

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7386

BILL NUMBER: HB 1611

NOTE PREPARED: Jan 8, 2005

BILL AMENDED:

SUBJECT: Direct deposit of state payments.

FIRST AUTHOR: Rep. Noe

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires direct deposit by electronic funds transfer (EFT) of all payments to a person who has a contract with the state or submits invoices for payment from the state. This bill also provides a procedure for the auditor of state to grant a waiver of this requirement. This bill provides that a person who entered into a contract with the state before July 1, 2005, must authorize direct deposit of payments to the person or request a waiver of the requirement not later than June 30, 2006. This bill requires direct deposit by electronic funds transfer of a state employee's earnings. It also provides a procedure for the auditor of state to grant a waiver of this requirement. This bill provides that a state employee hired before July 1, 2005, must authorize direct deposit of the employee's earnings or request a waiver of the requirement not later than June 30, 2006.

Effective Date: July 1, 2005.

Explanation of State Expenditures: This bill will have an indeterminable administrative cost impact on the Auditor of State's Office (Auditor). It is estimated that requiring more EFT's will decrease administrative costs of the Auditor. The administrative efficiency realized from EFT payments is expected to outweigh the cost of accepting the EFT authorization forms and determining waiver eligibility.

Persons Contracting with the State: This bill requires any person contracting with the state to authorize EFT payments to and from the state. This bill does allow the contracting person to request a waiver of these requirements. The Auditor may grant the waiver for any of the following reasons:

- (1) The person does not currently have a savings or checking account and is unable to establish such

an account within the geographic area of the person's primary business location without payment of a service fee. The person must submit with the waiver request a written statement by the person's financial institution of the person's inability to establish an account without the payment of a fee.

(2) The person's primary business location is too remote to have access to a financial institution where a direct deposit can be made.

(3) The person's financial institution is unable to accept an electronic deposit or withdrawal. The person must submit with the waiver request a written statement by the person's financial institution that the financial institution is unable to accept an electronic deposit or withdrawal.

(4) The auditor of state determines that the facts of the particular case warrant a waiver of the requirement.

Any person who contracted with the state before July 1,2005 has until June 30, 2006 to submit the authorization or request a waiver.

Currently, persons contracting with the state can make and accept EFT payments to the state upon approval by the Auditor that this method is advantageous to the state. It is unknown how many persons are authorized to make and receive EFT payments.

State Employees: This bill also requires state employees to authorize EFT payments of their earnings. The exact number of employees that currently authorize the Auditor to direct deposit their paychecks is unknown. The Auditor may grant the waiver for any of the following reasons:

(1) The state employee does not currently have a savings or checking account and is unable to establish such an account within the geographic area of the employee's primary residence without payment of a service fee. The employee must submit with the waiver request a written statement by the employee's financial institution of the employee's inability to establish an account without the payment of a fee.

(2) The state employee's primary residence or place of work is too remote to have access to a financial institution where a direct deposit can be made.

(3) The state employee's financial institution is unable to accept an electronic deposit or withdrawal. The employee must submit with the waiver request a written statement by the employee's financial institution stating that the financial institution is unable to accept an electronic deposit or withdrawal.

(4) The state employee suffers from a disability:

(A) that would impede the employee from gaining access to electronically deposited funds; and

(B) that is documented by a health care provider (as defined in IC 34-18-2-14).

(5) The auditor of state determines that the facts of the particular case warrant a waiver of the requirement.

Any state employee hired before July 1,2005 has until June 30, 2006 to submit the authorization or request a waiver.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Auditor of State

Local Agencies Affected:

Information Sources:

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