



February 1, 2019

SENATE BILL No. 273

DIGEST OF SB 273 (Updated January 30, 2019 3:17 pm - DI 106)

Citations Affected: IC 31-26.

Synopsis: Kids first trust fund board subsidiary corporation. Allows the Indiana kids first trust fund board to create a nonprofit subsidiary corporation.

Effective: July 1, 2019.

**Merritt, Ford Jon,
Randolph Lonnie M**

January 7, 2019, read first time and referred to Committee on Public Policy.
January 31, 2019, amended, reported favorably — Do Pass.

SB 273—LS 6722/DI 92



February 1, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 273

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

- 1 SECTION 1. IC 31-26-4-5, AS ADDED BY P.L.145-2006,
2 SECTION 272, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The Indiana kids first trust
4 fund board is established.
5 (b) The purpose of the board is to determine whether proposed
6 projects under this chapter should be approved and to perform other
7 duties given to the board by this chapter. The board shall approve
8 projects and recommend to the department that the projects receive
9 funds under sections 12 and 14 of this chapter.
10 (c) The board shall, before January 1 of each year, prepare a budget
11 for expenditures from the fund for the following state fiscal year. The
12 budget must contain priorities for expenditures from the fund to
13 accomplish the projects that have been approved under this chapter.
14 The budget shall be submitted to the department and the budget
15 committee.
16 (d) The board may employ staff necessary to carry out the duties of
17 the board.

SB 273—LS 6722/DI 92



1 **(e) The board may establish a subsidiary corporation under**
 2 **section 17 of this chapter.**

3 SECTION 2. IC 31-26-4-12, AS AMENDED BY P.L.198-2016,
 4 SECTION 660, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The Indiana kids first trust
 6 fund is established to carry out the purposes of this chapter.

7 (b) The fund consists of the following:

8 (1) Appropriations made by the general assembly.

9 (2) Interest as provided in subsection (e).

10 (3) Fees from kids first trust license plates issued under
 11 IC 9-18-30 (before its expiration) or IC 9-18.5-14.

12 (4) Money donated to the fund, **including donations from a**
 13 **subsidiary corporation established under section 17 of this**
 14 **chapter.**

15 (5) Money transferred to the fund from other funds.

16 (c) The treasurer of state shall administer the fund.

17 (d) The expenses of administering the fund and this chapter shall be
 18 paid from the fund.

19 (e) The treasurer of state shall invest the money in the fund not
 20 currently needed to meet the obligations of the fund in the same
 21 manner as other public trust funds are invested. Interest that accrues
 22 from these investments shall be deposited in the fund.

23 (f) An appropriation made by the general assembly to the fund shall
 24 be allotted and allocated at the beginning of the fiscal period for which
 25 the appropriation was made.

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

28 (h) Subject to this chapter, there is annually appropriated to the
 29 department all money in the fund for the purposes of this chapter.
 30 However, the department may not request the allotment of money from
 31 the appropriation for a project that has not been approved and
 32 recommended by the board.

33 SECTION 3. IC 31-26-4-17 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2019]: **Sec. 17. (a) The board may establish a nonprofit**
 36 **subsidiary corporation that is exempt from federal income taxation**
 37 **under Section 501(c)(3) of the Internal Revenue Code, to solicit and**
 38 **accept private funding, gifts, donations, bequests, devises, and**
 39 **contributions.**

40 **(b) A subsidiary corporation established under this section:**

41 **(1) shall use money received under subsection (a) to carry out**
 42 **in any manner the purposes and programs of the board,**



- 1 including programs intended to reduce infant mortality,
2 increase childhood immunizations, and reduce child abuse
3 and neglect;
4 (2) shall report to the budget committee each year
5 concerning:
6 (A) the use of money received under subsection (a); and
7 (B) the balances in any accounts or funds established by
8 the subsidiary corporation;
9 (3) may donate money received under subsection (a) to the
10 Indiana kids first trust fund; and
11 (4) may deposit money received under subsection (a) in an
12 account or fund that is:
13 (A) administered by the subsidiary corporation; and
14 (B) not part of the state treasury.
15 (c) A subsidiary corporation established under this section is
16 governed by a board of directors comprised of members appointed
17 by the board. Employees of the Indiana kids first trust fund board
18 may serve on the board of directors of the subsidiary corporation.
19 (d) Employees of the board shall provide administrative support
20 for a subsidiary corporation established under this section.
21 Employees of the board directly involved in the subsidiary
22 corporation established under this section may engage in
23 fundraising activities on behalf of the subsidiary corporation.
24 (e) The state board of accounts shall annually audit a subsidiary
25 corporation established under this section.



COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 273, 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:

Page 3, line 17, delete "governor" and insert "**board**".

and when so amended that said bill do pass.

(Reference is to SB 273 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0.

