



April 4, 2003

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**ENGROSSED  
HOUSE BILL No. 1276**

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DIGEST OF HB 1276 (Updated April 2, 2003 5:49 PM - DI 87)

**Citations Affected:** IC 5-11.

**Synopsis:** Disbursement of funds by county building authority. Adds county building authorities and soil and water conservation districts to the list of entities exempted from the requirement that claims for payment be certified by the claimant or another person on their behalf. Requires compliance with the claims payment procedures used by the state.

**Effective:** July 1, 2003.

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**Weinzapfel, Ruppel**

(SENATE SPONSOR — SERVER)

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January 13, 2003, read first time and referred to Committee on Appointments and Claims.  
February 25, 2003, reported — Do Pass.  
March 3, 2003, read second time, ordered engrossed. Engrossed.  
March 4, 2003, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

March 10, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.  
April 3, 2003, amended, reported favorably — Do Pass.

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EH 1276—LS 7057/DI 108+



April 4, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1276

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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 5-11-10-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) This section  
3 applies to the state and its political subdivisions. However, this section  
4 does not apply to the following:
- 5 (1) The state universities.
  - 6 (2) Ivy Tech State College.
  - 7 (3) A municipality (as defined in IC 36-1-2-11).
  - 8 (4) A county.
  - 9 (5) An airport authority operating in a consolidated city.
  - 10 (6) A capital improvements board of managers operating in a  
11 consolidated city.
  - 12 (7) A board of directors of a public transportation corporation  
13 operating in a consolidated city.
  - 14 (8) A municipal corporation organized under IC 16-22-8-6.
  - 15 (9) A public library.
  - 16 (10) A library services authority.
  - 17 (11) A hospital organized under IC 16-22 or a hospital organized

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- 1 under IC 16-23.
- 2 (12) A school corporation (as defined in IC 36-1-2-17).
- 3 (13) A regional water or sewer district organized under IC 13-26
- 4 or under IC 13-3-2 (before its repeal).
- 5 (14) A municipally owned utility (as defined in IC 8-1-2-1).
- 6 (15) A board of an airport authority under IC 8-22-3.
- 7 (16) A conservancy district.
- 8 (17) A board of aviation commissioners under IC 8-22-2.
- 9 (18) A public transportation corporation under IC 36-9-4.
- 10 (19) A commuter transportation district under IC 8-5-15.
- 11 (20) A solid waste management district established under
- 12 IC 13-21 or IC 13-9.5 (before its repeal).

- 13 **(21) A county building authority under IC 36-9-13.**
- 14 **(22) A soil and water conservation district established under**
- 15 **IC 14-32.**

16 (b) No warrant or check shall be drawn by a disbursing officer in  
 17 payment of any claim unless the same has been fully itemized and its  
 18 correctness properly certified to by the claimant or some authorized  
 19 person in the claimant's behalf, and filed and allowed as provided by  
 20 law.

- 21 (c) The certificate provided for in subsection (b) is not required for:
- 22 (1) claims rendered by a public utility for electric, gas, steam,
  - 23 water, or telephone services, the charges for which are regulated
  - 24 by a governmental body;
  - 25 (2) a warrant issued by the auditor of state under IC 4-13-2-7(b);
  - 26 (3) a check issued by a special disbursing officer under
  - 27 IC 4-13-2-20(g); or
  - 28 (4) a payment of fees under IC 36-7-11.2-49(b) or
  - 29 IC 36-7-11.3-43(b).

30 (d) The disbursing officer shall issue checks or warrants for all  
 31 claims which meet all of the requirements of this section. The  
 32 disbursing officer does not incur personal liability for disbursements:

- 33 (1) processed in accordance with this section; and
- 34 (2) for which funds are appropriated and available.

35 (e) The certificate provided for in subsection (b) must be in the  
 36 following form:

37 I hereby certify that the foregoing account is just and correct, that  
 38 the amount claimed is legally due, after allowing all just credits,  
 39 and that no part of the same has been paid.

40 SECTION 2. IC 5-11-10-1.6, AS AMENDED BY P.L.68-2001,  
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2003]: Sec. 1.6. (a) As used in this section, "governmental

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- 1 entity" refers to any of the following:
- 2 (1) A municipality (as defined in IC 36-1-2-11).
- 3 (2) A school corporation (as defined in IC 36-1-2-17), including
- 4 a school extracurricular account.
- 5 (3) A county.
- 6 (4) A regional water or sewer district organized under IC 13-26
- 7 or under IC 13-3-2 (before its repeal).
- 8 (5) A municipally owned utility that is subject to IC 8-1.5-3 or
- 9 IC 8-1.5-4.
- 10 (6) A board of an airport authority under IC 8-22-3.
- 11 (7) A board of aviation commissioners under IC 8-22-2.
- 12 (8) A conservancy district.
- 13 (9) A public transportation corporation under IC 36-9-4.
- 14 (10) A commuter transportation district under IC 8-5-15.
- 15 (11) The state.
- 16 (12) A solid waste management district established under
- 17 IC 13-21 or IC 13-9.5 (before its repeal).
- 18 (13) A levee authority established under IC 14-27-6.
- 19 **(14) A county building authority under IC 36-9-13.**
- 20 **(15) A soil and water conservation district established under**
- 21 **IC 14-32.**
- 22 (b) As used in this section, "claim" means a bill or an invoice
- 23 submitted to a governmental entity for goods or services.
- 24 (c) The fiscal officer of a governmental entity may not draw a
- 25 warrant or check for payment of a claim unless:
- 26 (1) there is a fully itemized invoice or bill for the claim;
- 27 (2) the invoice or bill is approved by the officer or person
- 28 receiving the goods and services;
- 29 (3) the invoice or bill is filed with the governmental entity's fiscal
- 30 officer;
- 31 (4) the fiscal officer audits and certifies before payment that the
- 32 invoice or bill is true and correct; and
- 33 (5) payment of the claim is allowed by the governmental entity's
- 34 legislative body or the board or official having jurisdiction over
- 35 allowance of payment of the claim.
- 36 This subsection does not prohibit a school corporation, with prior
- 37 approval of the board having jurisdiction over allowance of payment of
- 38 the claim, from making payment in advance of receipt of services as
- 39 allowed by guidelines developed under IC 20-10.1-25-3.
- 40 (d) The fiscal officer of a governmental entity shall issue checks or
- 41 warrants for claims by the governmental entity that meet all of the
- 42 requirements of this section. The fiscal officer does not incur personal

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- 1 liability for disbursements:
- 2       (1) processed in accordance with this section; and
- 3       (2) for which funds are appropriated and available.
- 4       (e) The certification provided for in subsection (c)(4) must be on a
- 5 form prescribed by the state board of accounts.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Appointments and Claims, to which was referred House Bill 1276, 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.

HARRIS, Chair

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred House Bill No. 1276, 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 2, between lines 13 and 14, begin a new line block indented and insert:

**"(22) A soil and water conservation district established under IC 14-32."**

Page 3, between lines 17 and 18, begin a new line block indented and insert:

**"(15) A soil and water conservation district established under IC 14-32."**

and when so amended that said bill do pass.

(Reference is to HB 1276 as printed February 26, 2003.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 6, Nays 0.

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