



February 26, 2003

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## HOUSE BILL No. 1276

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DIGEST OF HB 1276 (Updated February 25, 2003 10:28 AM - DI 47)

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

**Synopsis:** Disbursement of funds by county building authority. Adds county building authorities 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

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January 13, 2003, read first time and referred to Committee on Appointments and Claims.  
February 25, 2003, reported — Do Pass.

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HB 1276—LS 7057/DI 108+



February 26, 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.

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## 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 (b) No warrant or check shall be drawn by a disbursing officer in
- 15 payment of any claim unless the same has been fully itemized and its
- 16 correctness properly certified to by the claimant or some authorized
- 17 person in the claimant's behalf, and filed and allowed as provided by
- 18 law.
- 19 (c) The certificate provided for in subsection (b) is not required for:
- 20 (1) claims rendered by a public utility for electric, gas, steam,
- 21 water, or telephone services, the charges for which are regulated
- 22 by a governmental body;
- 23 (2) a warrant issued by the auditor of state under IC 4-13-2-7(b);
- 24 (3) a check issued by a special disbursing officer under
- 25 IC 4-13-2-20(g); or
- 26 (4) a payment of fees under IC 36-7-11.2-49(b) or
- 27 IC 36-7-11.3-43(b).
- 28 (d) The disbursing officer shall issue checks or warrants for all
- 29 claims which meet all of the requirements of this section. The
- 30 disbursing officer does not incur personal liability for disbursements:
- 31 (1) processed in accordance with this section; and
- 32 (2) for which funds are appropriated and available.
- 33 (e) The certificate provided for in subsection (b) must be in the
- 34 following form:
- 35 I hereby certify that the foregoing account is just and correct, that
- 36 the amount claimed is legally due, after allowing all just credits,
- 37 and that no part of the same has been paid.
- 38 SECTION 2. IC 5-11-10-1.6, AS AMENDED BY P.L.68-2001,
- 39 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2003]: Sec. 1.6. (a) As used in this section, "governmental
- 41 entity" refers to any of the following:
- 42 (1) A municipality (as defined in IC 36-1-2-11).

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

COPY



1 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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