

**IC 36-8-16.7-38**

**PSAP use of distributions; annual report to board; audits**

Sec. 38. (a) A PSAP may use a distribution from a county under this chapter only for the following:

- (1) The lease, purchase, or maintenance of communications service equipment.
- (2) Necessary system hardware and software and data base equipment.
- (3) Personnel expenses, including wages, benefits, training, and continuing education, only to the extent reasonable and necessary for the provision and maintenance of:
  - (A) the statewide 911 system; or
  - (B) a wireline enhanced emergency telephone system funded under IC 36-8-16 (before its repeal on July 1, 2012).
- (4) Operational costs, including costs associated with:
  - (A) utilities;
  - (B) maintenance;
  - (C) equipment designed to provide backup power or system redundancy, including generators; and
  - (D) call logging equipment.
- (5) An emergency notification system that is approved by the board under section 40 of this chapter.
- (6) Connectivity to the Indiana data and communications system Indiana Code 2015 (IDACS).
- (7) Rates associated with communications service providers' enhanced emergency communications system network services.
- (8) Mobile radio equipment used by first responders, other than radio equipment purchased under subdivision (9) as a result of the narrow banding requirements specified by the Federal Communications Commission.
- (9) Up to fifty percent (50%) of the costs associated with the narrow banding or replacement of radios or other equipment as a result of the narrow banding requirements specified by the Federal Communications Commission.

(b) A PSAP may not use a distribution from a county under this chapter for the following:

- (1) The construction, purchase, renovation, or furnishing of PSAP buildings.
- (2) Vehicles.

(c) Not later than January 31 of each year, each PSAP shall submit to the board a report of the following:

- (1) All expenditures made during the immediately preceding calendar year from distributions under this chapter.
- (2) Call data and statistics for the immediately preceding calendar year, as specified by the board and collected in accordance with any reporting method established or required by the board.
- (3) All costs associated with dispatching appropriate public safety agencies to respond to 911 calls received by the PSAP.
- (4) All funding sources and amounts of funding used for costs

described in subdivision (3).

(d) The state board of accounts shall audit the expenditures of distributions under this chapter by each PSAP that receives distributions under this chapter. In conducting an audit under this subsection, the state board of accounts shall determine, in conjunction with the board, whether the expenditures made by each PSAP are in compliance with subsections (a) and (b). The board shall review and further audit any ineligible expenditure identified by the state board of accounts under this subsection or through any other report. If the board verifies that the expenditure did not comply with this section, the board shall ensure that the fund is reimbursed in the dollar amount of the noncomplying expenditure from any source of funding, other than a fund described in subsection (e), that is available to the PSAP or to a unit in which the PSAP is located.

(e) A distribution under section 37(a)(2) of this chapter must be deposited by the treasurer of the county in a separate fund set aside for the purposes allowed by subsections (a) and (b). The fund must be known as the \_\_\_\_\_ (insert name of county) 911 fund. The county treasurer may invest money in the fund in the same manner that other money of the county may be invested, but income earned from the investment must be deposited in the fund set aside under this subsection.

Indiana Code 2015

(f) Not later than November 1 of each year, the board shall provide in an electronic format under IC 5-14-6 to the general assembly the information submitted under subsection (c)(3) and (c)(4).

*As added by P.L.132-2012, SEC.20. Amended by P.L.157-2015, SEC.12; P.L.181-2015, SEC.51.*

### **IC 36-8-16.7-38.5**

#### **Advance payment of certain expenses; reimbursement**

Sec. 38.5. (a) This section applies to a political subdivision that operates a PSAP.

(b) Notwithstanding any other law, the fiscal body of a political subdivision may adopt an ordinance to authorize payment in advance of all or part of the cost of:

- (1) the lease, purchase, or maintenance of communications service equipment; and
- (2) rates associated with a communications service provider's enhanced emergency communications system network services; from any legally available fund of the political subdivision, including the political subdivision's rainy day fund.

(c) If a political subdivision makes a payment in advance under this section, the political subdivision shall reimburse the fund from which the advance payment was made.

*As added by P.L.157-2015, SEC.13.*