

PROPOSED AMENDMENT

HB 1112 # 2

DIGEST

Deposit of sales tax on cigarettes. Establishes the doula fund (fund) to implement a doula program and the maternal mortality grant fund (grant fund) to make grants to entities that promote efforts to reduce maternal mortality. Provides that the state department of health shall administer the fund and the grant fund. Provides that after June 30, 2023, and each state fiscal year thereafter, the first \$13,000,000 the department of state revenue collects from the state gross retail and use taxes that are attributable to the sale of cigarettes shall be deposited as follows: (1) The first \$10,000,000 collected into the fund. (2) The next \$3,000,000 collected into the grant fund. Makes an appropriation.

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- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 6-2.5-10-1, AS AMENDED BY P.L.218-2017,
4 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2022]: Sec. 1. (a) The department shall account for all state
6 gross retail and use taxes that it collects.
7 (b) Of all the state gross retail and use taxes that the department
8 collects, the department shall determine separately the **following** parts:
9 ~~that:~~
10 (1) **The part that** the department collects under IC 6-2.5-3.5
11 (gasoline use tax). ~~and~~
12 (2) **After June 30, 2023, and each state fiscal year thereafter,**
13 **the first thirteen million dollars (\$13,000,000) that the**
14 **department collects under this article that are attributable to**
15 **the sale of cigarettes.**
16 ~~(3) The part that~~ the department collects under this article,
17 less:
18 (A) the amount described in subdivision (1); **and**
19 (B) **after June 30, 2023, and each state fiscal year**
20 **thereafter, the amount described in subdivision (2).**
21 (c) The department shall deposit the collections described in
22 subsection (b)(1) in the following manner:
23 (1) For state fiscal year 2017, the following:

- 1 (A) Fourteen and two hundred eighty-six thousandths percent
2 (14.286%) of the collections shall be deposited in the motor
3 vehicle highway account established under IC 8-14-1.
4 (B) Eighty-five and seven hundred fourteen thousandths
5 percent (85.714%) to the state general fund.
6 (2) For state fiscal year 2018, the following:
7 (A) Fourteen and two hundred eighty-six thousandths percent
8 (14.286%) of the collections shall be deposited in the motor
9 vehicle highway account established under IC 8-14-1.
10 (B) Fourteen and two hundred eighty-six thousandths percent
11 (14.286%) of the collections shall be deposited in the local
12 road and bridge matching grant fund established under
13 IC 8-23-30.
14 (C) Seventy-one and four hundred twenty-eight thousandths
15 percent (71.428%) to the state general fund.
16 (3) For state fiscal year 2019, the following:
17 (A) Fourteen and two hundred eighty-six thousandths percent
18 (14.286%) of the collections shall be deposited in the motor
19 vehicle highway account established under IC 8-14-1.
20 (B) Twenty-one and four hundred twenty-nine thousandths
21 percent (21.429%) of the collections shall be deposited in the
22 local road and bridge matching grant fund established under
23 IC 8-23-30.
24 (C) Sixty-four and two hundred eighty-five thousandths
25 percent (64.285%) shall be deposited in the state general fund.
26 (4) For state fiscal year 2020 and for each state fiscal year
27 thereafter, the following:
28 (A) Fourteen and two hundred eighty-six thousandths percent
29 (14.286%) of the collections shall be deposited in the motor
30 vehicle highway account established under IC 8-14-1.
31 (B) Twenty-one and four hundred twenty-nine thousandths
32 percent (21.429%) of the collections shall be deposited in the
33 local road and bridge matching grant fund established under
34 IC 8-23-30.
35 (C) The following shall be deposited in the state general fund:
36 (i) For state fiscal year 2020, fifty-three and five hundred
37 seventy-five thousandths percent (53.575%) shall be
38 deposited in the state general fund.
39 (ii) For state fiscal year 2021, forty-two and eight hundred
40 sixty-five thousandths percent (42.865%) shall be deposited

- 1 in the state general fund.
- 2 (iii) For state fiscal year 2022, thirty-two and one hundred
- 3 fifty-five thousandths percent (32.155%) shall be deposited
- 4 in the state general fund.
- 5 (iv) For state fiscal year 2023, twenty-one and four hundred
- 6 forty-five thousandths percent (21.445%) shall be deposited
- 7 in the state general fund.
- 8 (v) For state fiscal year 2024, ten and seven hundred
- 9 thirty-five thousandths percent (10.735%) shall be deposited
- 10 in the state general fund.
- 11 (D) The following shall be deposited in the special
- 12 transportation flexibility fund established by IC 4-12-16.5-2:
- 13 (i) For state fiscal year 2020, eight and five hundred
- 14 sixty-eight thousands percent (8.568%) of the collections
- 15 shall be deposited in the special transportation flexibility
- 16 fund established by IC 4-12-16.5-2.
- 17 (ii) For state fiscal year 2021, twelve and eight hundred
- 18 fifty-two thousandths percent (12.852%) of the collections
- 19 shall be deposited in the special transportation flexibility
- 20 fund established by IC 4-12-16.5-2.
- 21 (iii) For state fiscal year 2022, twelve and eight hundred
- 22 fifty-two thousandths percent (12.852%) of the collections
- 23 shall be deposited in the special transportation flexibility
- 24 fund established by IC 4-12-16.5-2.
- 25 (iv) For state fiscal year 2023, eight and five hundred
- 26 sixty-eight thousands percent (8.568%) of the collections
- 27 shall be deposited in the special transportation flexibility
- 28 fund established by IC 4-12-16.5-2.
- 29 (E) The following shall be deposited in the state highway fund:
- 30 (i) For state fiscal year 2020, two and one hundred forty-two
- 31 thousandths percent (2.142%) of the collections shall be
- 32 deposited in the state highway fund.
- 33 (ii) For state fiscal year 2021, eight and five hundred
- 34 sixty-eight thousandths percent (8.568%) of the collections
- 35 shall be deposited in the state highway fund.
- 36 (iii) For state fiscal year 2022, nineteen and two hundred
- 37 seventy-eight thousandths percent (19.278%) of the
- 38 collections shall be deposited in the state highway fund.
- 39 (iv) For state fiscal year 2023, thirty-four and two hundred
- 40 seventy-two thousandths percent (34.272%) of the

- 1 collections shall be deposited in the state highway fund.
 2 (v) For state fiscal year 2024, fifty-three and fifty-five
 3 hundredths percent (53.55%) of the collections shall be
 4 deposited in the state highway fund.
 5 (vi) For state fiscal year 2025, and for each state fiscal year
 6 thereafter, sixty-four and two hundred eighty-five
 7 thousandths percent (64.285%) of the collections shall be
 8 deposited in the state highway fund.

9 **(d) After June 30, 2023, and each state fiscal year thereafter, the**
 10 **department shall deposit amounts as follows from the collections**
 11 **described in subsection (b)(2):**

12 **(1) The first ten million dollars (\$10,000,000) collected into the**
 13 **doula fund established by IC 16-19-3-32(c).**

14 **(2) The next three million dollars (\$3,000,000) collected into**
 15 **the maternal mortality grant fund established by**
 16 **IC 16-19-3-33(b).**

17 ~~(d)~~ **(e)** The department shall deposit those collections described in
 18 subsection ~~(b)(2)~~ **(b)(3)** in the following manner:

19 (1) Ninety-nine and eight hundred thirty-eight thousandths
 20 percent (99.838%) of the collections shall be paid into the state
 21 general fund.

22 (2) Thirty-one thousandths of one percent (0.031%) of the
 23 collections shall be deposited into the industrial rail service fund
 24 established under IC 8-3-1.7-2.

25 (3) One hundred thirty-one thousandths of one percent (0.131%)
 26 of the collections shall be deposited into the commuter rail service
 27 fund established under IC 8-3-1.5-20.5."

28 Page 2, after line 27, begin a new paragraph and insert:

29 "SECTION 3. IC 16-18-2-100.3 IS ADDED TO THE INDIANA
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2022]: **Sec. 100.3. "Doula", for purposes of**
 32 **IC 16-19-3-32, has the meaning set forth in IC 16-19-3-32(a).**

33 SECTION 4. IC 16-18-2-143, AS AMENDED BY P.L.1-2010,
 34 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2022]: Sec. 143. **(a) "Fund", for purposes of IC 16-19-3-32,**
 36 **has the meaning set forth in IC 16-19-3-32(b).**

37 **(b) "Fund", for purposes of IC 16-19-3-33, has the meaning set**
 38 **forth in IC 16-19-3-33(a).**

39 ~~(a)~~ **(c) "Fund", for purposes of IC 16-26-2, has the meaning set forth**
 40 **in IC 16-26-2-2.**

1 ~~(b)~~ **(d)** "Fund", for purposes of IC 16-31-8.5, has the meaning set
2 forth in IC 16-31-8.5-2.

3 ~~(e)~~ **(e)** "Fund", for purposes of IC 16-41-39.4, refers to the
4 childhood lead poisoning prevention fund established by
5 IC 16-41-39.4-3.1.

6 ~~(f)~~ **(f)** "Fund", for purposes of IC 16-41-39.8, refers to the lead trust
7 fund established by IC 16-41-39.8-7.

8 ~~(g)~~ **(g)** "Fund", for purposes of IC 16-46-5, has the meaning set forth
9 in IC 16-46-5-3.

10 ~~(h)~~ **(h)** "Fund", for purposes of IC 16-46-12, has the meaning set
11 forth in IC 16-46-12-1.

12 ~~(i)~~ **(i)** "Fund", for purposes of IC 16-41-42.2, has the meaning set
13 forth in IC 16-41-42.2-2.

14 ~~(j)~~ **(j)** "Fund", for purposes of IC 16-35-8, has the meaning set forth
15 in IC 16-35-8-2.

16 SECTION 5. IC 16-19-3-32 IS ADDED TO THE INDIANA CODE
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2022]: **Sec. 32. (a) As used in this section, "doula" means an
19 individual who is trained and certified by a nationally recognized
20 institution in providing emotional and physical support, but not
21 medical or midwife care, to pregnant and birthing persons before,
22 during, and after childbirth.**

23 **(b) As used in this section, "fund" refers to the doula fund
24 established by subsection (c).**

25 **(c) The doula fund is established to provide funding for the
26 implementation of a doula program. The fund consists of amounts
27 deposited into the fund under IC 6-2.5-10-1.**

28 **(d) The state department shall establish a doula program to do
29 the following with money from the fund:**

30 **(1) Make grants from the fund to individuals to seek the
31 services of a doula with emphasis on making grants to the
32 following:**

33 **(A) Individuals who experience specific health disparities
34 as a result of the individual's status as a member of a
35 minority group or of a lower income community.**

36 **(B) Individuals who live in a rural, medically underserved
37 area.**

38 **(2) Make grants from the fund to individuals who want to seek
39 training and certification to become a doula.**

40 **(e) The state department shall establish amounts for grants and**

1 criteria for awarding grants.

2 (f) To receive a grant from the fund an individual shall apply for
3 the grant in a manner prescribed by the state department.

4 (g) The state department shall administer the fund.

5 (h) The state department shall pay the expenses of administering
6 the fund from money in the fund.

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

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

12 (k) Money in the fund is continuously appropriated for the
13 purposes of this section.

14 SECTION 6. IC 16-19-3-33 IS ADDED TO THE INDIANA CODE
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2022]: Sec. 33. (a) As used in this section, "fund" refers to the
17 maternal mortality grant fund established by subsection (b).

18 (b) The maternal mortality grant fund is established to make
19 grants to entities to promote efforts to reduce maternal mortality.
20 The fund consists of amounts deposited into the fund under
21 IC 6-2.5-10-1.

22 (c) The state department shall administer the fund.

23 (d) The state department shall establish amounts for grants and
24 criteria for awarding grants under this section.

25 (e) To receive a grant from the fund an entity shall apply for the
26 grant in a manner prescribed by the state department.

27 (f) The state department shall pay the expenses of administering
28 the fund from money in the fund.

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

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

34 (i) Money in the fund is continuously appropriated for the
35 purposes of this section."

36 Renumber all SECTIONS consecutively.
(Reference is to HB 1112 as introduced.)