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# SENATE BILL No. 190

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13-1-22; IC 4-15-2-32.5.

**Synopsis:** State employee layoffs; professional services contract. Requires the department of administration to prepare and make public the list of professional services contracts entered into by the state every six months instead of annually. Expands the list to include contracts procured by the department of administration. Requires the personnel department to make reports every six months of all state employees who are laid off.

**Effective:** July 1, 2006.

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January 9, 2006, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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Second Regular Session 114th General Assembly (2006)

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 2005 Regular Session of the General Assembly.

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## SENATE BILL No. 190



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

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

1 SECTION 1. IC 4-13-1-22 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 22. (a) As used in this  
3 section, "professional services" means the furnishing of services by any  
4 of the following:

- 5 (1) A person licensed, certified, or registered under IC 25-2.1 or
- 6 by any board listed in IC 25-1-5-3.
- 7 (2) An attorney.
- 8 (3) An expert witness, a court reporter, or an investigator retained
- 9 by the state in connection with judicial or administrative
- 10 proceedings involving the state.
- 11 (4) A minister, priest, rabbi, or another person empowered by the
- 12 person's religious faith to conduct religious services or to provide
- 13 spiritual counseling or guidance.
- 14 (5) A person who performs services, the satisfactory rendition of
- 15 which depends upon the person's unique training or skills.

16 (b) Before **February 15 and** August 15 of each year, each state  
17 agency shall file with the commissioner a report concerning the



1 professional services contracts that  
 2 ~~(1)~~ were awarded by that state agency during the previous ~~state~~  
 3 ~~fiscal year; and six (6) months regardless of whether or not the~~  
 4 ~~contracts~~  
 5 ~~(2)~~ were ~~not~~ procured through the Indiana department of  
 6 administration.

7 (c) Before **April 1 and** October 1 of each year, the commissioner  
 8 shall compile and make available for public inspection a report  
 9 concerning the professional services contracts awarded by each state  
 10 agency during the preceding ~~state fiscal year; six (6) months.~~

11 SECTION 2. IC 4-15-2-32.5 IS ADDED TO THE INDIANA CODE  
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13 1, 2006]: **Sec. 32.5. (a) Appointing authorities (as defined in**  
 14 **IC 4-15-2-2.1 and IC 4-15-2.5-1) shall notify the director before**  
 15 **February 15 and August 15 of each year of all employees who were**  
 16 **laid off under section 32 of this chapter. The notification must**  
 17 **include the information required by subsection (b). Before April 1**  
 18 **and October 1 of each year, the director shall compile and make**  
 19 **available for public inspection a report concerning employees who**  
 20 **have been laid off under section 32 of this chapter.**

21 (b) The notification and report required by subsection (a) must  
 22 contain the following information:

- 23 (1) The salary of each employee who was laid off.
- 24 (2) The reason for the layoff.
- 25 (3) If the functions the employee was performing are now  
 26 being performed under a:  
 27 (A) professional services contract with an individual who  
 28 is not a state employee; or  
 29 (B) contract with an entity for management of the function  
 30 that the employee performed;  
 31 the cost of the contract, including the specific salary for each  
 32 individual performing the service under the contract.
- 33 (4) If the functions are being performed under a management  
 34 contract, the total cost of the management contract.

35 (c) The report of the director required by subsection (a) shall  
 36 also include the total number of state employees who were laid off  
 37 for the six (6) months covered by the report.

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