



February 20, 2015

SENATE BILL No. 489

DIGEST OF SB 489 (Updated February 18, 2015 5:52 pm - DI 87)

Citations Affected: IC 5-11.

Synopsis: State board of accounts issues. Provides that, if variances, losses, shortages, or thefts of local government funds or property are reported to the state board of accounts, the state board of accounts is required to report the amount of funds to law enforcement officials and investigate and report on internal control weaknesses that caused the condition only if the amount of funds involved is "material". Defines "material" as a significant or consequential amount as determined by the state examiner and approved by the audit committee. Expands the definition of "local government" for purposes of internal control systems. Provides that a financial institution shall give notice to the state board of accounts whenever a municipality or a public official opens a new account in the name of the municipality or the state. Provides that a vendor upon request shall allow the state board of accounts to access all software and records of computer services that a vendor has supplied to a municipality. Defines a vendor as a person who supplies electronic goods, software, or technological services (including computer services) to a municipality.

Effective: July 1, 2015.

Young R Michael

January 14, 2015, read first time and referred to Committee on Local Government.
February 19, 2015, reported favorably — Do Pass.

SB 489—LS 7075/DI 120



February 20, 2015

First Regular Session 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.

SENATE BILL No. 489

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

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

1 SECTION 1. IC 5-11-1-27, AS ADDED BY P.L.117-2011,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 27. (a) As used in this section, "local government"
4 means ~~county, city, town, or township~~. **a political subdivision (as**
5 **defined in IC 5-11-10.5-1).**
6 (b) **As used in this section, "material" means a significant or**
7 **consequential amount as determined by the state examiner and**
8 **approved by the audit committee.**
9 (b) (c) In the compliance guidelines authorized under section 24 of
10 this chapter, the state board of accounts shall define the acceptable
11 minimum level of:
12 (1) internal control standards; and
13 (2) internal control procedures;
14 for internal control systems of local governments. The internal control
15 standards and procedures shall be developed to promote government
16 accountability and transparency.

SB 489—LS 7075/DI 120



1 ~~(e)~~ **(d)** All erroneous or irregular variances, losses, shortages, or
 2 thefts of local government funds or property shall be reported
 3 immediately to the state board of accounts. **For all material variances,**
 4 **losses, shortages, or thefts,** the state board of accounts shall:

5 (1) determine the amount of funds involved and report the amount
 6 to the appropriate government and law enforcement officials;

7 (2) determine the internal control weakness that contributed to or
 8 caused the condition; and

9 (3) make written recommendations to the appropriate legislative
 10 body or appropriate official overseeing the internal control system
 11 addressing:

12 (A) the method of correcting the condition; and

13 (B) the necessary internal control policies and internal control
 14 procedures that must be modified to prevent a recurrence of
 15 the condition.

16 ~~(d)~~ **(e)** The legislative body or the appropriate official overseeing the
 17 internal control system shall immediately implement the policies and
 18 procedures recommended by the state board of accounts under
 19 subsection ~~(e)(3)(B)~~: **(d)(3)(B)**.

20 SECTION 2. IC 5-11-1-28 IS ADDED TO THE INDIANA CODE
 21 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 22 1, 2015]: **Sec. 28. (a) As used in this section, "financial institution"**
 23 **means any bank, trust company, corporate fiduciary, savings**
 24 **association, credit union, savings bank, bank of discount and**
 25 **deposit, or industrial loan and investment company organized or**
 26 **reorganized under the laws of this state.**

27 **(b) A financial institution shall give notice to the state board of**
 28 **accounts whenever a municipality or a public official opens a new**
 29 **account in the name of the municipality or the state.**

30 **(c) The notice required under subsection (b) shall be given not**
 31 **later than thirty (30) days after the new account is opened and**
 32 **must be on a form prescribed by the state board of accounts.**

33 SECTION 3. IC 5-11-1-29 IS ADDED TO THE INDIANA CODE
 34 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2015]: **Sec. 29. (a) As used in this section, "vendor" means a**
 36 **person who supplies electronic goods, software, or technological**
 37 **services (including computer services) to a municipality. The term**
 38 **does not include an employee of the municipality or an employee**
 39 **of the state.**

40 **(b) A vendor upon request shall allow the state board of**
 41 **accounts to access all software (including information and data**
 42 **that is stored in the software), and records of computer services**



1 **that a vendor has supplied to a municipality. The access required**
2 **to be allowed by a vendor under this section shall be:**
3 **(1) limited to read only capability;**
4 **(2) provided to the state board of accounts without prior:**
5 **(A) notice to; or**
6 **(B) approval of;**
7 **the municipality to which the software was provided; and**
8 **(3) provided through remote access, if requested by the state**
9 **board of accounts.**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 489, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 489 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0

