

SENATE BILL No. 147

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-21-1.5; IC 20-26-5; IC 20-40.

Synopsis: School emergency response systems. Requires the department of homeland security (department) to establish minimum standards and approve best practices not later than July 1, 2017, for a school emergency response system (system). Creates an advisory committee consisting of law enforcement officials and a deputy director of the department to advise the department in establishing the standards. Beginning July 1, 2017, requires the department to review and approve a school corporation's: (1) plans and specifications; and (2) use of the department's best practices; if the school corporation purchases, installs, or implements a system. Allows a school corporation to use money from the school capital projects fund to pay the costs of a system. Requires each school corporation that wants to purchase, install, and implement a system to establish a school corporation emergency response system fund. Allows a school corporation to collect one or both of the following: (1) A student safety fee, not to exceed \$20 per year, for each student of a school. (2) A public safety fee, not to exceed \$10 per month on each parcel of real property located within the school corporation district that ends on the earlier of the following: (A) When the school board determines sufficient funds have been collected to further its program of purchasing, installing, or implementing emergency response systems in the school corporation. (B) 60 months. Requires that a student safety fee or public safety fee collected by a school corporation must be used to pay for the purchase, installation, and implementation of a system.

Effective: July 1, 2016.

Boots

January 5, 2016, read first time and referred to Committee on Homeland Security & Transportation.



Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 147



A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 10-21-1.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]:

4 **Chapter 1.5. School Emergency Response Systems**
5 **Sec. 1. As used in this chapter, "active shooter" means an**
6 **individual actively engaged in killing or attempting to kill people**
7 **in a school or school building.**

8 **Sec. 2. As used in this chapter, "department" refers to the**
9 **department of homeland security established by IC 10-19-2-1.**

10 **Sec. 3. As used in this chapter, "emergency response system"**
11 **means a system that uses technology and best practices to respond**
12 **to an active shooter incident.**

13 **Sec. 4. As used in this chapter, "school corporation" means a**
14 **local public school corporation established under state law. The**
15 **term includes a school city, school town, school township,**
16 **metropolitan school district, consolidated school corporation,**



1 county school corporation, township school corporation,
2 community school corporation, or united school corporation.

3 **Sec. 5. Not later than July 1, 2017, the department shall adopt**
4 **minimum standards and approve best practices for emergency**
5 **response systems.**

6 **Sec. 6. (a) After June 30, 2017, a school corporation may not**
7 **purchase, install, or implement an emergency response system in**
8 **the construction of a new school building or by retrofitting an**
9 **existing school building unless all the following requirements are**
10 **met:**

11 (1) The department reviews and approves the school
12 corporation's plans and specifications for compliance with the
13 standards adopted by the department under this chapter.

14 (2) The department reviews and approves the use of the best
15 practices approved under section 5 of this chapter in the
16 school corporation's emergency response system.

17 (b) The department shall establish procedures for the
18 department's review and approval of plans and specifications and
19 the use of best practices as set forth in subsection (a).

20 **Sec. 7. The standards described in section 5 of this chapter must**
21 **require an emergency response system to:**

22 (1) enable school staff to:

23 (A) sound an alarm throughout all school buildings and
24 classrooms; and

25 (B) not later than two (2) seconds after the alarm is
26 sounded, alert local law enforcement agencies via a virtual
27 private network;

28 (2) enable local law enforcement agencies, not later than
29 thirty (30) seconds after an alarm is sounded by school staff,
30 to:

31 (A) obtain critical information including:

32 (i) the description and location of the active shooter and
33 weapons;

34 (ii) real-time alerts and continuous monitoring of the
35 incident; and

36 (iii) the status of every classroom; and

37 (B) initiate countermeasures to interrupt, delay, or stop an
38 active shooter;

39 (3) enable local law enforcement agencies to share critical
40 information with other emergency responders;

41 (4) enable local law enforcement officers to have real-time
42 actionable intelligence on an electronic tablet;



- 1 (5) send an immediate life threatening alert message to all
 2 cellular telephones identified for emergency notification;
 3 (6) provide a hardened door system to refuge areas, including
 4 offices, libraries, and cafeterias, that:
 5 (A) is resistant to breach by small arms fire;
 6 (B) has ballistic glass;
 7 (C) has electronically controlled door locks that engage
 8 automatically when an alert is issued; and
 9 (D) locks classroom doors automatically when closed;
 10 (7) provide monitoring stations in school administrative
 11 offices; and
 12 (8) provide electronic access control within a school during an
 13 active shooter incident.

14 **Sec. 8. (a) The department shall consult with an advisory**
 15 **committee in establishing the standards under section 7 of this**
 16 **chapter.**

17 **(b) The advisory committee must consist of at least the following**
 18 **thirteen (13) members appointed by the department's executive**
 19 **director:**

- 20 (1) The superintendent of the Indiana state police department,
 21 who shall serve as chairperson of the advisory committee.
 22 (2) The deputy director of the division of preparedness and
 23 training of the department. The deputy director shall serve as
 24 the vice chairperson of the board.
 25 (3) The chief of police of a consolidated city.
 26 (4) Two (2) county sheriffs from counties with populations of
 27 at least one hundred thousand (100,000) who are
 28 recommended by the Indiana Sheriffs' Association.
 29 (5) Two (2) county sheriffs from counties with populations of
 30 at least fifty thousand (50,000) but less than one hundred
 31 thousand (100,000) who are recommended by the Indiana
 32 Sheriffs' Association.
 33 (6) Two (2) county sheriffs from counties with populations of
 34 less than fifty thousand (50,000) who are recommended by the
 35 Indiana Sheriffs' Association.
 36 (7) Two (2) chiefs of police from cities with populations of at
 37 least thirty-five thousand (35,000) who are recommended by
 38 the Indiana State Fraternal Order of Police.
 39 (8) One (1) chief of police from a city with a population of at
 40 least ten thousand (10,000) but less than thirty-five thousand
 41 (35,000) who is recommended by the Indiana State Fraternal
 42 Order of Police.



1 **(9) One (1) chief of police from a city with a population of less**
 2 **than ten thousand (10,000) who is recommended by the**
 3 **Indiana State Fraternal Order of Police.**

4 **(c) Each member of the advisory committee who is not a state**
 5 **employee is entitled to the minimum salary per diem as provided**
 6 **by IC 4-10-11-2.1(b) for each day engaged in the official business**
 7 **of the committee. The member is also entitled to reimbursement**
 8 **for traveling expenses as provided under IC 4-13-1-4 and other**
 9 **expenses actually incurred in connection with the member's duties**
 10 **as provided in the state policies and procedures established by the**
 11 **Indiana department of administration and approved by the budget**
 12 **agency.**

13 **(d) Seven (7) members of the advisory committee constitute a**
 14 **quorum. An affirmative vote of seven (7) members is required to**
 15 **recommend standards or any other policy or measure to the**
 16 **department. The committee may also develop standards for**
 17 **emergency response systems in addition to those specified in**
 18 **section 7 of this chapter that supplement and increase law**
 19 **enforcement command and control of an active shooter incident.**

20 **(e) The advisory committee shall evaluate whether a proposed**
 21 **emergency response system for a school meets the specifications for**
 22 **an emergency response system by witnessing a live demonstration**
 23 **of the proposed emergency response system. The advisory**
 24 **committee shall make a recommendation to the department as set**
 25 **forth in subsection (d).**

26 **SECTION 2. IC 20-26-5-37 IS ADDED TO THE INDIANA CODE**
 27 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 28 **1, 2016]: Sec. 37. (a) This section applies only to the governing body**
 29 **of a school corporation that purchases, installs, and implements in**
 30 **a school an emergency response system approved by the**
 31 **department of homeland security under IC 10-21-1.5.**

32 **(b) A student safety fee may be charged to a parent or a student**
 33 **of a school that purchases, installs, and implements an emergency**
 34 **response system. The governing body shall set the student safety**
 35 **fee. However, the fee may not exceed twenty dollars (\$20) per**
 36 **student per year. Proceeds of the student safety fee may be used**
 37 **only to pay the costs of purchasing, installing, or implementing an**
 38 **emergency response system under IC 10-21-1.5 for the school in**
 39 **which the student safety fee is imposed.**

40 **(c) The governing body of a school corporation may impose on**
 41 **each owner of real property located within the school corporation**
 42 **district a public safety fee of not more than ten dollars (\$10) per**



1 month on each parcel. Proceeds of the fee may be used only to pay
 2 the costs of purchasing, installing, or implementing an emergency
 3 response system for a school in the school corporation under
 4 IC 10-21-1.5.

5 (d) The governing body of the school corporation may impose
 6 the public safety fee under subsection (c) until the earlier of the
 7 following:

8 (1) The governing body collects funds in an amount that the
 9 governing body considers sufficient to further its program of
 10 purchasing, installing, or implementing emergency response
 11 systems in schools.

12 (2) Sixty (60) months.

13 (e) The county auditor shall enter the public safety fee on the tax
 14 duplicate for each parcel located within the school corporation
 15 district. Public safety fees assessed under this chapter are collected
 16 at the same time and in the same manner that property taxes are
 17 collected.

18 (f) The school corporation shall deposit any student safety fees
 19 or any public safety fees collected under this section in the school
 20 corporation emergency response system fund established under
 21 section 38 of this chapter.

22 (g) A school corporation may impose both a student safety fee
 23 and a public safety fee.

24 SECTION 3. IC 20-26-5-38 IS ADDED TO THE INDIANA CODE
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2016]: Sec. 38. (a) As used in this section, "fund" refers to a
 27 school corporation emergency response system fund established
 28 under this section.

29 (b) Each school corporation that wants to purchase, install, and
 30 implement a school emergency response system under IC 10-21-1.5
 31 shall establish a school corporation emergency response system
 32 fund. The fund consists of the following:

33 (1) Money transferred to the fund from fees collected under
 34 section 37 of this chapter.

35 (2) Gifts, donations, and bequests.

36 (3) Amounts deposited from any other public or private
 37 source.

38 (c) Property taxes levied by a school corporation for a capital
 39 projects fund may not be transferred to the fund.

40 (d) Money in the fund may be used only to pay the costs of
 41 purchasing, installing, and implementing a school emergency
 42 response system under IC 10-21-1.5.



1 SECTION 4. IC 20-40-8-13, AS ADDED BY P.L.2-2006,
 2 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2016]: Sec. 13. Money in the fund may be used
 4 for any of the following purposes:

5 (1) To purchase, lease, upgrade, maintain, or repair one (1) or
 6 more of the following:

7 (A) Computer hardware.

8 (B) Computer software.

9 (C) Wiring and computer networks.

10 (D) Communication access systems used to connect with
 11 computer networks or electronic gateways.

12 (2) To pay for the services of full-time or part-time computer
 13 maintenance employees.

14 (3) To conduct nonrecurring in-service technology training of
 15 school employees.

16 (4) To pay advances, together with interest on the advances, from
 17 the common school fund for educational technology programs
 18 under IC 20-49-4.

19 (5) To acquire any equipment or services necessary:

20 (A) to implement the technology preparation curriculum under
 21 IC 20-30-12;

22 (B) to participate in a program to provide educational
 23 technologies, including:

24 (i) computers in the homes of students (commonly referred
 25 to as "the buddy system project") under IC 20-20-13-6;

26 (ii) the 4R's technology program; or

27 (iii) any other program under the educational technology
 28 program described in IC 20-20-13; or

29 (C) to obtain any combination of equipment or services
 30 described in clauses (A) and (B).

31 **(6) To acquire any equipment or services necessary to**
 32 **implement a school emergency response system that is**
 33 **approved by the department of homeland security under**
 34 **IC 10-21-1.5.**

35 SECTION 5. IC 20-40-15-5, AS ADDED BY P.L.2-2006,
 36 SECTION 163, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) Except as provided in
 38 subsection (b), money in the fund may be used for one (1) or more of
 39 the purposes described in IC 20-20-13, IC 20-26-15-6(4)(B), or
 40 ~~IC 20-40-8-13~~; **IC 20-40-8-13(1) through IC 20-40-8-13(5).**

41 (b) Money in the fund may not be used to purchase software
 42 programs to be used exclusively for administrative purposes, such as



1 payroll and attendance records, personnel records, administration of
2 insurance or pension programs, or any other similar purpose. However,
3 if a particular software program will be used for administrative
4 purposes and for other purposes described in subsection (a), a part of
5 the cost of the software program may be paid from the fund. The part
6 of the cost that may be paid from the fund is the total cost of the
7 software program multiplied by the estimated percentage of use of the
8 software program for nonadministrative purposes.

