



January 25, 2002

HOUSE BILL No. 1225

DIGEST OF HB 1225 (Updated January 23, 2002 11:39 AM - DI 87)

Citations Affected: IC 5-22; noncode.

Synopsis: Confined offender telecommunications system. Provides that a solicitation for a telecommunications system provided to a confined offender must emphasize low rates and fees. Limits commissions received from a telecommunications system provided to a confined offender to 33% percent of the telecommunications provider's net revenues. Provides that a contract for a telecommunications system provided to a confined offender in a county jail must terminate on the earlier of: (1) four years after; or (2) five months after the general election immediately after; the date on which the contract was entered into.

Effective: Upon passage.

Mahern, Dillon, Moses, Smith V

January 10, 2002, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.
January 24, 2002, reported — Do Pass.

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HB 1225—LS 6857/DI 103+



January 25, 2002

Second Regular Session 112th General Assembly (2002)

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 2001 General Assembly.

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HOUSE BILL No. 1225

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-22-23 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 23. Telecommunications Systems for Confined**
5 **Offenders**
6 **Sec. 1. As used in this chapter, "confined" has the meaning set**
7 **forth in IC 11-8-1-6.**
8 **Sec. 2. As used in this chapter, "net revenues" means the**
9 **amount of revenues actually received by a telecommunications**
10 **provider that is a party to a contract entered into under a**
11 **solicitation under this chapter.**
12 **Sec. 3. As used in this chapter, "offender" has the meaning set**
13 **forth in IC 11-8-1-9.**
14 **Sec. 4. As used in this chapter, "system" refers to a**
15 **telecommunications system (including local, intralata, interlata,**
16 **and interstate long distance calling services) for confined offenders.**
17 **Sec. 5. As used in this chapter, "telecommunications" has the**

HB 1225—LS 6857/DI 103+



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meaning set forth in IC 8-1-29-2.

Sec. 6. (a) This section applies to a solicitation for a system.

(b) Notwithstanding any other law, the solicitation must include a statement concerning the following:

(1) Any security and fraud control services considered necessary by the purchasing agent, including the use of collect calling services as the sole means of confined offender communications with the general population.

(2) The goal of reducing the total cost of a telephone call placed by a confined offender by soliciting competitive proposals that emphasize lower:

(A) per call service charges; and

(B) per minute rates.

(3) The maximum commission rate, not to exceed thirty-three percent (33%) of net revenues, that the purchasing agent may receive under a contract entered into under a solicitation under this chapter.

Sec. 7. (a) This section applies to a solicitation for a system for a county jail.

(b) Notwithstanding section 6 of this chapter, the solicitation must include a statement that a contract entered into under a solicitation under this chapter terminates on the earlier of:

(1) four (4) years after the date on which the contract was entered into; or

(2) five (5) months after the general election:

(A) that was held immediately after the date on which the contract was entered into; and

(B) in which a sheriff was elected.

SECTION 2. [EFFECTIVE UPON PASSAGE] IC 5-22-23, as added by this act, does not apply to solicitations for telecommunications systems (including local, interlata, intralata, and interstate long distance calling services) for confined offenders made before the effective date of this act.

SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1225, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KUZMAN, Chair

Committee Vote: yeas 13, nays 0.

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