

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 ENROLLED ACT No. 267

AN ACT to amend the Indiana Code concerning human services.

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

SECTION 1. IC 5-20-1-4, AS AMENDED BY P.L.156-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The authority has all of the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the power:

- (1) to make or participate in the making of construction loans for multiple family residential housing under terms that are approved by the authority;
- (2) to make or participate in the making of mortgage loans for multiple family residential housing under terms that are approved by the authority;
- (3) to purchase or participate in the purchase from mortgage lenders of mortgage loans made to persons of low and moderate income for residential housing;
- (4) to make loans to mortgage lenders for the purpose of furnishing funds to such mortgage lenders to be used for making mortgage loans for persons and families of low and moderate income. However, the obligation to repay loans to mortgage lenders shall be general obligations of the respective mortgage lenders and shall bear such date or dates, shall mature at such time or times, shall be evidenced by such note, bond, or other certificate of indebtedness, shall be subject to prepayment, and shall contain such other provisions consistent with the purposes

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of this chapter as the authority shall by rule or resolution determine;

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

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

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

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

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

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

(11) to include in any borrowing such amounts as may be deemed necessary by the authority to pay financing charges, interest on the obligations (for a period not exceeding the period of construction and a reasonable time thereafter or if the housing is completed, two (2) years from the date of issue of the obligations), consultant, advisory, and legal fees and such other expenses as are necessary or incident to such borrowing;

(12) to make and publish rules respecting its lending programs and such other rules as are necessary to effectuate the purposes of this chapter;



- (13) to provide technical and advisory services to sponsors, builders, and developers of residential housing and to residents and potential residents, including housing selection and purchase procedures, family budgeting, property use and maintenance, household management, and utilization of community resources;
- (14) to promote research and development in scientific methods of constructing low cost residential housing of high durability;
- (15) to encourage community organizations to participate in residential housing development;
- (16) to make, execute, and effectuate any and all agreements or other documents with any governmental agency or any person, corporation, association, partnership, limited liability company, or other organization or entity necessary or convenient to accomplish the purposes of this chapter;
- (17) to accept gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and assistance and any other aid from any source whatsoever and to agree to, and to comply with, conditions attached thereto;
- (18) to sue and be sued in its own name, plead and be impleaded;
- (19) to maintain an office in the city of Indianapolis and at such other place or places as it may determine;
- (20) to adopt an official seal and alter the same at pleasure;
- (21) to adopt and from time to time amend and repeal bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules and policies in connection with the performance of its functions and duties;
- (22) to employ fiscal consultants, engineers, attorneys, real estate counselors, appraisers, and such other consultants and employees as may be required in the judgment of the authority and to fix and pay their compensation from funds available to the authority therefor;
- (23) notwithstanding IC 5-13, but subject to the requirements of any trust agreement entered into by the authority, to invest:
- (A) the authority's money, funds, and accounts;
 - (B) any money, funds, and accounts in the authority's custody; and
 - (C) proceeds of bonds or notes;
- in the manner provided by an investment policy established by resolution of the authority;
- (24) to make or participate in the making of construction loans, mortgage loans, or both, to individuals, partnerships, limited liability companies, corporations, and organizations for the



construction of residential facilities for individuals with a developmental disability or for individuals with a mental illness or for the acquisition or renovation, or both, of a facility to make it suitable for use as a new residential facility for individuals with a developmental disability or for individuals with a mental illness;

(25) to make or participate in the making of construction and mortgage loans to individuals, partnerships, corporations, limited liability companies, and organizations for the construction, rehabilitation, or acquisition of residential facilities for children;

(26) to purchase or participate in the purchase of mortgage loans from:

(A) public utilities (as defined in IC 8-1-2-1); or

(B) municipally owned gas utility systems organized under IC 8-1.5;

if those mortgage loans were made for the purpose of insulating and otherwise weatherizing single family residences in order to conserve energy used to heat and cool those residences;

(27) to provide financial assistance to mutual housing associations (IC 5-20-3) in the form of grants, loans, or a combination of grants and loans for the development of housing for low and moderate income families;

(28) to service mortgage loans made or acquired by the authority and to impose and collect reasonable fees and charges in connection with such servicing;

(29) subject to the authority's investment policy, to enter into swap agreements (as defined in IC 8-9.5-9-4) in accordance with IC 8-9.5-9-5 and IC 8-9.5-9-7;

(30) to promote and foster community revitalization through community services and real estate development;

(31) to coordinate and establish linkages between governmental and other social services programs to ensure the effective delivery of services to low income individuals and families, including individuals or families facing or experiencing homelessness;

(32) to cooperate with local housing officials and plan commissions in the development of projects that the officials or commissions have under consideration;

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

(34) to take actions necessary to implement its powers that the authority determines to be appropriate and necessary to ensure the



availability of state or federal financial assistance; and
 (35) to administer any program or money designated by the state or available from the federal government or other sources that is consistent with the authority's powers and duties.

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

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

- (1) the appropriate geographic area in which to measure income levels; and
- (2) the appropriate method of calculating low income, moderate income, or median income levels including:
 - (A) sources of;
 - (B) exclusions from; and
 - (C) adjustments to;
 income.

(c) The authority, when directed by the governor, shall administer programs and funds under 42 U.S.C. 1437 et seq.

(d) The authority shall identify, promote, assist, and fund:

- (1) home ownership education programs; and
- (2) mortgage foreclosure counseling and education programs



under IC 5-20-6; conducted throughout Indiana by nonprofit counseling agencies that the authority has certified, or by any other public, private, or nonprofit entity in partnership with a nonprofit agency that the authority has certified, using funds appropriated under section 27 of this chapter. The attorney general and the entities listed in IC 4-6-12-4(a)(1) through IC 4-6-12-4(a)(10) shall cooperate with the authority in implementing this subsection.

(e) The authority shall:

(1) oversee and encourage a regional homeless delivery system that:

(A) considers the need for housing and support services;

(B) implements strategies to respond to gaps in the delivery system; and

(C) ensures individuals and families are matched with optimal housing solutions;

(2) facilitate the dissemination of information to assist individuals and families accessing local resources, programs, and services related to homelessness, housing, and community development; and

(3) each year, estimate and reasonably determine the number of the following:

(A) Individuals in Indiana who are homeless.

(B) Individuals in Indiana who are homeless and less than eighteen (18) years of age.

(C) Individuals in Indiana who are homeless and not residents of Indiana.

(f) The authority has all of the powers necessary or convenient to carry out and effectuate the purposes and provisions of IC 8-1-19.5 (concerning the administration of the 211 dialing code used to provide access to human services information and referrals); including the power to make and publish rules; in the manner set forth in IC 8-1-19.5-13(b); necessary to effectuate the purposes of IC 8-1-19.5.

SECTION 2. IC 8-1-2.6-13, AS AMENDED BY P.L.156-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) As used in this section, "communications service" has the meaning set forth in IC 8-1-32.5-3.

(b) As used in this section, "communications service provider" means a person or an entity that offers communications service to customers in Indiana, without regard to the technology or medium used by the person or entity to provide the communications service. The term includes a provider of commercial mobile service (as defined in



47 U.S.C. 332).

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

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

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

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

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

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

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

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

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

(B) IC 20-20-16;

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

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

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

(A) issue; and

(B) maintain records of;

certificates of territorial authority for communications service providers offering communications service to customers in Indiana.

~~(8)~~ (7) Perform the commission's responsibilities under IC 8-1-34 concerning the issuance of certificates of franchise authority to multichannel video programming distributors offering video



service to Indiana customers.

~~(9)~~ **(8)** Require a communications service provider, other than a provider of commercial mobile service (as defined in 47 U.S.C. 332), to report to the commission on an annual basis, or more frequently at the option of the provider, and subject to section 4(e) of this chapter, any information needed by the commission to prepare the commission's report to the interim study committee on energy, utilities, and telecommunications under section 4 of this chapter.

~~(10)~~ **(9)** Perform the commission's duties under IC 8-1-32.4 with respect to telecommunications providers of last resort, to the extent of the authority delegated to the commission under federal law to perform those duties.

~~(11)~~ **(10)** Collect and maintain from a communications service provider the following information:

(A) The address of the provider's Internet web site.

(B) All toll free telephone numbers and other customer service telephone numbers maintained by the provider for receiving customer inquiries and complaints.

(C) An address and other contact information for the provider, including any telephone number not described in clause (B).

The commission shall make any information submitted by a provider under this subdivision available on the commission's Internet web site. The commission may also make available on the commission's Internet web site contact information for the Federal Communications Commission and the Cellular Telephone Industry Association.

~~(12)~~ **(11)** Fulfill the commission's duties under any state or federal law concerning the administration of any universally applicable dialing code for any communications service.

(d) The commission does not have jurisdiction over any of the following with respect to a communications service provider:

(1) Rates and charges for communications service provided by the communications service provider, including the filing of schedules or tariffs setting forth the provider's rates and charges.

(2) Depreciation schedules for any of the classes of property owned by the communications service provider.

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

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

(5) Except as provided in subsection (c), any other aspect



regulated by the commission under this title before July 1, 2009.

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

- (1) expressly granted by state or federal law, including:
 - (A) a state or federal statute;
 - (B) a lawful order or regulation of the Federal Communications Commission; or
 - (C) an order or a ruling of a state or federal court having jurisdiction; or
- (2) necessary to administer a federal law for which regulatory responsibility has been delegated to the commission by federal law.

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

- (1) Ensure compliance with IC 8-1-2.8 concerning the provision of dual party relay services to deaf, hard of hearing, and speech impaired persons in Indiana.
- ~~(2) Before July 1, 2017, perform the commission's duties under IC 8-1-19.5 concerning the administration of the 211 dialing code for communications service used to provide access to human services information and referrals.~~
- ~~(3)~~ **(2)** Enforce rules adopted under IC 8-1-29 to ensure that a customer of a telecommunications provider is not:
 - (A) switched to another telecommunications provider unless the customer authorizes the switch; or
 - (B) billed for services by a telecommunications provider that without the customer's authorization added the services to the customer's service order.
- ~~(4)~~ **(3)** Conduct proceedings under:
 - (A) the federal Telecommunications Act of 1996 (47 U.S.C. 151 et seq.); and
 - (B) IC 20-20-16;
 concerning universal service and access to telecommunications service and equipment, including the designation of eligible telecommunications carriers under 47 U.S.C. 214.
- ~~(5)~~ **(4)** Perform the commission's duties under IC 8-1-2.6-1.5 or IC 8-1-2-5.
- ~~(6)~~ **(5)** Issue or maintain certificates of territorial authority for



communications service providers under IC 8-1-32.5.

~~(7)~~ **(6)** Perform the commission's duties under IC 8-1-34 to issue and maintain certificates of franchise authority to multichannel video programming distributors offering video service to Indiana customers.

~~(8)~~ **(7)** Perform the commission's duties under ~~IC 8-1-2.6-13(c)~~**(9)** **IC 8-1-2.6-13(c)(8)** concerning the reporting of information by communications service providers.

~~(9)~~ **(8)** Fulfill the commission's duties under any state or federal law concerning the administration of any universally applicable dialing code for any communications service.

~~(10)~~ **(9)** Perform the commission's duties under IC 8-1-2.3 with respect to assigned service areas for electricity suppliers.

~~(11)~~ **(10)** Issue:

(A) certificates of public convenience and necessity, certificates of territorial authority, and indeterminate permits under IC 8-1-2;

(B) certificates of public convenience and necessity under IC 8-1-8.5; or

(C) certificates of public convenience and necessity under IC 8-1-8.7.

~~(12)~~ **(11)** Determine territorial disputes between water utilities under IC 8-1.5-6.

SECTION 4. IC 8-1-19.5 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Telephone 211 Dialing Code Services for Accessing Human Services Information).

SECTION 5. IC 8-1-32.5-6, AS AMENDED BY P.L.53-2014, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Except as provided in subsection (c), before a communications service provider may offer communications service to customers in Indiana, the communications service provider must apply to the commission for a certificate of territorial authority. A communications service provider that seeks a certificate under this chapter shall submit an application on a form prescribed by the commission. Subject to subsection (e), the form prescribed by the commission must require the communications service provider to 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).
- (3) A statement, signed under penalty of perjury by an officer or another person authorized to bind the provider, that affirms the following:
 - (A) That the provider has filed or will timely file with the Federal Communications Commission all forms required by the Federal Communications Commission before offering



communications service in Indiana.

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

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

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

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

- (i) applicable interconnection agreement; or
- (ii) lawful tariff or order approved or issued by a regulatory body having jurisdiction.

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

(c) If:

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

- (A) certificate of territorial authority; or
- (B) certificate of public convenience and necessity;

by the commission before July 1, 2009; and

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

the communications service provider is not required to submit an application under this section for as long as the certificate described in subdivision (1) remains in effect. For purposes of this subsection, if a corporation organized under IC 8-1-13 (or a corporation organized under IC 23-17-1 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13) holds a certificate of public convenience and necessity issued by the commission before, on, or after July 1, 2009, that certificate may serve as the certificate required under this chapter with respect to any communications service offered by the corporation, subject to the commission's right to require the corporation to provide any information that an applicant is otherwise required to submit under subsection (a) or that a holder is required to report under ~~IC 8-1-2.6-13(c)(9)~~. **IC 8-1-2.6-13(c)(8)**.

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

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

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

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

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

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

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

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

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

Sec. 5. As used in this chapter, "human services" means services provided by government or nonprofit organizations to ensure the health and well-being of Indiana citizens. The term includes, but is not limited to, services designed to do any of the following:

- (1) Provide relief or assistance after a natural or nonnatural disaster.**
- (2) Assist parents with stress issues.**
- (3) Assist persons in efforts to address and reduce instances of**



emotional and physical abuse, including domestic violence and sexual assault.

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

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

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

(A) health epidemics;

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

(C) prescription assistance services; and

(D) medical transportation options.

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

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

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

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

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

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

(1) provide access to human services; and

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

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

(b) The fund consists of the following:

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

(2) Funds received from the federal government for the support of 211 services in Indiana.

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

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

(c) The office of the secretary, after consulting with the committee, shall annually prepare a plan for the expenditure of the



money in the fund. The plan must include a strategy or plan to provide information concerning, and referrals for, human services in accordance with section 7 of this chapter.

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

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

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

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

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

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

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

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

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

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

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

Sec. 9. (a) The 211 advisory committee is established. The advisory committee includes the following members appointed by the governor or the governor's designee:

(1) Two (2) members, each of whom represents a different Indiana United Way entity.

(2) Two (2) members who have experience working for or with Indiana 211 Partnership, Inc., or the Indiana 211 board of directors.

(3) Two (2) members, each of whom represents a different local service agency that receives referrals from 211.

(4) Seven (7) members representing the types of human



services provided under this chapter.

(b) The initial members of the advisory committee serve the following terms:

- (1) Three (3) members serve a term of one (1) year.
- (2) Five (5) members serve a term of two (2) years.
- (3) Five (5) members serve a term of four (4) years.

Members appointed to the advisory committee thereafter serve terms of four (4) years.

(c) The governor or the governor's designee shall appoint the chairperson of the advisory committee.

(d) The advisory committee shall do the following:

- (1) Provide input and consultation regarding implementation and administration of 211 services by the office of the secretary to ensure compliance with any requirements or obligations under this chapter.
- (2) Advise the office of the secretary and make recommendations concerning the use of and goals for 211 services.

(e) The office of the secretary shall staff the advisory committee. The expenses of the advisory committee shall be paid by the office of the secretary.

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

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

Sec. 10. Beginning July 1, 2021, the office of the secretary shall:

- (1) compile data regarding 211 services, including:
 - (A) community needs, including utility, housing, and food assistance;
 - (B) the number of referrals to community resources;
 - (C) the number of individuals seeking assistance in each county; and



- (D) all community resource providers; and**
- (2) enter into data sharing agreements with entities approved by the office of the secretary that allow the approved entities to access data compiled under this section in a manner that is consistent with state and federal privacy laws.**

Sec. 11. The office of the secretary shall obtain and maintain accreditation for 211 operations in accordance with the standards of the Alliance of Information and Referral Systems or an equivalent national accreditation organization for information and referral services.

Sec. 12. (a) The office of the secretary shall submit to the general assembly an annual report regarding 211 operations. The report must include information regarding all services provided through 211 and a description of changes in the information as compared to the year preceding the year for which the report is issued.

(b) The office of the secretary shall submit the report under subsection (a):

- (1) not later than June 1 of each year; and**
- (2) in an electronic format under IC 5-14-6.**

Sec. 13. (a) The office of the secretary may adopt rules under IC 4-22-2 necessary to implement this chapter.

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

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

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

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

- (1) A description of the health care and other services available from perinatal hospice.
- (2) Information that medical assistance benefits may be available for prenatal care, childbirth, and perinatal hospice.
- (3) Information regarding telephone 211 dialing code services for accessing grief counseling and other human services as described in ~~IC 8-1-19.5~~, **IC 12-13-16**, and the types of services that are available through this service.



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

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

- (1) Objective scientific information concerning the probable anatomical and physiological characteristics of a fetus every two
- (2) weeks of gestational age, including the following:
 - (A) Realistic pictures in color for each age of the fetus, including the dimensions of the fetus.
 - (B) Whether there is any possibility of the fetus surviving outside the womb.
- (2) Objective scientific information concerning the medical risks associated with each abortion procedure or the use of an abortion inducing drug, including the following:
 - (A) The risks of infection and hemorrhaging.
 - (B) The potential danger:
 - (i) to a subsequent pregnancy; or
 - (ii) of infertility.
- (3) Information concerning the medical risks associated with carrying the child to term.
- (4) Information that medical assistance benefits may be available for prenatal care, childbirth, and neonatal care.
- (5) Information that the biological father is liable for assistance in support of the child, regardless of whether the biological father has offered to pay for an abortion.
- (6) Information regarding telephone 211 dialing code services for accessing human services as described in ~~IC 8-1-19.5~~, **IC 12-13-16**, and the types of services that are available through this service.
- (7) Information concerning Indiana's safe haven law under IC 31-34-2.5-1.
- (8) Information that, under certain conditions, a pregnant woman may relinquish a child who is, or who appears to be, not more than thirty (30) days of age:
 - (A) to an emergency medical services provider (as defined in IC 16-41-10-1); or
 - (B) in a newborn safety device (described in IC 31-34-2.5-1) at a participating fire department or other site that is staffed by an emergency medical services provider.



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

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

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

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

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

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

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.**



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 267 — Concur

