

# HOUSE BILL No. 1225

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13-1.8; IC 10-21.

**Synopsis:** Safe schools. Provides for a price contract through the department of administration for an active event warning system. Provides that school corporations and charter schools, with the sheriff for the county in which the school corporation or charter school is located, may apply for a grant from the secured school fund to provide for the initial set up costs for an active event warning system purchased through the price contract. Requires guidelines published by the department of homeland security to include information about implementing: (1) universal electronic access to school property for law enforcement in all schools within each county; and (2) access to closed circuit cameras from a central location to be used in an emergency situation.

**Effective:** July 1, 2019.

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## Steuerwald, McNamara, Moseley

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January 10, 2019, read first time and referred to Committee on Veterans Affairs and Public Safety.

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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.

# HOUSE BILL No. 1225

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

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

1 SECTION 1. IC 4-13-1.8 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]:  
4 **Chapter 1.8. Statewide Price Contracts for Certain School  
5 Corporation Purchases of Active Event Warning Systems**  
6 **Sec. 1. As used in this chapter, "active event warning system"**  
7 **refers to a system that includes services and technology that will**  
8 **notify available law enforcement agencies in the area of a school**  
9 **building of a life threatening emergency.**  
10 **Sec. 2. As used in this chapter, "contractor" means a person**  
11 **awarded a price contract.**  
12 **Sec. 3. As used in this chapter, "department" refers to the**  
13 **Indiana department of administration created by IC 4-13-1-2.**  
14 **Sec. 4. As used in this chapter, "law enforcement agency" refers**  
15 **to a state, local, or federal agency or department that would**  
16 **respond to an emergency event at a school, including both on duty**  
17 **and off duty officers within the agency or department.**



1           **Sec. 5.** As used in this chapter, "price contract" refers to a  
 2 contract entered into by the department under section 9 of this  
 3 chapter.

4           **Sec. 6.** As used in this chapter, "school corporation or charter  
 5 school" refers to an individual school corporation, a school  
 6 corporation career and technical education school described in  
 7 IC 20-37-1-1, or a charter school.

8           **Sec. 7.** As used in this chapter, "school official" refers to an  
 9 employee of a school corporation or charter school who has access  
 10 to an active event warning system.

11           **Sec. 8. (a)** Subject to IC 5-22-5 and section 9 of this chapter, the  
 12 department shall develop specifications for an active event warning  
 13 system.

14           **(b)** The specifications must include the following:

15           **(1)** A two (2) phone application based system that includes  
 16 school officials as a sender within the system and law  
 17 enforcement agencies as a receiver within the system.

18           **(2)** An adjusted geofence to alert law enforcement agencies  
 19 that are within a certain geographic location, including  
 20 settings based on rural and urban locations, with an urban  
 21 setting having a reduced geofence and a rural setting having  
 22 a broader geofence.

23           **(3)** The ability for students and the public to submit  
 24 anonymous tips through a free reporting application.

25           **(4)** The ability for information within the system to be  
 26 interoperable with 911 dispatch.

27           **(5)** The ability to display the school's address and location on  
 28 a map.

29           **(6)** The ability to provide notifications during emergencies  
 30 and nonemergencies.

31           **(7)** The ability to call 911 automatically when the system is  
 32 triggered.

33           **(8)** The ability to operate several individual school response  
 34 plans.

35           **Sec. 9. (a)** The department shall solicit proposals and award a  
 36 contract under IC 5-22-9.

37           **(b)** The department shall consult with the department of  
 38 homeland security established by IC 10-19-2-1 when:

39           **(1)** soliciting proposals and awarding the contract under  
 40 subsection (a); and

41           **(2)** developing the specifications under section 8 of this  
 42 chapter.



1           **Sec. 10. A solicitation under section 9 of this chapter must**  
 2 **include the following:**

3           **(1) Notice that a bid or proposal must include prices based**  
 4 **both on case sales and sales under security agreements.**

5           **(2) The provisions of the price contract required under section**  
 6 **12 of this chapter.**

7           **Sec. 11. The department may award price contracts to more**  
 8 **than one (1) contractor.**

9           **Sec. 12. A price contract must contain the following provisions:**

10           **(1) The term of the price contract.**

11           **(2) A requirement that the contractor must sell an active**  
 12 **event warning system meeting specifications set forth in the**  
 13 **solicitation at the price offered for the active event warning**  
 14 **system in the contractor's bid or proposal.**

15           **(3) A requirement that the contractor must sell to a school**  
 16 **corporation or charter school requesting a purchase under**  
 17 **the price contract.**

18           **(4) Except as provided in the solicitation, a statement**  
 19 **specifying that estimates for an active event warning system**  
 20 **to be purchased do not bind the state to purchase an active**  
 21 **event warning system.**

22           **(5) A requirement that the contractor and the school**  
 23 **corporation or charter school must enter into a separate**  
 24 **contract for the purchase of an active event warning system.**

25           **(6) A statement specifying that the state is not a party to a**  
 26 **contract under subdivision (5).**

27           **(7) If the term of the price contract is for more than one (1)**  
 28 **year, a statement specifying what constitutes a significant**  
 29 **variation from the specifications for purposes of section 14 of**  
 30 **this chapter.**

31           **Sec. 13. (a) This section applies only:**

32           **(1) if the term of the price contract is for more than one (1)**  
 33 **year; and**

34           **(2) after the first year of the term of the price contract.**

35           **(b) If the specifications vary significantly from those indicated**  
 36 **in the solicitation for the price contract, the department may take**  
 37 **either of the following actions:**

38           **(1) With the consent of the contractor, amend the contract to**  
 39 **reflect the change in specifications.**

40           **(2) With the consent of the contractor, cancel the price**  
 41 **contract and solicit a new price contract.**

42           **Sec. 14. A contract entered into under section 12(5) of this**



1 **chapter may not be inconsistent with the price contract.**

2 SECTION 2. IC 10-21-1-2, AS ADDED BY P.L.172-2013,  
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2019]: Sec. 2. (a) The Indiana secured school fund is  
5 established to provide:

6 (1) matching grants to enable school corporations and charter  
7 schools to establish programs under which a school corporation  
8 or charter school (or a coalition of schools) may:

9 ~~(A)~~ (A) employ a school resource officer or enter into a  
10 contract or a memorandum of understanding with a:

11 ~~(A)~~ (i) local law enforcement agency;

12 ~~(B)~~ (ii) private entity; or

13 ~~(C)~~ (iii) nonprofit corporation;

14 to employ a school resource officer;

15 ~~(2)~~ (B) conduct a threat assessment of the buildings within a  
16 school corporation or operated by a charter school; or

17 ~~(3)~~ (C) purchase equipment and technology to:

18 ~~(A)~~ (i) restrict access to school property; or

19 ~~(B)~~ (ii) expedite notification of first responders; **and**

20 **(2) one (1) time grants to enable school corporations and**  
21 **charter schools, with the sheriff for the county in which the**  
22 **school corporation or charter school is located, to provide the**  
23 **initial set up costs for an active event warning system**  
24 **purchased under IC 4-13-1.8.**

25 (b) The fund shall be administered by the department of homeland  
26 security.

27 (c) The fund consists of:

28 (1) appropriations from the general assembly;

29 (2) grants from the Indiana safe schools fund established by  
30 IC 5-2-10.1-2;

31 (3) federal grants; and

32 (4) amounts deposited from any other public or private source.

33 (d) The expenses of administering the fund shall be paid from  
34 money in the fund.

35 (e) The treasurer of state shall invest the money in the fund not  
36 currently needed to meet the obligations of the fund in the same  
37 manner as other public money may be invested. Interest that accrues  
38 from these investments shall be deposited in the fund.

39 (f) Money in the fund at the end of a state fiscal year does not revert  
40 to the state general fund.

41 SECTION 3. IC 10-21-1-3, AS ADDED BY P.L.172-2013,  
42 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 3. (a) The secured school safety board is  
 2 established to approve or disapprove applications for matching grants  
 3 to fund programs described in section ~~2(a)~~ **2(a)(1)** of this chapter **and**  
 4 **grants described in section 2(a)(2) of this chapter to fund the initial**  
 5 **set up costs for an active event warning system purchased under**  
 6 **IC 4-13-1.8.**

7 (b) The board consists of seven (7) members appointed as follows:

8 (1) The executive director of the department of homeland security  
 9 or the executive director's designee. The executive director of the  
 10 department of homeland security or the executive director's  
 11 designee serves as the chairperson of the board.

12 (2) The attorney general or the attorney general's designee.

13 (3) The superintendent of the state police department or the  
 14 superintendent's designee.

15 (4) A local law enforcement officer appointed by the governor.

16 (5) The state superintendent of public instruction or the  
 17 superintendent's designee.

18 (6) The director of the criminal justice institute or the director's  
 19 designee.

20 (7) An employee of a local school corporation or a charter school  
 21 appointed by the governor.

22 (c) The board shall establish criteria to be used in evaluating  
 23 applications for ~~matching~~ grants from the fund. These criteria must:

24 (1) be consistent with the fund's goals; and

25 (2) provide for an equitable distribution of grants to school  
 26 corporations and charter schools located throughout Indiana.

27 SECTION 4. IC 10-21-1-4, AS AMENDED BY P.L.30-2014,  
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2019]: Sec. 4. (a) The board may award a matching grant to  
 30 enable a school corporation or charter school (or a coalition of schools  
 31 applying jointly) to establish a program to employ a school resource  
 32 officer, provide school resource officer training described in  
 33 IC 20-26-18.2-1(b)(2), conduct a threat assessment, or purchase  
 34 equipment to restrict access to the school or expedite the notification  
 35 of first responders in accordance with section ~~2(a)~~ **2(a)(1)** of this  
 36 chapter.

37 (b) A matching grant awarded to a school corporation or charter  
 38 school (or a coalition of schools applying jointly) may not exceed the  
 39 lesser of the following during a two (2) year period beginning on or  
 40 after May 1, 2013:

41 (1) The total cost of the program established by the school  
 42 corporation or charter school (or the coalition of schools applying



- 1 jointly).
- 2 (2) The following amounts:
- 3 (A) Fifty thousand dollars (\$50,000) per year, in the case of a
- 4 school corporation or charter school that:
- 5 (i) has an ADM of at least one thousand (1,000); and
- 6 (ii) is not applying jointly with any other school corporation
- 7 or charter school.
- 8 (B) Thirty-five thousand dollars (\$35,000) per year, in the case
- 9 of a school corporation or charter school that:
- 10 (i) has an ADM of less than one thousand (1,000); and
- 11 (ii) is not applying jointly with any other school corporation
- 12 or charter school.
- 13 (C) Fifty thousand dollars (\$50,000) per year, in the case of a
- 14 coalition of schools applying jointly.
- 15 (c) A school corporation or charter school may receive only one (1)
- 16 matching grant under this section each year.
- 17 (d) The board may not award a grant to a school corporation or
- 18 charter school under this ~~chapter~~ **section** unless the school corporation
- 19 or charter school is in a county that has a county school safety
- 20 commission, as described in IC 5-2-10.1-10.
- 21 SECTION 5. IC 10-21-1-4.5 IS ADDED TO THE INDIANA CODE
- 22 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
- 23 1, 2019]: **Sec. 4.5. (a) The board may award a grant to provide for**
- 24 **the initial set up costs for an active event warning system**
- 25 **purchased under IC 4-13-1.8 to a school corporation or charter**
- 26 **school that jointly applies with the sheriff for the county in which**
- 27 **the school corporation or charter school is located.**
- 28 **(b) A school corporation or charter school may receive only one**
- 29 **(1) grant under this section.**
- 30 **(c) A sheriff for a county may receive multiple grants under this**
- 31 **section.**
- 32 **(d) The board may not award a grant to a school corporation or**
- 33 **charter school under this section unless the school corporation or**
- 34 **charter school is in a county that has a county school safety**
- 35 **commission, as described in IC 5-2-10.1-10.**
- 36 SECTION 6. IC 10-21-1-5, AS AMENDED BY P.L.211-2018(ss),
- 37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2019]: Sec. 5. (a) A school corporation or charter school may
- 39 annually apply to the board for a matching grant from the fund for a
- 40 program described in section ~~2(a)~~ **2(a)(1)** of this chapter.
- 41 (b) The application must include the following:
- 42 (1) A concise description of the school corporation's or charter



- 1 school's security needs.  
 2 (2) The estimated cost of the program to the school corporation or  
 3 charter school.  
 4 (3) The extent to which the school corporation or charter school  
 5 has access to and support from a nearby law enforcement agency,  
 6 if applicable.  
 7 (4) The ADM of the school corporation or charter school (or the  
 8 combined ADM of the coalition of schools applying jointly).  
 9 (5) Any other information required by the board.  
 10 (6) A statement whether the school corporation or charter school  
 11 has completed a local plan and has filed the plan with the county  
 12 school safety commission for the county in which the school  
 13 corporation or charter school is located.  
 14 (7) A statement whether the school corporation or charter school  
 15 (or coalition of public schools applying jointly) requests an  
 16 advance under IC 20-49-10 in addition to a matching grant under  
 17 this chapter.

18 SECTION 7. IC 10-21-1-5.5 IS ADDED TO THE INDIANA CODE  
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 20 1, 2019]: **Sec. 5.5. (a) A school corporation or charter school and  
 21 the sheriff for the county in which the school corporation or  
 22 charter school is located may jointly apply to the board for a one  
 23 (1) time grant from the fund to provide for the initial set up costs  
 24 for an active event warning system purchased under IC 4-13-1.8.**

25 **(b) The application must include the following:**

- 26 **(1) A concise description of the school corporation's or  
 27 charter school's security needs.**  
 28 **(2) Any other information required by the board.**  
 29 **(3) A statement whether the school corporation or charter  
 30 school has completed a local plan and has filed the plan with  
 31 the county school safety commission for the county in which  
 32 the school corporation or charter school is located.**

33 SECTION 8. IC 10-21-1-6, AS ADDED BY P.L.172-2013,  
 34 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2019]: Sec. 6. A school corporation or charter school that is  
 36 awarded a ~~matching~~ grant under this chapter is not required to repay or  
 37 reimburse the board or fund the amount of the ~~matching~~ grant.

38 SECTION 9. IC 10-21-1-7, AS ADDED BY P.L.172-2013,  
 39 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2019]: Sec. 7. The department of homeland security shall  
 41 report before October 1 of each year to the budget committee  
 42 concerning ~~matching~~ grants awarded under this chapter during the





1 previous fiscal year.  
2 SECTION 10. IC 10-21-1.5-5 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2019]: **Sec. 5. The department shall include**  
5 **the following within the guidelines under section 4 of this chapter:**  
6 (1) **Guidelines for implementing universal electronic access to**  
7 **school property for law enforcement to all schools within each**  
8 **county.**  
9 (2) **Guidelines for implementing access to closed circuit**  
10 **cameras from a central location to be used in an emergency**  
11 **situation.**

