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# HOUSE BILL No. 1225

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-22-23.

**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.

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January 10, 2002, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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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 *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**



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

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

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

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

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

12 **(A) per call service charges; and**

13 **(B) per minute rates.**

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

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

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

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

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

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

28 **(B) in which a sheriff was elected.**

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

34 **SECTION 3. An emergency is declared for this act.**

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