9.5 shall fund a county**  
17     **service officer under this section.**

18     ~~(d)~~ **(g)** County and city fiscal bodies may appropriate funds  
19     necessary for the purposes described in this section.

