



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Twenty-fourth Meeting Day

Monday Afternoon

February 27, 2017

The Senate convened at 2:40 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Pastor Tony Mendizabal of Mount Tabor Christian Church.

The Pledge of Allegiance to the Flag was led by Senator Erin M. Houchin.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Kruse
Bassler	Lanane
Becker	Leising
Bohacek	Long
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buck	Mrvan
Charbonneau	Niemeyer
Crane	Niezgodski
Crider	Perfect
Delph	Raatz
Doriot	Randolph, Lonnie M. <input checked="" type="checkbox"/>
Eckerty	Ruckelshaus
Ford	Sandlin
Freeman	Smith, J.
Glick	Stoops
Grooms	Tallian
Head	Taylor, G.
Hershman	Tomes
Holdman	Walker
Houchin	Young, M.
Kenley	Zakas
Koch	Zay

Roll Call 184: present 49; excused 1. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1104 — Merritt, Charbonneau, Raatz (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1144 — Niemeyer, Hershman, Tallian (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning local government and to make an appropriation.

HB 1145 — Charbonneau (Health and Provider Services)

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

HB 1178 — Becker, Ford, Niezgodski (Elections)

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

HB 1245 — Koch (Civil Law)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1268 — Head, Taylor G (Corrections and Criminal Law)

A BILL FOR AN ACT concerning courts and court officers.

HB 1337 — Charbonneau (Health and Provider Services)

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

HB 1383 — Kruse, Raatz (Education and Career Development)

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

HB 1384 — Raatz, Kruse (Education and Career Development)

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

HB 1421 — Doriot, Messmer (Local Government)

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

HB 1444 — Zay, Doriot, Head (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1449 — Kruse (Education and Career Development)

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

HB 1470 — Hershman, Ruckelshaus (Commerce and Technology)

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

HB 1472 — Walker (Elections)

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

HB 1511 — Messmer, Ford (Civil Law)

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

HB 1519 — Charbonneau, Eckerty, Ford (Utilities)

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

HB 1521 — Walker, Koch, Lanane (Elections)

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

HB 1540 — Grooms, Charbonneau, Glick (Family and Children Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred House Concurrent Resolution 16, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1144, 1145, 1245, 1383, 1384, 1449, 1470, 1511 and 1540 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 16 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1502, 1516, 1541, 1555, 1577, 1626 and 1654 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution

12 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 20 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1104, 1178, 1268, 1337, 1421, 1444, 1472, 1519 and 1521 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1006, 1007, 1019, 1071, 1084, 1119, 1130, 1137, 1148, 1237, 1308, 1350, 1391, 1447 and 1491 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1144, 1145, 1245, 1383, 1384, 1449, 1470, 1511 and 1540 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING**Senate Resolution 17**

Senator Raatz called up Senate Resolution 17 for second reading. The resolution was read a second time. Upon request of Senator Raatz the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 185: yeas 40, nays 9. The resolution was adopted.

SENATE BILLS ON SECOND READING**Senate Bill 1**

Senator Head called up Senate Bill 1 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1-1)

Madam President: I move that Senate Bill 1 be amended to read as follows:

Page 4, line 37, after "years." insert "**A manufacturing permit issued by the commission under this article before July 1, 2017, shall not expire before July 1, 2020.**".

(Reference is to SB 1 as printed February 24, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 8

Senator Boots called up Senate Bill 8 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 9

Senator Merritt called up Senate Bill 9 for second reading. The bill was re-read a second time by title.

SENATE MOTION
(Amendment 9-3)

Madam President: I move that Senate Bill 9 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-14-29-5, AS AMENDED BY P.L.5-2015, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) If referred by a court, an individual who meets the requirements of section 2 of this chapter may receive federal Supplemental Nutrition Assistance Program (SNAP) benefits. ~~for not more than twelve (12) months.~~

(b) If referred by a court, an individual who meets the requirements of section 3 of this chapter may receive TANF benefits for not more than twelve (12) months."

Page 1, line 8, delete "." and insert "**, if any of the following circumstances are met:**

(1) The individual has successfully completed probation, parole, community corrections, a reentry court program, or any other postconviction monitoring program ordered by a court.

(2) The individual is successfully complying with the individual's conditions of probation, parole, community corrections, the terms of participation in a reentry court program, or the requirements of any other postconviction monitoring program ordered by a court.

(3) The individual is eligible for SNAP benefits under IC 12-14-29-2 as a participant in a program described in IC 12-14-29-2(4)."

Re-number all SECTIONS consecutively.

(Reference is to SB 9 as printed January 25, 2017.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 154

Senator Merritt called up Senate Bill 154 for second reading. The bill was re-read a second time by title.

SENATE MOTION
(Amendment 154-1)

Madam President: I move that Senate Bill 154 be amended to read as follows:

Page 1, line 8, delete "In implementing".

Page 1, delete lines 9 through 11.

Page 1, line 12, after "(b)" insert "**The division shall implement for the expanded categorical eligibility a countable asset limitation for resources that does not exceed ten thousand dollars (\$10,000). In determining whether an individual meets the resource requirement of this subsection:**

(1) the following assets of an individual may not be counted:

(A) A certificate of deposit.

(B) Funeral and burial resources.

(C) A savings account in the name of a dependent child; and

(2) the division shall require the individual only to attest that the individual's countable assets do not exceed ten thousand dollars (\$10,000).

(c)".

(Reference is to SB 154 as printed February 14, 2017.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 196

Senator Kenley called up Senate Bill 196 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 198

Senator Eckerty called up Senate Bill 198 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 198-1)

Madam President: I move that Senate Bill 198 be amended to read as follows:

Page 1, delete lines 1 through 8.

Page 4, reset in roman lines 13 through 17.

Page 6, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 9. IC 20-20-38-12, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the council, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning

appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:

- (1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;
- (2) the categories of expenditures and the distribution plan or formula for secondary schools; and
- (3) the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

(e) The state board shall use data from the department of workforce development in making a recommendation under this section."

Delete page 7.

Page 8, delete lines 1 through 36.

Page 10, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 11. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the interim study committee on fiscal policy established by IC 2-5-1.3-4.

(b) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(c) The legislative council is urged to assign to the committee during the 2017 legislative interim the topic of transferring oversight of the career and technical education grants from the department of education to the department of workforce development.

(d) This SECTION expires December 31, 2017.

SECTION 12. **An emergency is declared for this act."**

Delete pages 11 through 20.

Renumber all SECTIONS consecutively.

(Reference is to SB 198 as printed February 24, 2017.)

TALLIAN

Motion failed.

SENATE MOTION
(Amendment 198-2)

Madam President: I move that Senate Bill 198 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JULY 1, 2018]".

Page 4, reset in roman lines 13 through 17.

Page 4, line 17, after "agency." insert "**This subdivision expires July 1, 2018.**".

Replace the effective dates in SECTIONS 9 through 12 with "[EFFECTIVE JULY 1, 2018]".

Replace the effective dates in SECTIONS 14 through 21 with "[EFFECTIVE JULY 1, 2018]".

(Reference is to SB 198 as printed February 24, 2017.)

TALLIAN

Motion failed. The bill was ordered engrossed.

Senate Bill 199

Senator Altig called up Senate Bill 199 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 199-3)

Madam President: I move that Senate Bill 199 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 9 with "[EFFECTIVE UPON PASSAGE]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 7.1-1-3-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. "Advertising specialty" means an item having a fair market value of:**

(1) not more than one hundred dollars (\$100); or

(2) more than one hundred dollars (\$100) with the prior written approval of the commission;

that is designed to be used within a retail establishment to attract consumer attention to the products of a manufacturer. The term includes items such as posters, placards, designs, inside signs (electric, mechanical, or otherwise), window decorations, trays, coasters, mats, menu cards, meal checks, paper napkins, foam scrapers, back bar mats, thermometers, clocks, calendars, and alcoholic beverage lists or menus. An advertising specialty must bear conspicuous and substantial advertising matter about the product or the manufacturer or wholesaler that is permanently inscribed or securely affixed.

SECTION 2. IC 7.1-1-3-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12.5. "Consumer advertising specialty" means an item having a fair market value of:**

(1) not more than one hundred dollars (\$100); or

(2) more than one hundred dollars (\$100) with the prior written approval of the commission;

that is designed to be carried away by the consumer. The term includes items such as trading stamps, nonalcoholic mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, matches, printed recipes, pamphlets, cards, leaflets, blotters, post cards, pencils, shirts, caps, and visors. A consumer advertising specialty must bear conspicuous and substantial advertising matter about the product or the manufacturer or wholesaler that is permanently inscribed or securely affixed."

Page 2, line 20, delete ";" and insert "or consumer advertising specialty";

Page 4, after line 40, begin a new paragraph and insert: "SECTION 12. An emergency is declared for this act.".
Renummer all SECTIONS consecutively.
(Reference is to SB 199 as printed February 24, 2017.)

ALTING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 227

Senator Merritt called up Senate Bill 227 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 242

Senator Merritt called up Senate Bill 242 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 276

Senator Holdman called up Senate Bill 276 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 276-1)

Madam President: I move that Senate Bill 276 be amended to read as follows:

Page 7, line 27, beginning with "(1)" begin a new line block indented.

Page 7, line 29, beginning with "(2)" begin a new line block indented.

Page 13, line 24, delete "mean" and insert "means".

Page 14, line 42, delete "IC 12-17.2-17.5." and insert "IC 12-17.2-7.5.".

Page 15, line 6, delete "IC 12-17.2-17.5." and insert "IC 12-17.2-7.5.".

(Reference is to SB 276 as printed February 24, 2017.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 276-2)

Madam President: I move that Senate Bill 276 be amended to read as follows:

Page 3, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 13. IC 12-17.2-7.2-1, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "eligible child" refers to an individual who:

(1) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the pilot program;

(2) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;

(3) is a member of a household with an annual income that does not exceed ~~one hundred twenty-seven percent (127%)~~ **one hundred eighty-five percent (185%)** of the federal poverty level;

(4) receives qualified early education services from an eligible provider, as determined by the office;

(5) has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider; and

(6) has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office."

Renummer all SECTIONS consecutively.
(Reference is to SB 276 as printed February 24, 2017.)

TALLIAN

Motion failed.

SENATE MOTION
(Amendment 276-3)

Madam President: I move that Senate Bill 276 be amended to read as follows:

Page 14, line 38, delete "sixteen million dollars (\$16,000,000)." and insert "**forty million dollars (\$40,000,000).**".

Page 14, line 39, delete "sixteen million dollars (\$16,000,000)" and insert "**forty million dollars (\$40,000,000).**".

Page 15, line 2, delete "sixteen million dollars (\$16,000,000)." and insert "**forty million dollars (\$40,000,000).**".

Page 15, line 3, delete "sixteen million dollars (\$16,000,000)" and insert "**forty million dollars (\$40,000,000).**".

(Reference is to SB 276 as printed February 24, 2017.)

TALLIAN

Upon request of Senator Tallian the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 186: yeas 8, nays 41.

Motion failed.

SENATE MOTION
(Amendment 276-4)

Madam President: I move that Senate Bill 276 be amended to read as follows:

Page 14, line 38, delete "sixteen million dollars (\$16,000,000)." and insert "**twenty-two million dollars (\$22,000,000).**".

Page 14, line 39, delete "sixteen million dollars (\$16,000,000)" and insert "**twenty-two million dollars (\$22,000,000).**".

Page 15, line 2, delete "sixteen million dollars (\$16,000,000)." and insert "**twenty-two million dollars (\$22,000,000).**".

Page 15, line 3, delete "sixteen million dollars (\$16,000,000)" and insert "**twenty-two million dollars (\$22,000,000).**".

(Reference is to SB 276 as printed February 24, 2017.)

LANANE

Upon request of Senator Lanane the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 187: yeas 9, nays 40.

Motion failed.

SENATE MOTION
(Amendment 276-5)

Madam President: I move that Senate Bill 276 be amended to read as follows:

Page 12, line 42, delete "studies" and insert "**study**".

Page 13, line 1, delete "and IC 12-17.2-7.5-5;" and insert "**and**".

Page 13, line 3, delete "chapter;" and insert "**chapter.**".

Page 13, delete lines 4 through 6.

Page 13, delete lines 19 through 42.

Page 14, delete lines 1 through 25.

Page 14, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 29. [EFFECTIVE UPON PASSAGE]: (a) **As used in this SECTION, "in-home early education services" means a technology based program of early education that:**

(1) **is designed to improve a child's transition into elementary education;**

(2) **includes a parental engagement and involvement component; and**

(3) **is provided to a child at the child's home or a similar home setting.**

(b) **As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(c) **As used in this SECTION, "study committee" means either of the following:**

(1) **A statutory committee established under IC 2-5.**

(2) **An interim study committee.**

(d) **The legislative council is urged to assign to the appropriate study committee the topics of:**

(1) **the implementation of an in-home early education services program, including a reimbursement program to reimburse costs that are incurred by a parent or guardian of a child to provide in-home early education services to the child; and**

(2) **the availability of prekindergarten programs in rural areas of Indiana.**

(e) **If the topics described in subsection (d) are assigned to a study committee, the study committee shall issue a final report on the topics to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2017.**

(f) **This SECTION expires December 31, 2017."**

Page 14, line 38, delete "Of the".

Page 14, delete lines 39 through 42.

Page 15, line 2, delete "Of the".

Page 15, delete lines 3 through 6.

Renumber all SECTIONS consecutively.

(Reference is to SB 276 as printed February 24, 2017.)

BREAUX

Upon request of Senator Breaux the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 188: yeas 8, nays 41.

Motion failed. The bill was ordered engrossed.

Senate Bill 279

Senator Lanane called up Senate Bill 279 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 285

Senator Tomes called up Senate Bill 285 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 285-1)

Madam President: I move that Senate Bill 285 be amended to read as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2017] (a) **As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) **As used in this SECTION, "mass traffic obstruction" means an incident in which, as part of (or as the result of) a protest, riot, or other assembly, at least ten (10) persons unlawfully obstruct vehicular traffic in violation of IC 35-44.1-2-13 (obstruction of traffic).**

(c) **As used in this SECTION, "study committee" means an interim study committee established under IC 2-5-1.3-14.**

(d) **As used in this SECTION, "unit" means a county, city, or town.**

(e) **The legislative council is urged to assign to a study committee, during the 2017 legislative interim, the topic of a unit's use of law enforcement to respond to a mass traffic obstruction. The committee shall examine the parameters of reasonable response to a mass traffic obstruction that:**

(1) **provides protection to the public, including lawful protesters, and ensures the unobstructed use of public streets by all motorists including emergency vehicles and personnel responding to an emergency; and**

(2) **does not unreasonably interfere with the public's right of lawful assembly.**

(f) **If the topic described in subsection (e) is assigned to a study committee, the study committee shall, not later than November 1, 2017, issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6.**

(g) **This SECTION expires December 31, 2017.**

(Reference is to SB 285 as printed February 24, 2017.)

TOMES

Motion prevailed. The bill was ordered engrossed.

Senate Bill 295

Senator Leising called up Senate Bill 295 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 299

Senator Koch called up Senate Bill 299 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 322

Senator Houchin called up Senate Bill 322 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 322-2)

Madam President: I move that Senate Bill 322 be amended to read as follows:

Page 3, line 25, delete "expungement" and insert "**removal**".
 Page 3, line 26, after "with" insert "**instructions and**".
 Page 3, line 27, delete "expungement." and insert "**removal**".
 Page 3, line 38, strike "expungement" and insert "**removal**".
 Page 4, line 12, strike "expungement" and insert "**removal**".
 Page 4, line 13, strike "expunged," and insert "**removed**".
 Page 4, line 15, strike "expungement" and insert "**removal**".
 Page 4, line 16, after "(a);" insert "**and**".

Page 4, line 18, delete "or other evidence sufficient to establish or" and insert "**establishing a basis for removal described in this section;**
as described in subsections (c) and (d).".

Page 4, delete line 19.

Page 4, line 20, delete "described in subsection (a)(1) or (a)(2) have been satisfied;"

Page 4, line 20, strike "and".

Page 4, strike lines 21 through 22, begin a new paragraph and insert:

"(c) This subsection applies to a person if:

- (1) the person's conviction has been reversed and the case dismissed (as described in subsection (a)(1));
- (2) the person was acquitted of all felony charges or all felonies against the person were converted to misdemeanors (as described in subsection (a)(2)(A)); or
- (3) all felony charges were dismissed (as described in subsection (a)(2)(B)).

A person to whom this subsection applies may request DNA removal by obtaining a certified copy of a court order evidencing a basis for removal described in subdivisions (1) through (3) and transmitting the certified copy of the order with a letter or form requesting DNA removal to the superintendent.

(d) This subsection applies to a person if three hundred sixty-five (365) days have elapsed since the person's arrest and no felony charges have been filed against the person (as described in subsection (a)(2)(C)). A person to whom this subsection applies may request DNA removal by notifying the prosecuting attorney, in writing, that:

- (1) three hundred sixty-five (365) days have elapsed since the person's arrest;
- (2) no felony charges have been filed against the person; and
- (3) the person wishes to have the person's DNA removed from the data base.

Not later than thirty (30) days after receipt of a request for removal under this subsection, the prosecuting attorney shall consult the records maintained by the prosecuting attorney. If the person's claim appears to be meritorious, the prosecuting attorney shall file a request for removal with a court with jurisdiction. Upon receipt of a court order granting removal, the prosecuting attorney shall transmit a certified copy of the court order and a copy of the person's letter requesting DNA removal to the superintendent."

Page 4, line 23, strike "(c)" and insert "(e)".

Page 4, line 23, strike "expungement" and insert "**removal**".

Page 4, line 24, strike "expungement" and insert "**removal**". (Reference is to SB 322 as printed February 24, 2017.)

HOUCHIN

Motion prevailed.

SENATE MOTION
(Amendment 322-1)

Madam President: I move that Senate Bill 322 be amended to read as follows:

Page 4, between lines 25 and 26, begin a new paragraph and insert:

"(d) The expungement procedures described in this section are in addition to and supplement the expungement procedure described in section 18.5 of this chapter.

SECTION 4. IC 10-13-6-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 18.5. (a) This section applies:**

- (1) beginning July 1, 2018; and
 - (2) to a person whose DNA profile has been included in the Indiana DNA data base on the basis of the person's arrest for a felony.
- (b) At least one (1) time per week, the superintendent shall compile a list of persons whose:
- (1) DNA profile is included in the Indiana DNA data base solely on the basis of that person's arrest for a felony and for no other reason; and
 - (2) arrest occurred at least three hundred sixty-five (365) days before the date the list is compiled.

(c) For purposes of subsection (b), the superintendent shall include the name of a person in the list unless the superintendent has documented evidence that the person's DNA profile is required to be included in the data base for a reason other than a felony arrest.

(d) As soon as practicable after compiling the list, but in no event more than five (5) days after compiling the list, the superintendent shall transmit the list to the prosecuting attorney of every county, along with other identifying information in the possession of the superintendent that is relevant to identify a person included in the list.

(e) Not later than thirty (30) days after receipt of the list from the superintendent, the prosecuting attorney of each county shall:

- (1) review the list;
- (2) determine, with respect to every person named on the list who was arrested, charged, or subject to being

charged in the county where the prosecuting attorney has jurisdiction, whether felony charges were filed against the person within three hundred sixty-five (365) days after the person's arrest; and

(3) reply to the superintendent indicating which individuals described in subdivision (2):

(A) were charged with a felony within the three hundred sixty-five (365) day period; and

(B) were not charged with a felony within the three hundred sixty-five (365) day period.

(f) If the superintendent:

(1) receives a response from the prosecuting attorney indicating that a person was not charged with a felony within the three hundred sixty-five (365) day period; or

(2) does not receive a response within the thirty (30) day period that affirmatively shows that a person named on the list was charged with a felony within the three hundred sixty-five (365) day period;

the superintendent shall immediately expunge that person's DNA profile from the Indiana DNA data base.

(g) A person who believes that the person's DNA profile was erroneously not expunged under this section may still seek expungement under section 18 of this chapter.

(h) The superintendent may adopt rules, including emergency rules in the manner provided by IC 4-22-2-37.1, to carry out this section."

(Reference is to SB 324 as printed February 24, 2017.)

BREAUX

Motion failed. The bill was ordered engrossed.

Senate Bill 323

Senator Houchin called up Senate Bill 323 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 324

Senator Houchin called up Senate Bill 324 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 324-2)

Madam President: I move that Senate Bill 324 be amended to read as follows:

Page 3, line 31, delete ";" and insert "**in any jurisdiction for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum, including an attempt or conspiracy to commit the offense;**".

(Reference is to SB 324 as printed February 24, 2017.)

LANANE

Motion failed.

SENATE MOTION
(Amendment 324-6)

Madam President: I move that Senate Bill 324 be amended to read as follows:

Page 3, after line 36, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2017] (a) As used in this SECTION, "social impact assessment" means an evidence based analysis of the social consequences of an act passed by the general assembly, both positive and negative, on individuals and communities affected, directly or indirectly, by the act.

(b) Before July 1, 2019, the department of correction shall conduct a social impact assessment of SB 324-2017.

(c) The department of correction shall transmit its assessment to the legislative council before November 1, 2019. The assessment must be in an electronic format under IC 5-14-6.

(d) This SECTION expires December 1, 2019."

(Reference is to SB 324 as printed February 24, 2017.)

LANANE

Motion failed. The bill was ordered engrossed.

Senate Bill 348

Senator Freeman called up Senate Bill 348 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 404

Senator Houchin called up Senate Bill 404 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 404-3)

Madam President: I move that Senate Bill 404 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-266.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 266.4. (a) "Parent or legal guardian or custodian" means the following, except as provided in subsection (b):**

(1) A parent having legal custody of a child.

(2) The biological father of a child who is married to the mother of the child:

(A) if the mother of the child has legal custody of the child; and

(B) even if the father does not have legal custody of the child.

(3) The legal guardian of a child.

(4) The legal custodian of a child.

(b) The term does not include:

(1) the department of correction, if wardship of the child is transferred to the department for housing in a correctional facility for children;

(2) a community based correctional facility for children, if wardship of the child is transferred to the correctional facility for children; or

(3) a secure juvenile facility, if wardship is transferred to the secure juvenile facility.

If an entity described in this subsection has wardship, the person described in subsection (a) who had legal custody of

the child (or, in the case of a father described in subsection (a)(2), was married to a mother with legal custody) at the time wardship was transferred is the parent, legal guardian, or custodian of the child unless a court has terminated that person's legal custody or guardianship rights.

SECTION 2. IC 16-34-1-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10. If the state or an agency of the state has wardship or guardianship of an unemancipated pregnant minor, the state or agency of the state may not consent to an abortion unless the abortion is necessary to avert the pregnant minor's death or a substantial and irreversible impairment of a major bodily function of the pregnant minor."**

Page 1, line 4, strike "woman" and insert "**minor**".

Page 1, line 7, delete "woman" and insert "**minor**".

Page 1, line 7, after "guardian" insert "**or custodian**".

Page 1, line 8, strike "woman;" and insert "**minor**";".

Page 1, line 10, after "guardian" insert "**or custodian**".

Page 1, line 10, delete "woman;" and insert "**minor**";".

Page 1, line 12, after "(3)" insert "**some evidence, which may include identification or other**".

Page 1, line 12, delete "that establishes" and insert "**that provides an articulable basis for a reasonably prudent person to believe**".

Page 1, line 12, delete "parent or" and insert "**person**".

Page 1, line 13, delete "legal guardian is" and insert "**is**".

Page 1, line 13, delete "lawful".

Page 1, line 13, delete "legal guardian of" and insert "**legal guardian or custodian of**".

Page 1, line 14, delete "woman." and insert "**minor**".

Page 2, line 1, delete "woman's" and insert "**minor's**".

Page 2, line 5, after "guardian" insert "**or custodian**".

Page 2, line 6, after "guardian" insert "**or custodian**".

Page 2, line 9, strike "woman" and insert "**minor**".

Page 2, line 17, after "may" insert "**, subject to the thirty (30) day requirement described in subsection (d)**".

Page 2, line 20, after "(d)" insert "**A petition for a waiver of the parental consent requirement must be filed not later than thirty (30) days before the fetus reaches twenty (20) weeks of postfertilization age. The parent or legal guardian or custodian of the unemancipated pregnant minor shall be named as respondent and served with notice in accordance with the Indiana Rules of Trial Procedure. The court may not rule on the petition until proof of service is filed with the court. The parent or legal guardian or custodian may present evidence at the hearing.**

(e)".

Page 2, line 22, strike "petition." and insert "**proof of service, as described in subsection (d)**".

Page 2, line 22, delete "A parent or".

Page 2, delete lines 23 through 28.

Page 2, line 29, delete "submit evidence to the court".

Page 2, line 30, after "guardian" insert "**or custodian**".

Page 2, line 33, after "finds" delete "by".

Page 2, line 34, delete "clear and convincing evidence".

Page 2, line 37, strike "(e)" and insert "**(f)**".

Page 3, line 1, strike "(f)" and insert "**(g)**".

Page 3, line 2, after "guardian" insert "**or custodian**".

Page 3, line 6, strike "(g)" and insert "**(h)**".

Page 3, line 9, strike "(h)" and insert "**(i)**".

Page 3, line 11, strike "(i)" and insert "**(j)**".

Page 3, line 11, strike "shall" and insert "**does**".

Page 3, line 12, strike "such that continuation of the" and insert "**to avert the pregnant minor's death or a substantial and irreversible impairment of a major bodily function of the pregnant minor**".

Page 3, strike line 13.

Page 3, line 14, strike "health of the pregnant woman".

Page 3, line 14, strike "so".

Page 3, line 14, after "certifies" insert "**this**".

Page 3, line 16, delete "(j)" and insert "**(k)**".

Page 3, line 18, delete "woman's" and insert "**minor's**".

Page 3, line 24, delete "woman" and insert "**minor**".

Page 3, line 24, delete "woman's" and insert "**minor's**".

Page 3, line 25, after "guardian" insert "**or custodian**".

Page 3, between lines 27 and 28, begin a new paragraph and insert:

"(l) A person who, with intent to avoid the parental notification requirements described in subsection (a), falsely claims to be the parent or legal guardian or custodian of an unemancipated pregnant minor by:

(1) making a material misstatement while purportedly providing the written consent described in subsection (a)(1); or

(2) providing false or fraudulent identification to meet the requirement described in subsection (a)(2);

commits a Level 6 felony."

Page 3, line 33, delete "woman" and insert "**minor**".

Page 3, line 39, delete "woman" and insert "**minor**".

Page 3, line 41, delete "A" and insert "**Except as provided in subsection (g), a**".

Page 3, line 42, delete "woman" and insert "**minor**".

Page 3, line 42, after "guardian" insert "**or custodian**".

Page 4, line 1, delete "woman." and insert "**minor**".

Page 4, line 2, delete "woman" and insert "**minor**".

Page 4, line 2, after "parent or" insert "**legal**".

Page 4, line 3, after "guardian" insert "**or custodian**".

Page 4, line 3, delete "woman" and insert "**minor**".

Page 4, line 15, delete "woman" and insert "**minor**".

Page 4, line 19, delete "woman" and insert "**minor**".

Page 4, line 21, after "or" insert "**legal**".

Page 4, line 21, after "guardian" insert "**or custodian**".

Page 4, line 22, delete "woman" and insert "**minor**".

Page 4, line 23, after "or" insert "**legal**".

Page 4, line 23, after "guardian" insert "**or custodian**".

Page 4, between lines 25 and 26, begin a new paragraph and insert:

"(g) A person may not bring a cause of action under this section against a person who is related to the minor as a:

(1) parent or stepparent;

(2) grandparent or stepgrandparent; or

(3) sibling or stepsibling."

Page 8, line 22, after "report" insert "**to the department of child services or a local law enforcement agency:**

(A)".

Page 8, line 22, after "abuse" insert "**in accordance with IC 31-33-5; or**".

Page 8, line 23, delete "or sexual trafficking to law enforcement.", begin a new line double block indented and insert:

"(B) that a patient may be the victim of human trafficking, if the practitioner has been presented with evidence that, if presented to a practitioner of similar background and training, would cause the practitioner to believe that the patient is a victim of human trafficking."

Page 8, after line 42, begin a new paragraph and insert:

"SECTION 8. IC 35-52-16-20.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 20.7. IC 16-34-2-4 defines a crime concerning abortion.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 404 as printed February 24, 2017.)

HOUCHIN

Motion prevailed.

SENATE MOTION
(Amendment 404-1)

Madam President: I move that Senate Bill 404 be amended to read as follows:

Page 2, line 22, delete "A parent or".

Delete lines 23 through 28.

Page 2, line 29, delete "submit evidence to the court."

Page 2, line 30, delete "evidence submitted by the parent or legal guardian".

Page 2, line 31, delete "of the pregnant minor and".

Page 2, line 33, delete "by".

Page 2, line 34, delete "clear and convincing evidence".

(Reference is to SB 404 as printed February 24, 2017.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 404-2)

Madam President: I move that Senate Bill 404 be amended to read as follows:

Delete the title and insert the following:

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

Page 8, after line 42, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2017] **(a) There is appropriated to the attorney general two hundred thousand dollars (\$200,000) from the state general fund. The attorney general may use money appropriated under this SECTION for the sole purpose of paying attorney's fees and costs awarded to a prevailing plaintiff in a lawsuit to enjoin the implementation and enforcement of this act or any part of this act.**

(b) This SECTION expires June 30, 2019."

Renumber all SECTIONS consecutively.

(Reference is to SB 404 as printed February 24, 2017.)

BREAUX

Motion to amend withdrawn. The bill was ordered engrossed.

Senate Bill 407

Senator Houchin called up Senate Bill 407 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 407-3)

Madam President: I move that Senate Bill 407 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 27.

Page 4, line 7, after "interim" insert "**the**".

Page 4, line 7, after "relating" insert "**to**".

Renumber all SECTIONS consecutively.

(Reference is to SB 407 as printed February 24, 2017.)

HOUCHIN

Motion prevailed.

SENATE MOTION
(Amendment 407-1)

Madam President: I move that Senate Bill 407 be amended to read as follows:

Page 2, delete lines 28 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 407 as printed February 24, 2017.)

MELTON

Upon request of Senator Melton the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 189: yeas 13, nays 36.

Motion failed.

SENATE MOTION
(Amendment 407-2)

Madam President: I move that Senate Bill 407 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-6-2-1.5, AS AMENDED BY P.L.149-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.5. (a) Whenever any state governmental official or employee, whether elected or appointed, is made a party to a suit, and the attorney general determines that said suit has arisen out of an act which such official or employee in good faith believed to be within the scope of the official's or employee's duties as prescribed by statute or duly adopted regulation, the attorney general shall defend such person throughout such action.

(b) Whenever a teacher (as defined in IC 20-18-2-22) is made a party to a civil suit, and the attorney general determines that the suit has arisen out of an act that the teacher in good faith believed was within the scope of the teacher's duties in enforcing discipline policies developed under IC 20-33-8-12, the attorney general shall defend the teacher throughout the action.

(c) ~~Not later than July 30 of each year, the attorney general, in consultation with the Indiana education employment relations board established in IC 20-29-3-1, shall draft and disseminate a letter by first class mail to the residence of teachers providing a summary of the teacher's rights and protections under state and federal law, including a teacher's rights and protections relating to the teacher's performance evaluation under IC 20-28-11-5.~~

(d) ~~The department of education, in consultation with the Indiana education employment relations board, shall develop a method to provide the attorney general with the names and addresses of active teachers in Indiana in order for the attorney general to disseminate the letter described in subsection (c). Names and addresses collected and provided to the attorney general under this subsection are confidential and excepted from public disclosure as provided in IC 5-14-3-4.~~

(~~e~~) (c) Whenever a school corporation (as defined in IC 20-26-2-4) is made a party to a civil suit and the attorney general determines that the suit has arisen out of an act authorized under IC 20-30-5-0.5 or IC 20-30-5-4.5, the attorney general shall defend the school corporation throughout the action.

(~~f~~) (d) A determination by the attorney general under subsection (a), (b), or (~~e~~) (c) shall not be admitted as evidence in the trial of any such civil action for damages.

(~~g~~) (e) Nothing in this chapter shall be construed to deprive any such person of the person's right to select counsel of the person's own choice at the person's own expense."

Page 3, delete lines 28 through 42.

Renumber all SECTIONS consecutively.

(Reference is to SB 407 as printed February 24, 2017.)

MELTON

Upon request of Senator Melton the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 190: yeas 11, nays 38.

Motion failed. The bill was ordered engrossed.

Senate Bill 423

Senator M. Young called up Senate Bill 423 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 423-1)

Madam President: I move that Senate Bill 423 be amended to read as follows:

Page 1, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 1. IC 5-2-18.2-2.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.2. As used in this chapter, "postsecondary educational institution" refers**

to any state educational institution (as defined in IC 21-7-13-32) or private postsecondary educational institution that receives state or federal funds."

Page 1, line 9, after "2.4." insert "(a)".

Page 1, line 16, after "(A)" insert "lawfully".

Page 2, line 7, delete "and" and insert "or".

Page 2, line 25, delete "a".

Page 2, after line 42, begin a new paragraph and insert:

"(b) The term does not include a formal or informal policy of a postsecondary educational institution under which an employee of the postsecondary educational institution may decline, with respect to an individual who comes forward as a victim of a crime or a witness to a crime, to:

(1) send to, receive from, maintain, or exchange with any federal, state, or local governmental entity information regarding the citizenship or immigration status of the individual; or

(2) comply with a request made by the United States Department of Homeland Security under Section 236 or Section 287 of the Immigration and Nationality Act (8 U.S.C. 1226 or 8 U.S.C. 1357) to:

(A) comply with a detainer for the individual; or

(B) provide notification regarding the release of the individual."

Page 3, line 6, after "body" delete "," and insert "**or employee of a postsecondary educational institution,**".

Page 3, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 5. IC 5-2-18.2-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.5. (a) A postsecondary educational institution with a campus in Indiana may not have a sanctuary policy.**

(b) If a postsecondary educational institution that is a state educational institution (as defined in IC 21-7-13-32) violates this section, the budget agency, after an advisory recommendation from the budget committee, may withhold funds appropriated by the general assembly to the postsecondary educational institution in an amount determined appropriate by the budget agency to bring the postsecondary educational institution into compliance with this section."

Page 3, line 33, after "3" insert ",".

Page 3, line 33, strike "or".

Page 3, line 33, after "4" insert ", or 4.5".

Page 3, line 37, delete "may not be construed to restrict an" and insert "**does not affect the eligibility of an individual described in IC 21-14-11-1(a) to pay the resident tuition rate (as determined by the state educational institution (as defined in IC 21-7-13-32))."**

Page 3, delete lines 38 through 42.

Delete page 4.

Renumber all SECTIONS consecutively.

(Reference is to SB 423 as printed February 24, 2017.)

SANDLIN

Upon request of Senator Melton the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 191: yeas 39, nays 10.

Motion prevailed. The bill was ordered engrossed.

Senate Bill 425

Senator M. Young called up Senate Bill 425 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 429

Senator Ford called up Senate Bill 429 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 429-1)

Madam President: I move that Senate Bill 429 be amended to read as follows:

Page 3, line 28, after "in" insert "**the**".

Page 5, line 5, delete "IC 4-23-2.2-12" and insert "**IC 4-23-2.2-11**".

Page 5, after line 20, begin a new paragraph and insert:

"SECTION 4. IC 6-3.6-9-15, AS AMENDED BY P.L.126-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) If the budget agency determines that the balance in a county trust account exceeds fifteen percent (15%) of the certified distributions to be made to the county in the determination year, the budget agency shall make a supplemental distribution to the county from the county's trust account. The budget agency shall use the trust account balance as of December 31 of the year that precedes the determination year by two (2) years (referred to as the "trust account balance year" in this section).

(b) A supplemental distribution described in subsection (a) must be:

- (1) made at the same time as the determinations are provided to the county auditor under subsection (d)(2); and
- (2) allocated in the same manner as certified distributions for the purposes described in this article.

(c) The amount of a supplemental distribution described in subsection (a) is equal to the amount by which:

- (1) the balance in the county trust account; minus
- (2) the amount of any supplemental or special distribution that has not yet been accounted for in the last known balance of the county's trust account;

exceeds fifteen percent (15%) of the certified distributions to be made to the county in the determination year.

(d) **Subject to section 15.2 of this chapter**, for a county that qualifies for a supplemental distribution under this section in a year, the following apply:

- (1) Before May 2, the budget agency shall provide the amount of the supplemental distribution for the county to the department of local government finance and to the county auditor.
- (2) The department of local government finance shall determine for the county and each taxing unit within the county:

- (A) the amount and allocation of the supplemental distribution attributable to the taxes that were imposed as of December 31 of the trust account balance year, including any specific distributions for that year; and
- (B) the amount of the allocation for each of the purposes set forth in this article, using the allocation percentages in effect in the trust account balance year.

The department of local government finance shall provide these determinations to the county auditor before May 16 of the determination year.

(3) Before June 1, the county auditor shall distribute to each taxing unit the amount of the supplemental distribution that is allocated to the taxing unit under subdivision (2).

For determinations before 2019, the tax rates in effect under and the allocation methods specified in the former income tax laws shall be used for the determinations under subdivision (2).

(e) For any part of a supplemental distribution attributable to property tax credits under a former income tax or IC 6-3.6-5, the adopting body for the county may allocate the supplemental distribution to property tax credits for not more than the three (3) years after the year the supplemental distribution is received.

(f) Any income earned on money held in a trust account established for a county under this chapter shall be deposited in that trust account.

SECTION 5. IC 6-3.6-9-15.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 15.2. The following apply to the determination of a supplemental distribution under section 15 of this chapter for a county containing a tax area established under IC 4-23-2.2:**

(1) The amount and allocation of the supplemental distribution determined under section 15(d)(2) of this chapter shall be calculated as if the supplemental distribution that will be made is equal to the sum of:

- (A) the amount of the supplemental distribution specified in section 15(c) of this chapter; plus**
- (B) any local income taxes that have been included as part of the incremental income tax amount paid, after the date of the county's most recent supplemental distribution, to the cultural district development area account established for the tax area under IC 4-23-2.5-4(c).**

(2) The amount of the supplemental distribution that shall be distributed to each taxing unit in the county, other than the taxing that established the tax area under IC 4-23-2.2, is equal to the amount calculated for the taxing unit under subdivision (1).

(3) The amount of the supplemental distribution that shall be distributed to the taxing unit that established the tax area under IC 4-23-2.2 is equal to the result of:

- (A) the amount calculated for the taxing unit under subdivision (1); minus**
- (B) the amount described in subdivision (1)(B)."**

Remember all SECTIONS consecutively.

(Reference is to SB 429 as printed February 24, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 467

Senator Buck called up Senate Bill 467 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 467-1)

Madam President: I move that Senate Bill 467 be amended to read as follows:

Page 1, line 12, delete "policy"" and insert "**coverage**".

Page 1, line 13, before "a" insert "**coverage under**".

Page 1, line 17, delete "The amount charged may not exceed the state fire", begin a new paragraph and insert:

"Sec. 5. An insurer that offers reimbursement coverage under a property insurance policy may limit the offer to reimbursement coverage that applies to fire protection services provided by one (1) or both of the following:

(1) A volunteer fire department.

(2) A paid fire department."

Page 2, delete line 1.

Page 2, line 2, delete "5." and insert "**6. (a)**".

Page 2, line 3, delete "filed with an insurer that provides insurance".

Page 2, line 3, after "a" insert "**property insurance policy that provides reimbursement coverage; and**".

Page 2, delete line 4.

Page 2, line 9, after "shall" insert "**, subject to subsection (b),**".

Page 2, line 10, delete "reimbursement referred to in section 4 of this chapter" and insert "**amount charged by the fire department for the fire protection services provided to the property**".

Page 2, line 11, after "." begin a new paragraph and insert:

"(b) An insurer that makes direct payment to a fire department under subsection (a) is not required to pay an amount that exceeds either of the following:

(1) The amount specified in the state fire marshal's recommended schedule of charges for the provision of fire protection services to the property.

(2) The amount of reimbursement coverage provided for under the property insurance policy.

(c)".

Page 2, line 14, delete "policy".

(Reference is to SB 467 as printed February 24, 2017.)

HOLDMAN

Motion prevailed.

SENATE MOTION (Amendment 467-2)

Madam President: I move that Senate Bill 467 be amended to read as follows:

Delete the title and insert the following:

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

(Reference is to SB 467 as printed February 24, 2017.)

BUCK

Motion prevailed. The bill was ordered engrossed.

Senate Bill 478

Senator Koch called up Senate Bill 478 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 478-3)

Madam President: I move that Senate Bill 478 be amended to read as follows:

Page 1, line 10, delete "13(a)" and insert "**15(a)**".

Page 2, line 8, after "that" insert "**by its terms expressly**".

Page 2, line 9, delete "without modification to the" and insert "**within the easement; or**".

Page 2, delete line 10.

Page 3, delete lines 20 through 42, begin a new paragraph and insert:

"Sec. 8. (a) This section applies to an electricity supplier that:

(1) installs new communications infrastructure; or

(2) makes capacity available for communications service through existing communications infrastructure;

within an electric easement under this chapter.

(b) As used in this section, "notice" means a written letter:

(1) that is:

(A) mailed; or

(B) sent electronically, if the property owner has consented to receive electronic communications from the electricity supplier;

by the electricity supplier to the property owner; and

(2) that includes the following information:

(A) The name, address, and telephone number of the electricity supplier, along with a named point of contact for the electricity supplier.

(B) Either:

(i) the address and name associated with the impacted property; or

(ii) if the name of the property owner is not known by the electricity supplier, the address associated with the affected property, with the letter addressed to "The property owner of (street address, city, state, and zip code of the affected property)".

(C) A citation to this chapter.

(D) A statement indicating the electricity supplier's intent to:

(i) install new communications infrastructure; or
(ii) make capacity available for communications service through existing communications infrastructure;

as applicable, within the electric easement.

(E) An estimate of when:

(i) installation of new communications infrastructure will occur; or

(ii) communications service will be made available through existing communications infrastructure;

as applicable, within the electric easement.

(F) A statement explaining the electricity supplier's right to record a new easement under section 14 of this chapter.

(G) A summary of the property owner's right to obtain an appraisal under section 11 of this chapter and to bring an action under section 12 of this chapter, including:

(i) a statement of the time limit for bringing an action, as set forth in section 10 of this chapter; and

(ii) a statement explaining that the property owner is precluded from exercising the rights that are otherwise available to the property owner under sections 11 and 12 of this chapter if the property owner signs an agreement, a master agreement, or an affidavit described in section 9 of this chapter.

(c) An electricity supplier shall provide notice to a property owner upon whose property the electricity supplier will:

- (1) install new communications infrastructure; or
- (2) make capacity available for communications service through existing communications infrastructure;

within an electric easement under this chapter. An electricity supplier's provision of a notice that substantially conforms to the requirements set forth in subsection (b) constitutes the provision of notice for purposes of this section.

(d) Delivery of notice under this section occurs on the date upon which the notice is mailed or sent electronically by an electricity supplier to a property owner. An electricity supplier may prove delivery of notice under this section by any official or generally accepted time stamped document, whether maintained in physical form or electronically, including a time stamped electronic message. A court shall accept proof described in this section in a proceeding under section 12 of this chapter.

(e) If:

- (1) installation of new communications infrastructure does not occur; or
- (2) communications service is not made available through existing communications infrastructure;

within the electric easement within one hundred eighty (180) days after notice under this section is delivered, as determined under subsection (d), the electricity supplier shall resend notice under this section to the property owner, and the time period set forth in section 10 of this chapter restarts based on the date the subsequent notice is delivered, as determined under subsection (d). A property owner's exclusive remedy for an electricity supplier's failure to provide notice as required under this section is the resetting of the time period set forth in section 10 of this chapter.

Sec. 9. (a) An electricity supplier that makes communications service available to a property owner through communications infrastructure that is installed or will be installed within an electric easement shall include in any:

- (1) member agreement;
- (2) customer agreement; or

(3) other similar agreement;

related to the communications service a provision notifying a property owner that takes or will take communications service from the electricity supplier, or from any related or affiliated entity, that by signing the agreement for communications service, the property owner expressly consents to the expansion of the electric easement that the electricity supplier has with the property owner to include communications infrastructure.

(b) Subject to subsection (c), the agreement that includes the notice described in subsection (a) must:

(1) be signed by the property owner or the property owner's designated agent; and

(2) include a statement that anyone other than the property owner or the property owner's designated agent may be:

(A) subject to penalties for perjury; and

(B) liable for any just compensation provided for by law;

for signing the agreement without the consent of the property owner or the property owner's designated agent.

(c) In the case of tenant occupied property, the owner of the property that is leased or rented, or the owner's designated agent, may sign a master agreement that:

(1) includes the statement described in subsection (b)(2); and

(2) gives consent to the electricity supplier to expand an electric easement on the property owner's property to include communications infrastructure for all units on the property owner's property.

A tenant may not sign a master agreement under this subsection on behalf of the property owner. However, a tenant may provide to the electricity supplier a notarized affidavit that is signed by the property owner or the property owner's designated agent and that gives consent to the expansion of an electric easement to include communications infrastructure on the property owner's property. This subsection may not be interpreted as imposing on the property owner any duty, liability, or other obligation that may exist between the electricity supplier and the tenant customer with respect to the provision of communications service.

(d) Upon signing:

(1) an agreement under subsection (a) to take communications service from the electricity supplier, or from any related or affiliated entity; or

(2) a master agreement or a notarized affidavit under subsection (c) that gives consent to the expansion of an electric easement to include communications infrastructure for all units or for a particular unit on the property owner's property, as applicable;

the property owner is not entitled to any additional compensation for the expansion of the electric easement to include communications infrastructure, other than the value of being provided access to any communications service that the electricity supplier may offer and to which the property owner may elect to subscribe.

(e) This section may not be interpreted as affecting the terms of any member agreement an electricity supplier has with the electricity supplier's members with respect to the provision of:

- (1) electric service; or
- (2) communications service;

within an easement that by its terms expressly provides for the installation of communications infrastructure, as described in section 1(c)(2) of this chapter.

Sec. 10. Subject to sections 8(e) and 13 of this chapter, and except as provided by section 9 of this chapter, a property owner may bring a cause of action under section 12 of this chapter against an electricity supplier for damages relating to the interference with the use of the property owner's property caused by the attachment or installation of communications infrastructure within the electric easement, not later than two (2) years from the later of:

- (1) July 1, 2017; or
- (2) the date upon which the notice under section 8 of this chapter is delivered to the property owner, as determined under section 8(d) of this chapter.

Sec. 11. (a) In order to prove damages relating to the interference with the use of the property owner's property caused by the attachment or installation of communications infrastructure within the electric easement, a property owner shall, at the property owner's expense and without reimbursement from the electricity supplier, provide the electricity supplier with an appraisal comparing the value of the property before and after the attachment or installation of communications infrastructure within the electric easement. The appraisal must:

- (1) be performed by a real estate appraiser licensed under IC 25-34.1-3-8;
- (2) be conducted within the period specified in section 10 of this chapter; and
- (3) take into account any increase in value to the property resulting from the availability of broadband Internet service provided through the communications infrastructure.

(b) If an electricity supplier disputes an appraisal provided by the property owner under subsection (a), the electricity supplier may:

- (1) not later than thirty (30) days after the date of the electricity supplier's receipt of the property owner's appraisal, send to the property owner by certified mail a notice stating that the electricity supplier disputes the property owner's appraisal; and
- (2) not later than ninety (90) days from the date on which the notice of the dispute is sent by certified mail to the property owner under subdivision (1):
 - (A) obtain at the electricity supplier's expense an appraisal by a real estate appraiser licensed under IC 25-34.1-3-8; and
 - (B) send a copy of the appraisal by certified mail to the property owner.

A property owner shall make reasonable accommodations for the electricity supplier to perform an appraisal under this subsection. If a property owner fails to make such reasonable

accommodations available within the ninety (90) day period described in subdivision (2), the electricity supplier may not be found liable for any asserted reduction in property value as a result of the installation of communications infrastructure within the electric easement.

(c) A property owner may review and either accept or reject, in writing, the electricity supplier's appraisal not later than thirty (30) calendar days after it is sent by certified mail from the electricity supplier to the property owner.

(d) If the electricity supplier:

- (1) receives a written response from the property owner accepting the electricity supplier's appraisal; or
- (2) does not receive a written response within thirty (30) calendar days after the appraisal is sent by the electricity supplier under subsection (c);

the electricity supplier shall consider its appraisal accepted by the property owner and shall remit payment in accordance with the appraisal to the property owner not later than sixty (60) days after the expiration of the thirty (30) day period described in this section.

Sec. 12. (a) Subject to section 13 of this chapter, if:

- (1) the electricity supplier receives written notice from a property owner timely rejecting the electricity supplier's appraisal; and
- (2) the electricity supplier and property owner are unable to reach an agreement concerning damages;

the property owner may file an action against the electricity supplier in a court with jurisdiction to determine the reduction in value of the property, if any, as a result of the attachment or installation of communications infrastructure within the electric easement.

(b) If damages are assessed for the electricity supplier's use of the electric easement for communications infrastructure, the electricity supplier shall, not later than sixty (60) days after the assessment, deposit with the court or pay to the property owner the amount assessed, including costs as determined by the court.

Sec. 13. (a) The amount of damages payable to a property owner for the use of an electric easement by an electricity supplier for communications infrastructure is limited to an amount sufficient to compensate the property owner for the reduction in value of the property due to the increased interference, if any, with the owner's use of the property caused by the attachment or installation of communications infrastructure within the electric easement. Evidence of revenues, profits, or any other fees derived by an electricity supplier from installing communications infrastructure in an existing easement, or evidence of the revenues, profits, or any other fees derived from the operation of such equipment, is not admissible for any purpose in any proceeding under this chapter.

(b) If an appraisal performed under this chapter proves no reduction in value to the property owner's property, the property owner is not entitled to damages.

Sec. 14. The acceptance by a property owner of payment for damages as a result of any acts of an electricity supplier under this chapter operates to modify the electric easement to allow for the installation, servicing, maintenance, and use

of communications infrastructure within the easement."

Delete pages 4 through 5.

Page 6, delete lines 1 through 14.

Page 6, line 15, delete "13." and insert "15."

Page 6, between lines 32 and 33, begin a new paragraph and insert:

"Sec. 16. (a) This section applies only to an electric easement that:

(1) is located outside a public right-of-way;

(2) does not expressly allow for the installation of communications infrastructure within the easement; and

(3) involves land:

(A) owned by a railroad company; or

(B) on which a manufacturing facility is located.

(b) When installing, inspecting, or maintaining communications infrastructure within an electric easement described in subsection (a), an electricity supplier shall make a reasonable, good faith effort to notify the property owner of the installation, inspection, or maintenance of the communications infrastructure. With respect to the installation of communications infrastructure within an electric easement described in subsection (a), the electricity supplier shall provide the property owner with the notice required under section 8 of this chapter.

(c) The failure of an electricity supplier to comply with the notification requirement set forth in subsection (b) does not:

(1) create any liability with respect to the electricity supplier beyond that which would otherwise apply under applicable law; or

(2) create for the property owner a duty of care beyond what is owed by the property owner under IC 34-31-11.

Sec. 17. This chapter shall not be interpreted as changing or otherwise impacting:

(1) any requirements with which an electricity supplier must comply under federal or state law when installing communications infrastructure on or within privately owned railroad property or on or within a private railroad easement, regardless of whether the property or easement is in the public right-of-way; or

(2) an electricity supplier's duties under any reasonable safety and protective requirements that are imposed by a railroad company, to the extent the requirements are applicable to an electricity supplier when installing or maintaining communications infrastructure on or within privately owned railroad property or on or within a private railroad easement."

(Reference is to SB 478 as printed February 21, 2017.)

KOCH

Motion prevailed. The bill was ordered engrossed.

Senate Bill 479

Senator Koch called up Senate Bill 479 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 479-1)

Madam President: I move that Senate Bill 479 be amended to read as follows:

Page 3, between lines 6 and 7, begin a new paragraph and insert:

"(d) A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection (b)(1), (b)(2), (b)(3), or (b)(4) to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2 (d)."

Page 4, delete lines 22 through 42.

Delete pages 5 through 6.

(Reference is to SB 479 as printed February 24, 2017.)

KOCH

Motion prevailed. The bill was ordered engrossed.

Senate Bill 498

Senator Raatz called up Senate Bill 498 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 499

Senator Raatz called up Senate Bill 499 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 517

Senator Alting called up Senate Bill 517 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 517-3)

Madam President: I move that Senate Bill 517 be amended to read as follows:

Page 3, line 35, delete "'national guard;" and insert "**National Guard;**".

Page 3, line 40, after "entities" insert "**(or, in the case of subdivision (7), to counties)**".

(Reference is to SB 517 as printed February 22, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 532

Senator Boots called up Senate Bill 532 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 532-1)

Madam President: I move that Senate Bill 532 be amended to read as follows:

Page 1, line 8, after "the case." insert "**A service of process fee collected under this subsection shall be collected each time the sheriff serves a document completed by the sheriff.**".

Page 1, line 8, strike "However,".

Page 1, line 8, delete "a" and insert "A".

(Reference is to SB 532 as printed February 24, 2017.)

BOOTS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 559

Senator Eckerty called up Senate Bill 559 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Melton has been excused from voting on Engrossed Senate Bill 309 pursuant to the Report of the Committee on Ethics adopted on February 23, 2017.

LONG, Chair

Report adopted.

5:15 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 5:25 p.m., with the President Pro Tempore of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 35(c), the following technical corrections are to be made to Engrossed Senate Bill 222.

Page 2, line 6, after "requirement?" insert ".".

(Reference is to ESB 222 as reprinted February 24, 2017.)

LONG

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 35(c), the following technical corrections are to be made to Engrossed Senate Bill 413.

Page 2, line 22, after "(4)" insert "if".

Page 2, line 31, after "(6)" insert "if".

Page 2, line 37, delete "(6)" and insert "(7)".

(Reference is to ESB 413 as reprinted February 24, 2017.)

LONG

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 61

Senator Head called up Engrossed Senate Bill 61 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 192: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Clere.

Engrossed Senate Bill 126

Senator L. Brown called up Engrossed Senate Bill 126 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 193: yeas 45, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober, Carbaugh and Heine.

Engrossed Senate Bill 128

Senator Messmer called up Engrossed Senate Bill 128 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Braun and Soliday.

Engrossed Senate Bill 131

Senator Crider called up Engrossed Senate Bill 131 for third reading:

A BILL FOR AN ACT concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair

instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wesco.

Engrossed Senate Bill 213

Senator Hershman called up Engrossed Senate Bill 213 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober and Lehman.

5:55 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 6:22 p.m., with Senator Long in the Chair.

SENATE MOTION

Madam President: I move that Senator Leising be added as cosponsor of Engrossed House Bill 1053.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as cosponsor of Engrossed House Bill 1174.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Charbonneau, Hershman, Ford, Buck, Boots, L. Brown, Eckerty and M. Young be added as coauthors of Senate Bill 43.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane, Niemeyer, Koch, Walker, Messmer, Houchin, Freeman, Crider, Leising, Sandlin, Delph and Becker be added as coauthors of Senate Bill 43.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 131.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 196.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 213.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 220.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author of Senate Bill 222.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 227.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 283.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 293.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 309.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Zay and Niemeyer be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Charbonneau and Messmer be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Becker, Boots, L. Brown and Ruckelshaus be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 353.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Freeman, J. Smith and Koch be added as coauthors of Senate Bill 423.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 425.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 467.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 478.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as second author of Senate Bill 479.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 499.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 505.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as coauthor of Senate Bill 514.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second author of Senate Bill 559.

ECKERTY

Motion prevailed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 220

Senator Niemeyer called up Engrossed Senate Bill 220 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 38, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Slager, Olthoff and Aylesworth.

Engrossed Senate Bill 222

Senator Hershman called up Engrossed Senate Bill 222 for third reading:

A BILL FOR AN ACT concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 198: yeas 43, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman and T. Brown.

Engrossed Senate Bill 246

Senator Holdman called up Engrossed Senate Bill 246 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 199: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Carbaugh.

Engrossed Senate Bill 283

Senator Messmer called up Engrossed Senate Bill 283 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehman.

Engrossed Senate Bill 293

Senator Leising called up Engrossed Senate Bill 293 for third reading:

A BILL FOR AN ACT concerning service animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 201: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe and Gutwein.

Engrossed Senate Bill 309

Senator Hershman called up Engrossed Senate Bill 309 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 202: yeas 39, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ober and Soliday.

Engrossed Senate Bill 340

Senator Kruse called up Engrossed Senate Bill 340 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 203: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Smaltz and Soliday.

Engrossed Senate Bill 347

Senator Freeman called up Engrossed Senate Bill 347 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 204: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Speedy.

Engrossed Senate Bill 353

Senator Head called up Engrossed Senate Bill 353 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 205: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives VanNatter, Carbaugh, Lehman and Pressel.

Engrossed Senate Bill 413

Senator Koch called up Engrossed Senate Bill 413 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 206: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehman.

Engrossed Senate Bill 435

Senator Mrvan called up Engrossed Senate Bill 435 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 207: yeas 26, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative McNamara.

Engrossed Senate Bill 472

Senator Crider called up Engrossed Senate Bill 472 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 208: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative DeVon.

SENATE MOTION

Madam President: I move that Senator Koch be added as coauthor of Senate Bill 213.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 353.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 404.

HOUCHIN

Motion prevailed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 505

Senator Bray called up Engrossed Senate Bill 505 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 209: yeas 45, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Zent, Moed, Steuerwald and Richardson.

Engrossed Senate Bill 515

Senator Hershman called up Engrossed Senate Bill 515 for third reading:

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

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 210: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Tuesday, February 28, 2017.

HERSHMAN

Motion prevailed.

The Senate adjourned at 8:03 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate