

## SENATE BILL No. 612

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-14-1-3.

**Synopsis:** Motor vehicle highway account. Removes funding for the state police from the motor vehicle highway account fund. Makes state general fund and motor carrier regulation fund appropriations for the state police and motor carrier inspection for state fiscal year 2013-2014 and state fiscal year 2014-2015.

**Effective:** July 1, 2013.

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January 17, 2013, read first time and referred to Committee on Tax and Fiscal Policy.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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# SENATE BILL No. 612



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

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

1 SECTION 1. IC 8-14-1-3 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2013]: Sec. 3. The money collected for the  
3 motor vehicle highway account fund and remaining after refunds and  
4 the payment of all expenses incurred in the collection thereof, and after  
5 the deduction of the amount appropriated to the department for traffic  
6 safety, ~~and after the deduction of one-half (1/2) of the amount~~  
7 ~~appropriated for the state police department~~, shall be allocated to and  
8 distributed among the department and subdivisions designated as  
9 follows:

10 (1) Of the net amount in the motor vehicle highway account the  
11 auditor of state shall set aside for the cities and towns of the state  
12 fifteen percent (15%) thereof. This sum shall be allocated to the  
13 cities and towns upon the basis that the population of each city  
14 and town bears to the total population of all the cities and towns  
15 and shall be used for the construction or reconstruction and  
16 maintenance of streets and alleys and shall be annually budgeted  
17 as now provided by law. However, no part of such sum shall be



1 used for any other purpose than for the purposes defined in this  
 2 chapter. If any funds allocated to any city or town shall be used by  
 3 any officer or officers of such city or town for any purpose or  
 4 purposes other than for the purposes as defined in this chapter,  
 5 such officer or officers shall be liable upon their official bonds to  
 6 such city or town in such amount so used for other purposes than  
 7 for the purposes as defined in this chapter, together with the costs  
 8 of said action and reasonable attorney fees, recoverable in an  
 9 action or suit instituted in the name of the state of Indiana on the  
 10 relation of any taxpayer or taxpayers resident of such city or town.  
 11 A monthly distribution thereof of funds accumulated during the  
 12 preceding month shall be made by the auditor of state.

13 (2) Of the net amount in the motor vehicle highway account, the  
 14 auditor of state shall set aside for the counties of the state  
 15 thirty-two percent (32%) thereof. However, as to the allocation to  
 16 cities and towns under subdivision (1), and as to the allocation to  
 17 counties under this subdivision in the event that the amount in the  
 18 motor vehicle highway account fund remaining after refunds and  
 19 the payment of all expenses incurred in the collection thereof and  
 20 after deduction of any amount appropriated by the general  
 21 assembly for public safety and policing shall be less than  
 22 twenty-two million six hundred and fifty thousand dollars  
 23 (\$22,650,000), in any fiscal year then the amount so set aside in  
 24 the next calendar year for distributions to counties shall be  
 25 reduced fifty-four percent (54%) of such deficit and the amount  
 26 so set aside for distribution in the next calendar year to cities and  
 27 towns shall be reduced thirteen percent (13%) of such deficit.  
 28 Such reduced distributions shall begin with the distribution  
 29 January 1 of each year.

30 (3) The amount set aside for the counties of the state under the  
 31 provisions of subdivision (2) shall be allocated monthly upon the  
 32 following basis:

33 (A) Five percent (5%) of the amount allocated to the counties  
 34 to be divided equally among the ninety-two (92) counties.

35 (B) Sixty-five percent (65%) of the amount allocated to the  
 36 counties to be divided on the basis of the ratio of the actual  
 37 miles, now traveled and in use, of county roads in each county  
 38 to the total mileage of county roads in the state, which shall be  
 39 annually determined, accurately, by the department.

40 (C) Thirty percent (30%) of the amount allocated to the  
 41 counties to be divided on the basis of the ratio of the motor  
 42 vehicle registrations of each county to the total motor vehicle

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- 1 registration of the state.
- 2 All money so distributed to the several counties of the state shall
- 3 constitute a special road fund for each of the respective counties
- 4 and shall be under the exclusive supervision and direction of the
- 5 board of county commissioners in the construction,
- 6 reconstruction, maintenance, or repair of the county highways or
- 7 bridges on such county highways within such county.
- 8 (4) Each month the remainder of the net amount in the motor
- 9 vehicle highway account shall be credited to the state highway
- 10 fund for the use of the department.
- 11 (5) Money in the fund may not be used for any toll road or toll
- 12 bridge project.
- 13 (6) Notwithstanding any other provisions of this section, money
- 14 in the motor vehicle highway account fund may be appropriated
- 15 to the Indiana department of transportation from the forty-seven
- 16 percent (47%) distributed to the political subdivisions of the state
- 17 to pay the costs incurred by the department in providing services
- 18 to those subdivisions.
- 19 (7) Notwithstanding any other provisions of this section or of
- 20 IC 8-14-8, for the purpose of maintaining a sufficient working
- 21 balance in accounts established primarily to facilitate the
- 22 matching of federal and local money for highway projects, money
- 23 may be appropriated to the Indiana department of transportation
- 24 as follows:
- 25 (A) One-half (1/2) from the forty-seven percent (47%) set
- 26 aside under subdivisions (1) and (2) for counties and for those
- 27 cities and towns with a population greater than five thousand
- 28 (5,000).
- 29 (B) One-half (1/2) from the distressed road fund under
- 30 IC 8-14-8.
- 31 **SECTION 2. [EFFECTIVE JULY 1, 2013] (a) The following**
- 32 **provisions concern appropriations for the Indiana state police and**
- 33 **motor carrier inspection:**
- 34 **(1) For the 2013-2014 state fiscal year and also for the**
- 35 **2014-2015 state fiscal year, the following amounts are**
- 36 **appropriated:**
- 37 **(A) From the state general fund, one hundred twenty**
- 38 **million, four hundred eighty-seven thousand, two hundred**
- 39 **eleven dollars (\$120,487,211) each state fiscal year.**
- 40 **(B) From the motor carrier regulation fund (IC 8-2.1-23),**
- 41 **four million two hundred thirty five thousand, four**
- 42 **hundred seventy-one dollars (\$4,235,471) each state fiscal**

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- 1           year.
- 2           **Augmentation is allowed from the state general fund and the**
- 3           **motor carrier regulation fund.**
- 4           **(2) The money appropriated in subdivision (1) is for the**
- 5           **following purposes:**
- 6                **(A) For personal services, one hundred three million, six**
- 7                **hundred fifty-two thousand, four hundred forty-one**
- 8                **dollars (\$103,652,441) each state fiscal year.**
- 9                **(B) For other operating expenses, twenty-one million,**
- 10              **seventy thousand, two hundred forty-one dollars**
- 11              **(\$21,070,241) each state fiscal year.**
- 12           **The money for personal services and other operating expenses**
- 13           **includes money to continue the state police minority**
- 14           **recruiting program and for the police security detail to be**
- 15           **provided to the Indiana state fair board. However, amounts**
- 16           **actually expended to provide security for the Indiana state**
- 17           **fair board as determined by the budget agency shall be**
- 18           **reimbursed by the Indiana state fair board to the state**
- 19           **general fund.**
- 20           **(3) For the 2013-2014 state fiscal year and also for the**
- 21           **2014-2015 state fiscal year, the following amounts are**
- 22           **appropriated:**
- 23                **(A) From the state general fund, nine million, nine hundred**
- 24                **twenty-five thousand, three hundred ninety-three dollars**
- 25                **(\$9,925,393) each state fiscal year.**
- 26                **(B) From the motor carrier regulation fund (IC 8-2.1-23),**
- 27                **three hundred forty-nine thousand, three hundred**
- 28                **forty-one dollars (\$349,341) each state fiscal year.**
- 29           **The appropriation is for forensic and health sciences**
- 30           **laboratories. Augmentation is allowed from the state general**
- 31           **fund and the motor carrier regulation fund.**
- 32           **(4) The money appropriated in subdivision (3) is for the**
- 33           **following purposes:**
- 34                **(A) For personal services, nine million, six hundred**
- 35                **seventy-seven thousand, five hundred three dollars**
- 36                **(\$9,677,503) each state fiscal year.**
- 37                **(B) For other operating expenses, five hundred**
- 38                **ninety-seven thousand, two hundred thirty-one dollars**
- 39                **(\$597,231) each state fiscal year.**
- 40           **(5) For the 2013-2014 state fiscal year and also for the**
- 41           **2014-2015 state fiscal year, from the state general fund,**
- 42           **twelve million, three hundred sixty-nine thousand, two**

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1           **hundred fourteen dollars (\$12,369,214) is appropriated each**  
 2           **state fiscal year. The appropriation shall be paid into the state**  
 3           **police pension fund provided for in IC 10-12-2 in twelve (12)**  
 4           **equal installments on or before July 30 and on or before the**  
 5           **thirtieth day of each succeeding month thereafter.**

6           **(6) For the 2013-2014 state fiscal year and also for the**  
 7           **2014-2015 state fiscal year, from the state general fund, two**  
 8           **million, four hundred twenty-six thousand, three hundred two**  
 9           **dollars (\$2,426,302) is appropriated each state fiscal year.**  
 10           **Augmentation is allowed from the state general fund. The**  
 11           **appropriation is for the state police benefit fund. All benefits**  
 12           **to members shall be paid by warrant drawn on the treasurer**  
 13           **of state by the auditor of state on the basis of claims filed and**  
 14           **approved by the trustees of the state police pension and**  
 15           **benefit funds created by IC 10-12-2.**

16           **(7) For the 2013-2014 state fiscal year and also for the**  
 17           **2014-2015 state fiscal year, from the state general fund, five**  
 18           **million, three hundred forty-three thousand, four hundred**  
 19           **forty-six dollars (\$5,343,446) is appropriated each state fiscal**  
 20           **year. Augmentation is allowed from the state general fund.**  
 21           **The appropriation is for the state police supplemental**  
 22           **pension. If the above appropriations for supplemental pension**  
 23           **for any one (1) year are greater than the amount actually**  
 24           **required under IC 10-12-5, the excess shall be returned to the**  
 25           **state general fund. If the amount actually required under**  
 26           **IC 10-12-5 is greater than the appropriations under this**  
 27           **subdivision, with the approval of the governor and the budget**  
 28           **agency, those sums may be augmented from the state general**  
 29           **fund.**

30           **(b) This SECTION expires July 1, 2015.**

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