

PROPOSED AMENDMENT

HB 1328 # 23

DIGEST

Political subdivision contracts. Requires a political subdivision to upload to the Indiana transparency website any contract: (1) related to the provision of fire services or emergency medical services; or (2) entered into with another unit or entity that provides fire services or emergency medical services. Requires a political subdivision to annually attest that the political subdivision uploaded any contract related to the provision of fire services or emergency medical services. Provides that if a political subdivision does not submit the attestation, the political subdivision's most recent annual appropriations and annual tax levy are continued for the ensuing budget year.

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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 5-14-3.8-3.5, AS AMENDED BY P.L.257-2019,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 3.5. (a) This section applies only to contracts that
6 a political subdivision that is a taxing unit (as defined in IC 6-1.1-1-21)
7 enters into after June 30, 2016.
8 (b) As used in this section, "contract" **means a contract,**
9 **agreement, or similar arrangement by any other name. The term**
10 **includes all pages of a contract, and any attachments to the contract,**
11 **and any amendments, addendums, or extensions.**
12 (c) **Subject to subsection (d),** a political subdivision shall upload
13 a digital copy of a contract to the Indiana transparency ~~Internet web site~~
14 **website** one (1) time if the total cost of the contract to the political
15 subdivision exceeds fifty thousand dollars (\$50,000) during the term
16 of the contract. This subsection applies to all contracts for any subject,
17 purpose, or term, except that a political subdivision is not required to
18 upload a copy of an employment contract between the political
19 subdivision and an employee of the political subdivision. In the case of
20 a collective bargaining agreement, the political subdivision shall
21 upload a copy of the collective bargaining agreement and a copy of a
22 blank or sample individual employment contract. A political

1 subdivision shall upload the contract not later than sixty (60) days after
 2 the date the contract is executed. If a political subdivision enters into
 3 a contract that the political subdivision reasonably expects when
 4 entered into will not exceed fifty thousand dollars (\$50,000) in cost to
 5 the political subdivision but at a later date determines or expects the
 6 contract to exceed fifty thousand dollars (\$50,000) in cost to the
 7 political subdivision, the political subdivision shall upload a copy of
 8 the contract within sixty (60) days after the date on which the political
 9 subdivision makes the determination or realizes the expectation that the
 10 contract will exceed fifty thousand dollars (\$50,000) in cost to the
 11 political subdivision.

12 **(d) A political subdivision shall upload a digital copy to the**
 13 **Indiana transparency website of any contract, regardless of the**
 14 **total cost, that is:**

- 15 **(1) related to the provision of fire services or emergency**
 16 **medical services; or**
 17 **(2) entered into with another unit or entity that provides fire**
 18 **services or emergency medical services.**

19 **A political subdivision shall upload the contract not later than sixty**
 20 **(60) days after the date the contract is executed.**

21 ~~(d)~~ **(e)** Nothing in this section prohibits the political subdivision
 22 from withholding any information in the contract that the political
 23 subdivision shall or may withhold from disclosure under IC 5-14-3. A
 24 political subdivision may redact or obscure signatures on a contract.
 25 The political subdivision is solely responsible for redacting information
 26 in the contract."

27 Page 4, between lines 12 and 13, begin a new paragraph and insert:

28 "SECTION 6. IC 6-1.1-17-5.4 IS ADDED TO THE INDIANA
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2024]: **Sec. 5.4. (a) Not later than March 2 of**
 31 **each year, a political subdivision shall submit a statement to the**
 32 **department of local government finance attesting that the political**
 33 **subdivision uploaded any contract entered into during the**
 34 **immediately preceding year related to the provision of fire services**
 35 **or emergency medical services to the Indiana transparency website**
 36 **as required by IC 5-14-3.8-3.5(d).**

37 **(b) Notwithstanding any other provision, if a political**
 38 **subdivision does not submit the attestation statement required**
 39 **under subsection (a), the political subdivision's most recent annual**
 40 **appropriations and annual tax levy are continued for the ensuing**

- 1 **budget year."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to HB 1328 as introduced.)