



January 14, 2020

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## SENATE BILL No. 267

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DIGEST OF SB 267 (Updated January 13, 2020 12:17 pm - DI 136)

**Citations Affected:** IC 5-20; IC 8-1; IC 12-8; IC 12-13; IC 16-25; IC 16-34; IC 34-30; noncode.

**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.

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### Bohacek, Alting, Ruckelshaus

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

January 13, 2020, amended, reported favorably — Do Pass.

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SB 267—LS 7019/DI 119





January 14, 2020

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

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

*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

SB 267—LS 7019/DI 119



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



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report the following information:

- (1) The provider's legal name and any name under which the provider does or will do business in Indiana, as authorized by the secretary of state.
- (2) The provider's address and telephone number, along with contact information for the person responsible for ongoing communications with the commission.
- (3) The legal name, address, and telephone number of the provider's parent company, if any.
- (4) A description of each service area in Indiana in which the provider proposes to offer communications service.
- (5) For each service area identified under subdivision (4), a description of each type of communications service that the provider proposes to offer in the service area.
- (6) For each communications service identified under subdivision (5), whether the communications service will be offered to residential customers or business customers, or both.
- (7) The expected date of deployment for each communications service identified under subdivision (5) in each service area identified in subdivision (4).
- (8) A list of other states in which the provider offers communications service, including the type of communications service offered.
- (9) Any other information the commission considers necessary to:
  - (A) monitor the type and availability of communications service provided to Indiana customers; and
  - (B) prepare, under IC 8-1-2.6-4, the commission's annual report to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.

The commission may charge a fee for filing an application under this section. Any fee charged by the commission under this subsection may not exceed the commission's actual costs to process and review the application under section 8 of this chapter.

(b) A communications service provider shall also submit, along with the application required by subsection (a), the following documents:

- (1) A certification from the secretary of state authorizing the provider to do business in Indiana.
- (2) Information demonstrating the provider's financial, managerial, and technical ability to provide each communications service identified in the provider's application under subsection (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) The office of the secretary, after consulting with the  
6 committee, shall annually prepare a plan for the expenditure of the  
7 money in the fund. The plan must include a strategy or plan to  
8 provide information concerning, and referrals for, human services  
9 in accordance with section 7 of this chapter.

10 (d) Money in the fund may be spent for the following purposes:

11 (1) The creation of a structure for a statewide 211 resources  
12 data base.

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

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

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

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

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

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

31 (e) The expenses of administering the fund shall be paid from  
32 money in the fund.

33 (f) The treasurer of state shall invest the money in the fund not  
34 currently needed to meet the obligations of the fund in the same  
35 manner as other public money may be invested.

36 (g) Money in the fund at the end of a state fiscal year does not  
37 revert to the state general fund.

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

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

41 (2) to provide diverse representation of the types of human  
42 services provided under this chapter.



1           (b) The advisory committee shall advise the office of the  
2 secretary and make recommendations concerning the use of and  
3 goals for 211.

4           (c) The office of the secretary shall staff the advisory committee.  
5 The expenses of the advisory committee shall be paid by the office  
6 of the secretary.

7           (d) Each member of the advisory committee who is not a state  
8 employee is entitled to the minimum salary per diem provided by  
9 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
10 for traveling expenses as provided under IC 4-13-1-4 and other  
11 expenses actually incurred in connection with the member's duties  
12 as provided in the state policies and procedures established by the  
13 Indiana department of administration and approved by the budget  
14 agency.

15           (e) Each member of the advisory committee who is a state  
16 employee is entitled to reimbursement for traveling expenses as  
17 provided under IC 4-13-1-4 and other expenses actually incurred  
18 in connection with the member's duties as provided in the state  
19 policies and procedures established by the Indiana department of  
20 administration and approved by the budget agency.

21           Sec. 10. (a) The office of the secretary may adopt rules under  
22 IC 4-22-2 necessary to implement this chapter.

23           (b) The office of the secretary may adopt emergency rules under  
24 IC 4-22-2-37.1 to implement this chapter on an emergency basis.

25           (c) An emergency rule or an amendment to an emergency rule  
26 adopted under this section expires not later than one (1) year after  
27 the rule is accepted for filing under IC 4-22-2-37.1(e).

28           SECTION 8. IC 16-25-4.5-4, AS ADDED BY P.L.213-2016,  
29 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2020]: Sec. 4. (a) The state department shall develop a  
31 perinatal hospice brochure and post the perinatal hospice brochure on  
32 the state department's Internet web site.

33           (b) The perinatal brochure developed under this section must  
34 include the following:

35           (1) A description of the health care and other services available  
36 from perinatal hospice.

37           (2) Information that medical assistance benefits may be available  
38 for prenatal care, childbirth, and perinatal hospice.

39           (3) Information regarding telephone 211 dialing code services for  
40 accessing grief counseling and other human services as described  
41 in ~~IC 8-1-19.5~~, IC 12-13-16, and the types of services that are  
42 available through this service.



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

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

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

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

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

13 (B) Whether there is any possibility of the fetus surviving  
 14 outside the womb.

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

18 (A) The risks of infection and hemorrhaging.

19 (B) The potential danger:

20 (i) to a subsequent pregnancy; or

21 (ii) of infertility.

22 (3) Information concerning the medical risks associated with  
 23 carrying the child to term.

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

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

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

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

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

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

40 (B) in a newborn safety device (described in IC 31-34-2.5-1)  
 41 at a participating fire department or other site that is staffed by  
 42 an emergency medical services provider.



1 (c) In complying with subsection (b)(6), the state department shall  
 2 consult with the recognized 211 service providers and the Indiana  
 3 housing and community development authority as required by  
 4 ~~IC 8-1-19.5-9.~~

5 (d) (c) In the development of the informed consent brochure  
 6 described in this section, the state department shall use information and  
 7 pictures that are available at no cost or nominal cost to the state  
 8 department.

9 (e) (d) The informed consent brochure must include the  
 10 requirements specified in this chapter.

11 SECTION 10. IC 34-30-2-24.2, AS AMENDED BY P.L.86-2018,  
 12 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 13 [EFFECTIVE JULY 1, 2020]: Sec. 24.2. (a) IC 8-1-2.8-25 (Concerning  
 14 InTRAC or a local exchange company for the development, adoption,  
 15 implementation, maintenance, or operation of dual party relay services  
 16 or telecommunications devices).

17 (b) IC 8-1-17.5-16 (Concerning a member or director of a rural  
 18 electric membership corporation or telephone cooperative corporation  
 19 that is merged or consolidated).

20 (c) ~~IC 8-1-19.5-10 (Concerning a recognized 211 service provider  
 21 and its employees, directors, officers, and agents for injuries or loss to  
 22 persons or property as a result of an act or omission in connection with  
 23 developing and providing 211 services):~~

24 SECTION 11. [EFFECTIVE JULY 1, 2020] (a) **On July 1, 2020,**  
 25 **the auditor of state shall transfer from the 211 services account**  
 26 **established by IC 8-1-19.5-11, before its repeal by this act, the**  
 27 **balance in the account on June 30, 2020, to the 211 services fund**  
 28 **established by IC 12-13-16-8, as added by this act.**

29 (b) **On July 1, 2020, all appropriations to the Indiana housing**  
 30 **and community development authority concerning the 211 services**  
 31 **program under IC 8-1-19.5-11, before its repeal, are transferred to**  
 32 **the office of the secretary of family and social services for the 211**  
 33 **services program.**

34 (c) **This SECTION expires July 1, 2021.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill No. 267, 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:

Delete the title and insert the following:

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

Page 15, delete lines 5 through 6.

Page 15, line 7, delete "(d)" and insert "(c)".

Page 15, line 12, delete "(e)" and insert "(d)".

Page 15, line 33, delete "(f)" and insert "(e)".

Page 15, line 35, delete "(g)" and insert "(f)".

Page 15, line 38, delete "(h)" and insert "(g)".

Page 18, after line 25, begin a new paragraph and insert:

"SECTION 11. [EFFECTIVE JULY 1, 2020] **(a) On July 1, 2020, the auditor of state shall transfer from the 211 services account established by IC 8-1-19.5-11, before its repeal by this act, the balance in the account on June 30, 2020, to the 211 services fund established by IC 12-13-16-8, as added by this act.**

**(b) On July 1, 2020, all appropriations to the Indiana housing and community development authority concerning the 211 services program under IC 8-1-19.5-11, before its repeal, are transferred to the office of the secretary of family and social services for the 211 services program.**

**(c) This SECTION expires July 1, 2021."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 267 as introduced.)

GROOMS, Chairperson

Committee Vote: Yeas 9, Nays 0.

