

SENATE BILL No. 267

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-20-1-4; IC 8-1; IC 12-8-1.5-19; IC 12-13-16; IC 16-25-4.5-4; IC 16-34-2-1.5; IC 34-30-2-24.2.

Synopsis: Administration of 211 services. Transfers responsibility for the 211 human services information dialing code from the Indiana housing and community development authority (authority) to the office of the secretary of family and social services. Eliminates provisions: (1) regarding recognized 211 service providers; (2) prohibiting state agencies or departments from establishing telephone lines or hotlines to provide human services information or referrals without first consulting a recognized 211 provider and notifying the authority; (3) prohibiting dissemination of information to the public about the availability of 211 services except in conformity with rules adopted by the authority; (4) limiting disbursements from the 211 services account to \$50,000 annually; (5) requiring consultation with the board of directors of Indiana 211 Partnership, Inc., for purposes of preparation of the annual plan for expenditure of funds from the 211 services account; and (6) requiring an annual report to the general assembly regarding 211 services and deposits to and disbursements from the 211 services account. Creates the 211 services fund in place of the 211 services account. Creates the 211 advisory committee for purposes of advising the office of the secretary of family and social services regarding use of and goals for 211 services. Makes conforming amendments.

Effective: July 1, 2020.

Bohacek

January 9, 2020, read first time and referred to Committee on Family and Children Services.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 267

A BILL FOR AN ACT to amend the Indiana Code concerning family and social services and to make an appropriation.

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

1 SECTION 1. IC 5-20-1-4, AS AMENDED BY P.L.156-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. (a) The authority has all of the powers
4 necessary or convenient to carry out and effectuate the purposes and
5 provisions of this chapter, including the power:
6 (1) to make or participate in the making of construction loans for
7 multiple family residential housing under terms that are approved
8 by the authority;
9 (2) to make or participate in the making of mortgage loans for
10 multiple family residential housing under terms that are approved
11 by the authority;
12 (3) to purchase or participate in the purchase from mortgage
13 lenders of mortgage loans made to persons of low and moderate
14 income for residential housing;
15 (4) to make loans to mortgage lenders for the purpose of
16 furnishing funds to such mortgage lenders to be used for making
17 mortgage loans for persons and families of low and moderate



1 income. However, the obligation to repay loans to mortgage
2 lenders shall be general obligations of the respective mortgage
3 lenders and shall bear such date or dates, shall mature at such
4 time or times, shall be evidenced by such note, bond, or other
5 certificate of indebtedness, shall be subject to prepayment, and
6 shall contain such other provisions consistent with the purposes
7 of this chapter as the authority shall by rule or resolution
8 determine;

9 (5) to collect and pay reasonable fees and charges in connection
10 with making, purchasing, and servicing of its loans, notes, bonds,
11 commitments, and other evidences of indebtedness;

12 (6) to acquire real property, or any interest in real property, by
13 conveyance, including purchase in lieu of foreclosure, or
14 foreclosure, to own, manage, operate, hold, clear, improve, and
15 rehabilitate such real property and sell, assign, exchange, transfer,
16 convey, lease, mortgage, or otherwise dispose of or encumber
17 such real property where such use of real property is necessary or
18 appropriate to the purposes of the authority;

19 (7) to sell, at public or private sale, all or any part of any mortgage
20 or other instrument or document securing a construction loan, a
21 land development loan, a mortgage loan, or a loan of any type
22 permitted by this chapter;

23 (8) to procure insurance against any loss in connection with its
24 operations in such amounts and from such insurers as it may deem
25 necessary or desirable;

26 (9) to consent, subject to the provisions of any contract with
27 noteholders or bondholders which may then exist, whenever it
28 deems it necessary or desirable in the fulfillment of its purposes
29 to the modification of the rate of interest, time of payment of any
30 installment of principal or interest, or any other terms of any
31 mortgage loan, mortgage loan commitment, construction loan,
32 loan to lender, or contract or agreement of any kind to which the
33 authority is a party;

34 (10) to enter into agreements or other transactions with any
35 federal, state, or local governmental agency for the purpose of
36 providing adequate living quarters for such persons and families
37 in cities and counties where a need has been found for such
38 housing;

39 (11) to include in any borrowing such amounts as may be deemed
40 necessary by the authority to pay financing charges, interest on
41 the obligations (for a period not exceeding the period of
42 construction and a reasonable time thereafter or if the housing is



1 completed, two (2) years from the date of issue of the
 2 obligations), consultant, advisory, and legal fees and such other
 3 expenses as are necessary or incident to such borrowing;
 4 (12) to make and publish rules respecting its lending programs
 5 and such other rules as are necessary to effectuate the purposes of
 6 this chapter;
 7 (13) to provide technical and advisory services to sponsors,
 8 builders, and developers of residential housing and to residents
 9 and potential residents, including housing selection and purchase
 10 procedures, family budgeting, property use and maintenance,
 11 household management, and utilization of community resources;
 12 (14) to promote research and development in scientific methods
 13 of constructing low cost residential housing of high durability;
 14 (15) to encourage community organizations to participate in
 15 residential housing development;
 16 (16) to make, execute, and effectuate any and all agreements or
 17 other documents with any governmental agency or any person,
 18 corporation, association, partnership, limited liability company,
 19 or other organization or entity necessary or convenient to
 20 accomplish the purposes of this chapter;
 21 (17) to accept gifts, devises, bequests, grants, loans,
 22 appropriations, revenue sharing, other financing and assistance
 23 and any other aid from any source whatsoever and to agree to, and
 24 to comply with, conditions attached thereto;
 25 (18) to sue and be sued in its own name, plead and be impleaded;
 26 (19) to maintain an office in the city of Indianapolis and at such
 27 other place or places as it may determine;
 28 (20) to adopt an official seal and alter the same at pleasure;
 29 (21) to adopt and from time to time amend and repeal bylaws for
 30 the regulation of its affairs and the conduct of its business and to
 31 prescribe rules and policies in connection with the performance
 32 of its functions and duties;
 33 (22) to employ fiscal consultants, engineers, attorneys, real estate
 34 counselors, appraisers, and such other consultants and employees
 35 as may be required in the judgment of the authority and to fix and
 36 pay their compensation from funds available to the authority
 37 therefor;
 38 (23) notwithstanding IC 5-13, but subject to the requirements of
 39 any trust agreement entered into by the authority, to invest:
 40 (A) the authority's money, funds, and accounts;
 41 (B) any money, funds, and accounts in the authority's custody;
 42 and



1 (C) proceeds of bonds or notes;
 2 in the manner provided by an investment policy established by
 3 resolution of the authority;
 4 (24) to make or participate in the making of construction loans,
 5 mortgage loans, or both, to individuals, partnerships, limited
 6 liability companies, corporations, and organizations for the
 7 construction of residential facilities for individuals with a
 8 developmental disability or for individuals with a mental illness
 9 or for the acquisition or renovation, or both, of a facility to make
 10 it suitable for use as a new residential facility for individuals with
 11 a developmental disability or for individuals with a mental illness;
 12 (25) to make or participate in the making of construction and
 13 mortgage loans to individuals, partnerships, corporations, limited
 14 liability companies, and organizations for the construction,
 15 rehabilitation, or acquisition of residential facilities for children;
 16 (26) to purchase or participate in the purchase of mortgage loans
 17 from:
 18 (A) public utilities (as defined in IC 8-1-2-1); or
 19 (B) municipally owned gas utility systems organized under
 20 IC 8-1.5;
 21 if those mortgage loans were made for the purpose of insulating
 22 and otherwise weatherizing single family residences in order to
 23 conserve energy used to heat and cool those residences;
 24 (27) to provide financial assistance to mutual housing
 25 associations (IC 5-20-3) in the form of grants, loans, or a
 26 combination of grants and loans for the development of housing
 27 for low and moderate income families;
 28 (28) to service mortgage loans made or acquired by the authority
 29 and to impose and collect reasonable fees and charges in
 30 connection with such servicing;
 31 (29) subject to the authority's investment policy, to enter into
 32 swap agreements (as defined in IC 8-9.5-9-4) in accordance with
 33 IC 8-9.5-9-5 and IC 8-9.5-9-7;
 34 (30) to promote and foster community revitalization through
 35 community services and real estate development;
 36 (31) to coordinate and establish linkages between governmental
 37 and other social services programs to ensure the effective delivery
 38 of services to low income individuals and families, including
 39 individuals or families facing or experiencing homelessness;
 40 (32) to cooperate with local housing officials and plan
 41 commissions in the development of projects that the officials or
 42 commissions have under consideration;



1 (33) to prescribe, in accordance with IC 32-30-10.5-10(i), a list of
 2 documents that must be included under IC 32-30-10.5 as part of
 3 a debtor's loss mitigation package in a foreclosure action filed
 4 after June 30, 2011;

5 (34) to take actions necessary to implement its powers that the
 6 authority determines to be appropriate and necessary to ensure the
 7 availability of state or federal financial assistance; and

8 (35) to administer any program or money designated by the state
 9 or available from the federal government or other sources that is
 10 consistent with the authority's powers and duties.

11 The omission of a power from the list in this subsection does not imply
 12 that the authority lacks that power. The authority may exercise any
 13 power that is not listed in this subsection but is consistent with the
 14 powers listed in this subsection to the extent that the power is not
 15 expressly denied by the Constitution of the State of Indiana or by
 16 another statute.

17 (b) The authority shall ensure that a mortgage loan acquired by the
 18 authority under subsection (a)(3) or made by a mortgage lender with
 19 funds provided by the authority under subsection (a)(4) is not
 20 knowingly made to a person whose adjusted family income, as
 21 determined by the authority, exceeds one hundred twenty-five percent
 22 (125%) of the median income for the geographic area involved.
 23 However, if the authority determines that additional encouragement is
 24 needed for the development of the geographic area involved, a
 25 mortgage loan acquired or made under subsection (a)(3) or (a)(4) may
 26 be made to a person whose adjusted family income, as determined by
 27 the authority, does not exceed one hundred forty percent (140%) of the
 28 median income for the geographic area involved. The authority shall
 29 establish procedures that the authority determines are appropriate to
 30 structure and administer any program conducted under subsection
 31 (a)(3) or (a)(4) for the purpose of acquiring or making mortgage loans
 32 to persons of low or moderate income. In determining what constitutes
 33 low income, moderate income, or median income for purposes of any
 34 program conducted under subsection (a)(3) or (a)(4), the authority shall
 35 consider:

36 (1) the appropriate geographic area in which to measure income
 37 levels; and

38 (2) the appropriate method of calculating low income, moderate
 39 income, or median income levels including:

40 (A) sources of;

41 (B) exclusions from; and

42 (C) adjustments to;



- 1 income.
- 2 (c) The authority, when directed by the governor, shall administer
- 3 programs and funds under 42 U.S.C. 1437 et seq.
- 4 (d) The authority shall identify, promote, assist, and fund:
- 5 (1) home ownership education programs; and
- 6 (2) mortgage foreclosure counseling and education programs
- 7 under IC 5-20-6;
- 8 conducted throughout Indiana by nonprofit counseling agencies that the
- 9 authority has certified, or by any other public, private, or nonprofit
- 10 entity in partnership with a nonprofit agency that the authority has
- 11 certified, using funds appropriated under section 27 of this chapter. The
- 12 attorney general and the entities listed in IC 4-6-12-4(a)(1) through
- 13 IC 4-6-12-4(a)(10) shall cooperate with the authority in implementing
- 14 this subsection.
- 15 (e) The authority shall:
- 16 (1) oversee and encourage a regional homeless delivery system
- 17 that:
- 18 (A) considers the need for housing and support services;
- 19 (B) implements strategies to respond to gaps in the delivery
- 20 system; and
- 21 (C) ensures individuals and families are matched with optimal
- 22 housing solutions;
- 23 (2) facilitate the dissemination of information to assist individuals
- 24 and families accessing local resources, programs, and services
- 25 related to homelessness, housing, and community development;
- 26 and
- 27 (3) each year, estimate and reasonably determine the number of
- 28 the following:
- 29 (A) Individuals in Indiana who are homeless.
- 30 (B) Individuals in Indiana who are homeless and less than
- 31 eighteen (18) years of age.
- 32 (C) Individuals in Indiana who are homeless and not residents
- 33 of Indiana.
- 34 (f) The authority has all of the powers necessary or convenient to
- 35 carry out and effectuate the purposes and provisions of IC 8-1-19.5
- 36 (concerning the administration of the 211 dialing code used to provide
- 37 access to human services information and referrals); including the
- 38 power to make and publish rules; in the manner set forth in
- 39 IC 8-1-19.5-13(b); necessary to effectuate the purposes of IC 8-1-19.5.
- 40 SECTION 2. IC 8-1-2.6-13, AS AMENDED BY P.L.156-2017,
- 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2020]: Sec. 13. (a) As used in this section, "communications



1 service" has the meaning set forth in IC 8-1-32.5-3.

2 (b) As used in this section, "communications service provider"
3 means a person or an entity that offers communications service to
4 customers in Indiana, without regard to the technology or medium used
5 by the person or entity to provide the communications service. The
6 term includes a provider of commercial mobile service (as defined in
7 47 U.S.C. 332).

8 (c) Notwithstanding sections 1.2, 1.4, and 1.5 of this chapter, the
9 commission may do the following, except as otherwise provided in this
10 subsection:

11 (1) Enforce the terms of a settlement agreement approved by the
12 commission before July 29, 2004. The commission's authority
13 under this subdivision continues for the duration of the settlement
14 agreement.

15 (2) Fulfill the commission's duties under IC 8-1-2.8 concerning
16 the provision of dual party relay services to deaf, hard of hearing,
17 and speech impaired persons in Indiana.

18 ~~(3) Before July 1, 2017, fulfill the commission's duties under~~
19 ~~IC 8-1-19.5 concerning the administration of the 211 dialing code~~
20 ~~for communications service used to provide access to human~~
21 ~~services information and referrals.~~

22 ~~(4)~~ **(3)** Fulfill the commission's responsibilities under IC 8-1-29
23 to adopt and enforce rules to ensure that a customer of a
24 telecommunications provider is not:

25 (A) switched to another telecommunications provider unless
26 the customer authorizes the switch; or

27 (B) billed for services by a telecommunications provider that
28 without the customer's authorization added the services to the
29 customer's service order.

30 ~~(5)~~ **(4)** Fulfill the commission's obligations under:

31 (A) the federal Telecommunications Act of 1996 (47 U.S.C.
32 151 et seq.); and

33 (B) IC 20-20-16;

34 concerning universal service and access to telecommunications
35 service and equipment, including the designation of eligible
36 telecommunications carriers under 47 U.S.C. 214.

37 ~~(6)~~ **(5)** Perform any of the functions described in section 1.5(b) of
38 this chapter.

39 ~~(7)~~ **(6)** Perform the commission's responsibilities under
40 IC 8-1-32.5 to:

41 (A) issue; and

42 (B) maintain records of;



- 1 certificates of territorial authority for communications service
 2 providers offering communications service to customers in
 3 Indiana.
- 4 ~~(8)~~ (7) Perform the commission's responsibilities under IC 8-1-34
 5 concerning the issuance of certificates of franchise authority to
 6 multichannel video programming distributors offering video
 7 service to Indiana customers.
- 8 ~~(9)~~ (8) Require a communications service provider, other than a
 9 provider of commercial mobile service (as defined in 47 U.S.C.
 10 332), to report to the commission on an annual basis, or more
 11 frequently at the option of the provider, and subject to section 4(e)
 12 of this chapter, any information needed by the commission to
 13 prepare the commission's report to the interim study committee on
 14 energy, utilities, and telecommunications under section 4 of this
 15 chapter.
- 16 ~~(10)~~ (9) Perform the commission's duties under IC 8-1-32.4 with
 17 respect to telecommunications providers of last resort, to the
 18 extent of the authority delegated to the commission under federal
 19 law to perform those duties.
- 20 ~~(11)~~ (10) Collect and maintain from a communications service
 21 provider the following information:
- 22 (A) The address of the provider's Internet web site.
 23 (B) All toll free telephone numbers and other customer service
 24 telephone numbers maintained by the provider for receiving
 25 customer inquiries and complaints.
 26 (C) An address and other contact information for the provider,
 27 including any telephone number not described in clause (B).
- 28 The commission shall make any information submitted by a
 29 provider under this subdivision available on the commission's
 30 Internet web site. The commission may also make available on the
 31 commission's Internet web site contact information for the Federal
 32 Communications Commission and the Cellular Telephone
 33 Industry Association.
- 34 ~~(12)~~ (11) Fulfill the commission's duties under any state or federal
 35 law concerning the administration of any universally applicable
 36 dialing code for any communications service.
- 37 (d) The commission does not have jurisdiction over any of the
 38 following with respect to a communications service provider:
- 39 (1) Rates and charges for communications service provided by the
 40 communications service provider, including the filing of
 41 schedules or tariffs setting forth the provider's rates and charges.
 42 (2) Depreciation schedules for any of the classes of property



1 owned by the communications service provider.

2 (3) Quality of service provided by the communications service
3 provider.

4 (4) Long term financing arrangements or other obligations of the
5 communications service provider.

6 (5) Except as provided in subsection (c), any other aspect
7 regulated by the commission under this title before July 1, 2009.

8 (e) The commission has jurisdiction over a communications service
9 provider only to the extent that jurisdiction is:

10 (1) expressly granted by state or federal law, including:

11 (A) a state or federal statute;

12 (B) a lawful order or regulation of the Federal
13 Communications Commission; or

14 (C) an order or a ruling of a state or federal court having
15 jurisdiction; or

16 (2) necessary to administer a federal law for which regulatory
17 responsibility has been delegated to the commission by federal
18 law.

19 SECTION 3. IC 8-1-17.5-25, AS AMENDED BY P.L.156-2017,
20 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2020]: Sec. 25. Notwithstanding any other law, the
22 commission may exercise jurisdiction over a surviving corporation or
23 successor corporation formed under this chapter only to do the
24 following:

25 (1) Ensure compliance with IC 8-1-2.8 concerning the provision
26 of dual party relay services to deaf, hard of hearing, and speech
27 impaired persons in Indiana.

28 ~~(2) Before July 1, 2017, perform the commission's duties under~~
29 ~~IC 8-1-19.5 concerning the administration of the 211 dialing code~~
30 ~~for communications service used to provide access to human~~
31 ~~services information and referrals.~~

32 ~~(2)~~ (2) Enforce rules adopted under IC 8-1-29 to ensure that a
33 customer of a telecommunications provider is not:

34 (A) switched to another telecommunications provider unless
35 the customer authorizes the switch; or

36 (B) billed for services by a telecommunications provider that
37 without the customer's authorization added the services to the
38 customer's service order.

39 ~~(3)~~ (3) Conduct proceedings under:

40 (A) the federal Telecommunications Act of 1996 (47 U.S.C.
41 151 et seq.); and

42 (B) IC 20-20-16;



- 1 concerning universal service and access to telecommunications
 2 service and equipment, including the designation of eligible
 3 telecommunications carriers under 47 U.S.C. 214.
 4 ~~(5)~~ **(4)** Perform the commission's duties under IC 8-1-2.6-1.5 or
 5 IC 8-1-2-5.
 6 ~~(6)~~ **(5)** Issue or maintain certificates of territorial authority for
 7 communications service providers under IC 8-1-32.5.
 8 ~~(7)~~ **(6)** Perform the commission's duties under IC 8-1-34 to issue
 9 and maintain certificates of franchise authority to multichannel
 10 video programming distributors offering video service to Indiana
 11 customers.
 12 ~~(8)~~ **(7)** Perform the commission's duties under ~~IC 8-1-2.6-13(c)~~**(9)**
 13 **IC 8-1-2.6-13(c)(8)** concerning the reporting of information by
 14 communications service providers.
 15 ~~(9)~~ **(8)** Fulfill the commission's duties under any state or federal
 16 law concerning the administration of any universally applicable
 17 dialing code for any communications service.
 18 ~~(10)~~ **(9)** Perform the commission's duties under IC 8-1-2.3 with
 19 respect to assigned service areas for electricity suppliers.
 20 ~~(11)~~ **(10)** Issue:
 21 (A) certificates of public convenience and necessity,
 22 certificates of territorial authority, and indeterminate permits
 23 under IC 8-1-2;
 24 (B) certificates of public convenience and necessity under
 25 IC 8-1-8.5; or
 26 (C) certificates of public convenience and necessity under
 27 IC 8-1-8.7.
 28 ~~(12)~~ **(11)** Determine territorial disputes between water utilities
 29 under IC 8-1.5-6.
 30 SECTION 4. IC 8-1-19.5 IS REPEALED [EFFECTIVE JULY 1,
 31 2020]. (Telephone 211 Dialing Code Services for Accessing Human
 32 Services Information).
 33 SECTION 5. IC 8-1-32.5-6, AS AMENDED BY P.L.53-2014,
 34 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2020]: Sec. 6. (a) Except as provided in subsection (c), before
 36 a communications service provider may offer communications service
 37 to customers in Indiana, the communications service provider must
 38 apply to the commission for a certificate of territorial authority. A
 39 communications service provider that seeks a certificate under this
 40 chapter shall submit an application on a form prescribed by the
 41 commission. Subject to subsection (e), the form prescribed by the
 42 commission must require the communications service provider to



- 1 report the following information:
- 2 (1) The provider's legal name and any name under which the
- 3 provider does or will do business in Indiana, as authorized by the
- 4 secretary of state.
- 5 (2) The provider's address and telephone number, along with
- 6 contact information for the person responsible for ongoing
- 7 communications with the commission.
- 8 (3) The legal name, address, and telephone number of the
- 9 provider's parent company, if any.
- 10 (4) A description of each service area in Indiana in which the
- 11 provider proposes to offer communications service.
- 12 (5) For each service area identified under subdivision (4), a
- 13 description of each type of communications service that the
- 14 provider proposes to offer in the service area.
- 15 (6) For each communications service identified under subdivision
- 16 (5), whether the communications service will be offered to
- 17 residential customers or business customers, or both.
- 18 (7) The expected date of deployment for each communications
- 19 service identified under subdivision (5) in each service area
- 20 identified in subdivision (4).
- 21 (8) A list of other states in which the provider offers
- 22 communications service, including the type of communications
- 23 service offered.
- 24 (9) Any other information the commission considers necessary to:
- 25 (A) monitor the type and availability of communications
- 26 service provided to Indiana customers; and
- 27 (B) prepare, under IC 8-1-2.6-4, the commission's annual
- 28 report to the interim study committee on energy, utilities, and
- 29 telecommunications established by IC 2-5-1.3-4 in an
- 30 electronic format under IC 5-14-6.
- 31 The commission may charge a fee for filing an application under this
- 32 section. Any fee charged by the commission under this subsection may
- 33 not exceed the commission's actual costs to process and review the
- 34 application under section 8 of this chapter.
- 35 (b) A communications service provider shall also submit, along with
- 36 the application required by subsection (a), the following documents:
- 37 (1) A certification from the secretary of state authorizing the
- 38 provider to do business in Indiana.
- 39 (2) Information demonstrating the provider's financial,
- 40 managerial, and technical ability to provide each communications
- 41 service identified in the provider's application under subsection
- 42 (a)(5) in each service area identified under subsection (a)(4).



1 (3) A statement, signed under penalty of perjury by an officer or
 2 another person authorized to bind the provider, that affirms the
 3 following:

4 (A) That the provider has filed or will timely file with the
 5 Federal Communications Commission all forms required by
 6 the Federal Communications Commission before offering
 7 communications service in Indiana.

8 (B) That the provider agrees to comply with any customer
 9 notification requirements imposed by the commission under
 10 section 11(b) of this chapter.

11 (C) That the provider agrees to update the information
 12 provided in the application submitted under subsection (a) on
 13 a regular basis, as may be required by the commission under
 14 section 12 of this chapter.

15 (D) That the provider agrees to notify the commission when
 16 the provider commences offering communications service in
 17 each service area identified in the provider's application under
 18 subsection (a)(4).

19 (E) That the provider agrees to pay any lawful rate or charge
 20 for switched and special access services, as required under
 21 any:

22 (i) applicable interconnection agreement; or

23 (ii) lawful tariff or order approved or issued by a regulatory
 24 body having jurisdiction.

25 (F) That the provider agrees to report, at the times required by
 26 the commission, any information required by the commission
 27 under ~~IC 8-1-2.6-13(c)(9)~~ **IC 8-1-2.6-13(c)(8)**.

28 (c) If:

29 (1) a communications service provider has been issued a:

30 (A) certificate of territorial authority; or

31 (B) certificate of public convenience and necessity;

32 by the commission before July 1, 2009; and

33 (2) the certificate described in subdivision (1) is in effect on July
 34 1, 2009;

35 the communications service provider is not required to submit an
 36 application under this section for as long as the certificate described in
 37 subdivision (1) remains in effect. For purposes of this subsection, if a
 38 corporation organized under IC 8-1-13 (or a corporation organized
 39 under IC 23-17-1 that is an electric cooperative and that has at least one
 40 (1) member that is a corporation organized under IC 8-1-13) holds a
 41 certificate of public convenience and necessity issued by the
 42 commission before, on, or after July 1, 2009, that certificate may serve



1 as the certificate required under this chapter with respect to any
2 communications service offered by the corporation, subject to the
3 commission's right to require the corporation to provide any
4 information that an applicant is otherwise required to submit under
5 subsection (a) or that a holder is required to report under
6 ~~IC 8-1-2.6-13(c)(9)~~. **IC 8-1-2.6-13(c)(8)**.

7 (d) This section does not empower the commission to require an
8 applicant for a certificate under this chapter to disclose confidential and
9 proprietary business plans and other confidential information without
10 adequate protection of the information. The commission shall exercise
11 all necessary caution to avoid disclosure of confidential information
12 supplied under this section.

13 (e) The form prescribed for a communications service provider that
14 offers only a service described in IC 8-1-2.6-1.1 must require the
15 communications service provider to report and certify the accuracy of
16 only the information required under subsection (a)(1) and (a)(2).

17 SECTION 6. IC 12-8-1.5-19 IS ADDED TO THE INDIANA CODE
18 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
19 1, 2020]: **Sec. 19. The office of the secretary has all the powers
20 necessary or convenient to carry out and effectuate the purposes
21 and provisions of IC 12-13-16 (concerning the administration of
22 the 211 dialing code used to provide access to human services
23 information and referrals), including the power to make and
24 publish rules, in the manner set forth in IC 12-13-16-10.**

25 SECTION 7. IC 12-13-16 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2020]:

28 **Chapter 16. Telephone 211 Dialing Code Services for Accessing
29 Human Services Information**

30 **Sec. 1. As used in this chapter, "211" means the abbreviated
31 dialing code designated by the Federal Communications
32 Commission for telephone service providing access to human
33 services information and referrals.**

34 **Sec. 2. As used in this chapter, "211 services" means
35 information and referral services provided through the use of 211
36 and intended to promote and provide access to human services.**

37 **Sec. 3. As used in this chapter, "advisory committee" refers to
38 the 211 advisory committee established by section 9 of this chapter.**

39 **Sec. 4. As used in this chapter, "fund" refers to the 211 services
40 fund established by section 8 of this chapter.**

41 **Sec. 5. As used in this chapter, "human services" means services
42 provided by government or nonprofit organizations to ensure the**



1 health and well-being of Indiana citizens. The term includes, but is
2 not limited to, services designed to do any of the following:

3 (1) Provide relief or assistance after a natural or nonnatural
4 disaster.

5 (2) Assist parents with stress issues.

6 (3) Assist persons in efforts to address and reduce instances of
7 emotional and physical abuse, including domestic violence and
8 sexual assault.

9 (4) Assist persons in efforts to reduce the rate of infant
10 mortality.

11 (5) Direct persons to services providing assistance to veterans,
12 senior citizens, and vulnerable children.

13 (6) Assist persons with respect to public health issues,
14 including:

15 (A) health epidemics;

16 (B) mental, physical, and behavioral health services,
17 including services for drug addiction and abuse;

18 (C) prescription assistance services; and

19 (D) medical transportation options.

20 (7) Provide information on food programs and available
21 nutrition education.

22 (8) Provide information on programs that assist with safe and
23 affordable housing, including assistance with utility services.

24 (9) Assist persons in identifying occupational and vocational
25 training and programs.

26 (10) Provide information on reentry programs for persons
27 leaving correctional facilities, alcohol and drug treatment
28 facilities, or mental health facilities.

29 Sec. 6. As used in this chapter, "person" means an individual, a
30 firm, a partnership, a corporation, or a limited liability company.

31 Sec. 7. It is the policy of the state that 211 services should, in an
32 orderly and efficient manner:

33 (1) provide access to human services; and

34 (2) collect needed information about human services and the
35 delivery of human services in Indiana.

36 Sec. 8. (a) The 211 services fund is established to make 211
37 services available throughout Indiana. The fund shall be
38 administered by the office of the secretary.

39 (b) The fund consists of the following:

40 (1) All money appropriated to the fund by the general
41 assembly.

42 (2) Funds received from the federal government for the



1 support of 211 services in Indiana.

2 (3) Investment earnings, including interest, on money in the
3 fund.

4 (4) Money from any other source, including gifts and grants.

5 (c) Money in the fund is continuously appropriated for the
6 purposes of this section.

7 (d) The office of the secretary, after consulting with the
8 committee, shall annually prepare a plan for the expenditure of the
9 money in the fund. The plan must include a strategy or plan to
10 provide information concerning, and referrals for, human services
11 in accordance with section 7 of this chapter.

12 (e) Money in the fund may be spent for the following purposes:

13 (1) The creation of a structure for a statewide 211 resources
14 data base.

15 (2) The development and implementation of a statewide 211
16 resources data base described in subdivision (1). Permissible
17 expenditures under this subdivision include expenditures for
18 planning, training, accreditation, and system evaluation.

19 (3) Collecting, organizing, and maintaining information from
20 state agencies, departments, and programs that provide
21 human services, for access by a provider of 211 services.

22 (4) Providing grants for any of the following purposes to a
23 provider of 211 services:

24 (A) The design, development, and implementation of 211
25 services in the provider's 211 service area. Funds provided
26 under this clause may be used for planning, public
27 awareness, training, accreditation, and evaluation.

28 (B) The provision of 211 services on an ongoing basis after
29 the design, development, and implementation of 211
30 services in the provider's service area.

31 (C) The provision of 211 services on a twenty-four (24)
32 hour per day, seven (7) day per week basis.

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

35 (g) 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.

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

40 Sec. 9. (a) The 211 advisory committee is established. The
41 advisory committee consists of members appointed:

42 (1) by the governor or the governor's designee; and



- 1 **(2) to provide diverse representation of the types of human**
 2 **services provided under this chapter.**
- 3 **(b) The advisory committee shall advise the office of the**
 4 **secretary and make recommendations concerning the use of and**
 5 **goals for 211.**
- 6 **(c) The office of the secretary shall staff the advisory committee.**
 7 **The expenses of the advisory committee shall be paid by the office**
 8 **of the secretary.**
- 9 **(d) Each member of the advisory committee who is not a state**
 10 **employee is entitled to the minimum salary per diem provided by**
 11 **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**
 12 **for traveling expenses as provided under IC 4-13-1-4 and other**
 13 **expenses actually incurred in connection with the member's duties**
 14 **as provided in the state policies and procedures established by the**
 15 **Indiana department of administration and approved by the budget**
 16 **agency.**
- 17 **(e) Each member of the advisory committee who is a state**
 18 **employee is entitled to reimbursement for traveling expenses as**
 19 **provided under IC 4-13-1-4 and other expenses actually incurred**
 20 **in connection with the member's duties as provided in the state**
 21 **policies and procedures established by the Indiana department of**
 22 **administration and approved by the budget agency.**
- 23 **Sec. 10. (a) The office of the secretary may adopt rules under**
 24 **IC 4-22-2 necessary to implement this chapter.**
- 25 **(b) The office of the secretary may adopt emergency rules under**
 26 **IC 4-22-2-37.1 to implement this chapter on an emergency basis.**
- 27 **(c) An emergency rule or an amendment to an emergency rule**
 28 **adopted under this section expires not later than one (1) year after**
 29 **the rule is accepted for filing under IC 4-22-2-37.1(e).**
- 30 SECTION 8. IC 16-25-4.5-4, AS ADDED BY P.L.213-2016,
 31 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2020]: Sec. 4. (a) The state department shall develop a
 33 perinatal hospice brochure and post the perinatal hospice brochure on
 34 the state department's Internet web site.
- 35 (b) The perinatal brochure developed under this section must
 36 include the following:
- 37 (1) A description of the health care and other services available
 38 from perinatal hospice.
- 39 (2) Information that medical assistance benefits may be available
 40 for prenatal care, childbirth, and perinatal hospice.
- 41 (3) Information regarding telephone 211 dialing code services for
 42 accessing grief counseling and other human services as described



1 in ~~IC 8-1-19.5~~, **IC 12-13-16**, and the types of services that are
2 available through this service.

3 SECTION 9. IC 16-34-2-1.5, AS AMENDED BY P.L.205-2018,
4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2020]: Sec. 1.5. (a) The state department shall develop an
6 informed consent brochure and post the informed consent brochure on
7 the state department's Internet web site.

8 (b) The state department shall develop an informed consent
9 brochure that includes the following:

10 (1) Objective scientific information concerning the probable
11 anatomical and physiological characteristics of a fetus every two

12 (2) weeks of gestational age, including the following:

13 (A) Realistic pictures in color for each age of the fetus,
14 including the dimensions of the fetus.

15 (B) Whether there is any possibility of the fetus surviving
16 outside the womb.

17 (2) Objective scientific information concerning the medical risks
18 associated with each abortion procedure or the use of an abortion
19 inducing drug, including the following:

20 (A) The risks of infection and hemorrhaging.

21 (B) The potential danger:

22 (i) to a subsequent pregnancy; or

23 (ii) of infertility.

24 (3) Information concerning the medical risks associated with
25 carrying the child to term.

26 (4) Information that medical assistance benefits may be available
27 for prenatal care, childbirth, and neonatal care.

28 (5) Information that the biological father is liable for assistance in
29 support of the child, regardless of whether the biological father
30 has offered to pay for an abortion.

31 (6) Information regarding telephone 211 dialing code services for
32 accessing human services as described in ~~IC 8-1-19.5~~,
33 **IC 12-13-16**, and the types of services that are available through
34 this service.

35 (7) Information concerning Indiana's safe haven law under
36 IC 31-34-2.5-1.

37 (8) Information that, under certain conditions, a pregnant woman
38 may relinquish a child who is, or who appears to be, not more
39 than thirty (30) days of age:

40 (A) to an emergency medical services provider (as defined in
41 IC 16-41-10-1); or

42 (B) in a newborn safety device (described in IC 31-34-2.5-1)



1 at a participating fire department or other site that is staffed by
 2 an emergency medical services provider.
 3 ~~(e)~~ **(c)** In complying with subsection (b)(6), the state department shall
 4 consult with the recognized 211 service providers and the Indiana
 5 housing and community development authority as required by
 6 ~~IC 8-1-19.5-9~~.
 7 ~~(d)~~ **(c)** In the development of the informed consent brochure
 8 described in this section, the state department shall use information and
 9 pictures that are available at no cost or nominal cost to the state
 10 department.
 11 ~~(e)~~ **(d)** The informed consent brochure must include the
 12 requirements specified in this chapter.
 13 SECTION 10. IC 34-30-2-24.2, AS AMENDED BY P.L.86-2018,
 14 SECTION 240, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2020]: Sec. 24.2. (a) IC 8-1-2.8-25 (Concerning
 16 InTRAC or a local exchange company for the development, adoption,
 17 implementation, maintenance, or operation of dual party relay services
 18 or telecommunications devices).
 19 (b) IC 8-1-17.5-16 (Concerning a member or director of a rural
 20 electric membership corporation or telephone cooperative corporation
 21 that is merged or consolidated).
 22 ~~(c)~~ **(c)** ~~IC 8-1-19.5-10 (Concerning a recognized 211 service provider~~
 23 ~~and its employees; directors; officers; and agents for injuries or loss to~~
 24 ~~persons or property as a result of an act or omission in connection with~~
 25 ~~developing and providing 211 services).~~

